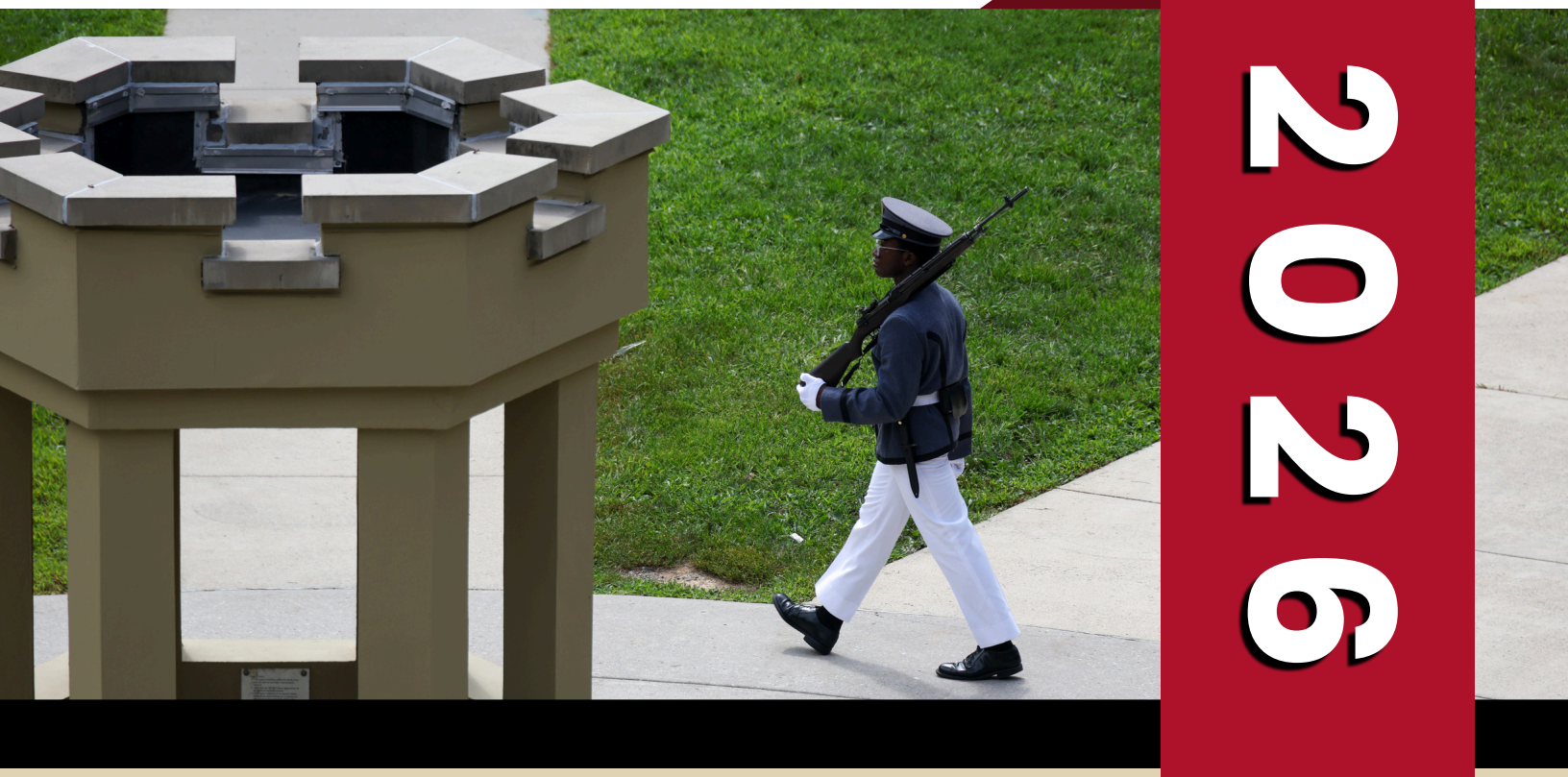
VIRGINIA MILITARY INSTITUTE



2026

ANNUAL SECURITY & FIRE SAFETY REPORT

Compiled September 2026

540.464.7017 301 LETCHER AVE. VMI.EDU/POLICE

TABLE OF CONTENTS

VMI EQUITY STATEMENT 1

JEANNE CLERY CAMPUS SAFETY ACT 2

CONTACT INFORMATION FOR SAFETY AND VICTIM RESOURCES 3

VIRGINIA MILITARY INSTITUTE POLICE DEPARTMENT 4

REPORTING CRIMES AND OTHER EMERGENCIES 6

EMERGENCY PREPAREDNESS 7

EMERGENCY RESPONSE, NOTIFICATION AND EVACUATION 8

VMI THREAT GUIDE 10

TIMELY WARNINGS 11

VIOLENCE PREVENTION AND THREAT ASSESSMENT 12

DRUG AND ALCOHOL POLICY 12

SEXUAL ASSAULT, SEXUAL HARASSMENT AND DISCRIMINATION 13

CRIME VICTIMS' AND WITNESS' RIGHTS AND RESOURCES 13

HAZING 15

SEX OFFENDER REGISTRY 16

CONFIDENTIAL REPORTING 16

SECURITY AND ACCESS TO FACILITIES 17

MISSING CADET PROTOCOL 18

CRIME PREVENTION 18

CLERY REPORTING 20

CAMPUS SECURITY AUTHORITIES 21

DEFINITIONS 22

CLERY OFFENSES AND DEFINITIONS 23

POLICE CRIME LOG 25

APPENDIX 1 30

APPENDIX 2 34

APPENDIX 3 41

APPENDIX 4 84

APPENDIX 5 100

APPENDIX 6 104

APPENDIX 7 112

TABLE OF CONTENTS

APPENDIX 8.....115

APPENDIX 9.....126

APPENDIX 10.....129

APPENDIX 11.....132

APPENDIX 12.....134

VMI Equity Statement

Consistent with Federal and State law, the Virginia Military Institute does not discriminate against employees, cadets, or applicants on the basis of race, sex, color, national origin, religion, age, veteran status, sexual orientation, pregnancy, genetic information, against otherwise qualified persons with disabilities, or based on any other status protected by law. Every VMI staff member, faculty member and cadet has the right to work and study in an environment free from discrimination and should be treated with dignity and respect. VMI complaint and grievance procedures provide employees and cadets with the means for resolving complaints that this Statement has been violated.

Please refer to General Order 13 (Superintendent's Statement on Equity at VMI) for the Superintendent's Statement about equity here at VMI. You may view this general order and all others — including General Order 16 Nondiscrimination Policy — at **www.vmi.edu/generalorders**.

Anyone having questions concerning discrimination or the application of Title IX regulations should contact the Inspector General/Title IX Coordinator, 303 Letcher Ave, VMI, Lexington, VA 24450, (540) 464-7072. **www.vmi.edu/titleix**

Any cadet or prospective cadet having questions about disability services for students should contact the Director of the Miller Academic Center and Disability Services, 207A Carroll Hall, (540) 464-7741. **www.vmi.edu/ds**

For employment-related disability services, contact the Employee Disability Services Coordinator in the VMI Human Resources Office, Lexington, VA 24450, (540) 464-7322. **www.vmi.edu/hr**

20 U. S. Code § 1092 (f)(1)

"Each eligible institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42, other than a foreign institution of higher education, shall on August 1, 1991, begin to collect the following information with respect to campus crime statistics and campus security policies of that institution, and beginning September 1, 1992, and each year thereafter, prepare, publish, and distribute, through appropriate publications or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual security report containing information with respect to the campus security policies and campus crime statistics of that institution.

Jeanne Clery Campus Safety Act

The safety, security and welfare of cadets, faculty, staff, and visitors on post are major concerns at Virginia Military Institute. We are committed to providing a unique and rigorous academic experience in an environment in which the physical safety of individuals is assured to the maximum extent possible.

As you will see, crime is a rare occurrence at VMI, especially when compared to other college campuses. You will also see that we have policies and procedures in place to minimize the potential for crime and respond to it immediately and forcefully if it happens.

Crime prevention is a partnership, with all on Post being partners in this effort. As an Institution, VMI has invested in a professional police department, developed detailed plans to deal with natural and man-made disasters, and has established multi-layered support systems focused on identifying and dealing with inappropriate behaviors before they escalate to the point that they endanger others.

However, no system is foolproof. Therefore, VMI also enlists all personnel on Post in the battle against crime through a series of training and awareness activities. We are all, both as individuals and organizations, responsible for our personal safety and for the safety of those around us.

In this annual safety report, we review the most recent crime statistics both on Post and the community surrounding it. We also highlight some of the pertinent policies and procedures we have instituted to ensure VMI remains a safe and secure environment.



Jeanne Clery 1966 – 1986

Contact Information for Safety and Victim Resources

Law Enforcement Department or Agency	Contact Number
Emergency	**911**
VMI Police Dispatch (non-emergency)	(540) 463-9177
VMI Police Business Hours	(540) 464-7017
Lexington Police Department	(540) 462-3705
Rockbridge Sheriff's Office	(540) 463-7328
Virginia State Police	(540) 375-9500
Federal Bureau of Investigation	(540) 344-5561

VMI-Specific Offices and Departments	Contact Number
Commandant	(540) 464-7313
Officer in Charge	(540) 464-7293
VMI Infirmary	(540) 464-7218
VMI Cadet Counseling and Disability Services	(540) 464-7667
VMI Chaplain	(540) 464-7390
VMI Inspector General [office]	(540) 464-7072
VMI Inspector General [cell]	(540) 460-5250

Community Resources	Contact Number
Project Horizon (24-hour)	(540) 463-9177
Virginia Alcohol Safety Action Plan	(540) 463-2471
Rockbridge Area Community Services Board	(540) 463-3141

Silent Witness Anonymous Electronic Reporting
www.vmi.edu/silentwitness/

Virginia Military Institute Police Department



The Virginia Military Institute Police Department provides full-service police services to the Institute community. The VMI Police Department is headed by a Chief of Police, who reports to the Assistant Superintendent for Plans and Operations. The jurisdiction of the VMI Police Department includes, but is not limited to, the main Post, the adjacent streets and sidewalks, and multiple off-Post facilities owned or controlled by VMI. These include McKethan Park, Sky Farm, the Chessie Trail, the Stonewall Jackson House and the Virginia Museum of the Civil War at New Market.

There are fourteen sworn police officers with comprehensive arrest powers. They are augmented by four part-time, non-sworn certified campus security officers. Full-time officers include a patrol division, an investigator, and administration. Patrol officers patrol the Post 24 hours a day, seven days a week. They enforce state statutes along with regulations of the Institute while protecting property, providing assistance to the VMI community and responding to reported criminal incidents and traffic concerns. VMI officers also provide coverage for athletic events, dignitary visits, and other special events.

The authority, responsibility and training of VMI law enforcement personnel are the same as required of any police officer in Virginia. All police officers have completed a basic academy training program, and are required to complete 40 hours of in-service training biennially along with specialized in-house training. All are certified by the Virginia Department of Criminal Justice Services as police officers and are trained in all phases of law enforcement, including the use of firearms. Officers carry standard issue or approved firearms at all times and must maintain firearms proficiency through annual classroom training, qualification, and certification at a firing range.

VMI law enforcement personnel receive training and certification in many specialty areas. The VMI Police Department has certified bike patrol officers, certified Breathalyzer operators, explosive detection dogs and officers trained in Crisis Intervention. Many officers are trained and/or are certified instructors in specialties areas to include defensive tactics, First Aid/CPR/AED, active shooter training, intimate partner violence and sexual assault response, crime scene investigations, and officer survival. VMI Police Department also maintains a fully trained and equipped Special Emergency Response Team.

Law Enforcement Oath of Honor

"On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the constitution, my community, and the agency I serve, so help me God"

The VMI Police Department maintains a close working relationship with state and local police including but not limited to the Lexington Police Department, the Rockbridge County Sheriff's Office and the local contingent of the Virginia State Police on incidents that occur on and off Post. VMI has entered a mutual aid agreement with the Lexington Police Department, and Rockbridge County Sheriff's Office to provide reciprocal cooperation in furnishing police services and for the use of police personnel, equipment and materials for the mutual protection, defense and maintenance of peace and good order. This enables cooperation on incidents that occur on and off Post. Additionally, pursuant to Virginia Code § 23.1-815(c), VMI has entered a mutual aid agreement with the Department of State Police for the use of their joint forces, both regular and auxiliary equipment, and materials when needed in the investigation of any felony criminal sexual assault or medically unattended death occurring on property owned or controlled by VMI or any death resulting from an incident occurring on such property. Virginia Military Institute, as an agency of the Commonwealth of Virginia, may request resources and assistance from the Virginia State Police in the emergency response to, investigation of, or prevention of any other crime occurring at VMI dependent on availability of resources.

When a Virginia Military Institute cadet is involved in an off-Post offense, VMI Police officers may assist in the investigation in cooperation with local, county, state or federal law enforcement. VMI officers have direct radio communication with the Lexington Police Department, Rockbridge County Sheriff's Department and local fire and rescue services to facilitate rapid response in any emergency situation.

Reporting Crimes and Other Emergencies

All crime, suspicious activity or emergencies that occur on the Post of Virginia Military Institute should be reported promptly to the VMI Police for response and documentation. This can be done in person at 301 Letcher Ave. or by telephone.

VMI Police Department participates in the Rockbridge Regional Emergency Communications Center. Individuals should call 911 when an immediate response by fire, police or medical services is required. The caller will need to provide the 911 dispatcher of their specific location at VMI. For general information and other non-emergencies, cadets and employees should dial (540)464-7017.

Twenty-nine emergency phones with blue lights are located across Post in parking lots, stairways and other areas. These telephones feature one-button speed dialing for instant communication with the VMI Police. The location of the activated telephone is automatically identified to the emergency dispatcher.

If you are a witness, a victim, or have knowledge of a criminal activity, information may also be reported anonymously by utilizing the "Silent Witness" program. This can be accessed online at www.vmi.edu/silentwitness/. Please complete the form as thoroughly as possible. For this information to be included in crime statistics, enough information has to be given to determine a crime has occurred and the location.

If a member of the VMI community is a witness, a victim, or has information about criminal activity off-Post, the VMI Police will assist them in reporting crimes to other law enforcement agencies if needed.

If you are the victim of a crime and do not want to pursue action within the criminal justice system or through the Institute, you may still want to consider making a confidential report. In most circumstances, other than sexual violence, a report can be filed on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the Institute can keep an accurate record of the number of incidents involving cadets, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the VMI community to potential danger. Reports filed in this manner are included in the annual crimes statistics for the Institute. Generally, the criminal investigation of an incident that is reported anonymously is limited by the nature of the report and is used primarily to determine crime patterns. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics can generally be made to any campus security authority.

Emergency Preparedness

Emergency Management

VMI is committed to the safety and well-being of our cadets and employees. In the event of an emergency, VMI provides immediate and accurate information to keep the campus community informed and protected.

The Office of Emergency Management leads the Institute's efforts to prepare for and respond to a wide range of situations—including severe weather, medical emergencies, and other potential threats. Through comprehensive planning, training, and coordination, the office ensures that cadets, faculty, and staff are ready to respond quickly and effectively.

Emergency Response Plan

The Emergency Response Plan establishes policies, procedures and an organizational structure for response to emergencies that cause or have the potential to cause significant disruptions to all or portions of the Institute. This plan describes the roles and responsibilities of departments, schools, units and personnel during emergency situations.

Continuity of Operations Plan

The Continuity of Operations Plan (COOP) is designed to mitigate the effects of a manmade or natural disaster that may affect a single building or operation, a significant portion of the Post, the entire Post, or the region. This plan covers all Institute operations, departments, and service areas including contracted operations. It is designed to provide plans for the full range of potential emergencies.



Emergency Response, Notification and Evacuation

The Virginia Military Institute Police Department has the responsibility of responding to and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation to the VMI community. In addition, the VMI Police Department has the responsibility to respond to such incidents to determine if the situation does pose a threat to the community and notify the VMI community or the appropriate segments of the community that may be affected by the situation.

The VMI Police Department will, upon confirmation of an emergency, activate procedures to notify the individuals impacted and respond to and mitigate the threat to the health or safety of those individuals by utilizing appropriate measures to include emergency notification, emergency evacuation, shelter in place or other measures deemed necessary using the National Incident Management System (NIMS) structure. The VMI Police have the authority to activate the emergency measures upon their confirmation of the emergency or dangerous situation and determine the content and scope of the notification.

The Chief of Police or their designee will act as the incident commander and, with the assistance from other personnel or organizations such as risk management, emergency services, physical plant, cadet health services, and with information from external sources such as the National Weather Service and other law enforcement or emergency services agencies, will assess possible hazards to human health and the environment, considering both the direct and indirect effects. The incident commander ensures notification of impacted employees and may coordinate an internal response and/or act as a liaison to external emergency responders. The types of incidents that may cause an immediate threat to the VMI community could include, but are not limited to, emergencies such as: an active shooter on Post; hostage/barricade situation; a riot; suspicious package with confirmation of a device; a tornado; a fire/explosion; suspicious death; structural damage to an Institute-owned or controlled facility; biological threat (anthrax, etc.), significant flooding; a gas leak; hazardous materials spill; criminal or terrorist activity; or a possible medically contagious outbreak.

Virginia Military Institute police officers and supervisors receive training in Incident Command and responding to critical incidents on post. When a serious incident occurs that causes an immediate threat to the Post, the first responders to the scene are usually Virginia Military Institute Police and Lexington Fire and Rescue Department. These agencies typically respond and work together to manage the incident. Depending upon the incident, other local agencies may provide support and response to include the Lexington Police Department, Rockbridge County Sheriff's Department, other local law enforcement agencies or other state and federal agencies at the request of the Chief of Police.

The Incident Commander or designee will, upon confirmation of an emergency that necessitates evacuations, order an evacuation or, if the situation warrants, instructions to shelter in place. The Incident Commander, or their designee, is responsible for determining the appropriate segment or segments of the VMI community to receive a notification, determine the content of the notice and initiate protocols for the implementation of the emergency notification system through the established procedures. Once this determination is made, the combined emergency notification system can be activated by the Chief of Police, or by the Deputy Superintendent for Finance and Support; the Director of Auxiliary Services; the Commandant; the Emergency Management Director; or the Chief of Staff.

Emergency notifications may be made through multiple channels. When an event occurs that could conceivably endanger personnel, Post-wide notification can be made immediately through Voice-Over-IP Telephones in most offices and some classrooms, through the VMI email system, through the Barracks and Crozet Hall public address systems, and through the fire alarm systems in some buildings that can be used as public address systems. VMI installed an outdoor public address system providing emergency notification coverage outside of buildings. In addition, anyone can subscribe to text alerts at Alert Rockbridge (www.alertrockbridge.com/) and select to receive alerts concerning VMI. When appropriate, information may also be relayed through the VMI website and local media outlets.

Specific instructions appropriate to the situation will accompany these notifications. Building coordinators are responsible for developing emergency evacuation plans and guidelines for their designated areas of responsibility in conjunction with VMI Office of Emergency Management.

All members of the Virginia Military Institute community are encouraged to notify the VMI Police Department of any situation or incident on Post that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of cadets, employees or visitors on Post.

All employees receive on-line training in the "Run, Hide, Fight" response to an incident of workplace violence. Employees are also provided with a Threat Guide desk chart outlining appropriate responses to threats. Virginia Military Institute's General Order 25 (Workplace Violence Prevention Policy) can be found at **www.vmi.edu/generalorders**.



VMI THREAT GUIDE

IMMINENT THREAT

(Active-Shooter or other act of violence)

Run

Escape from the situation if possible. Leave belongings behind. Encourage others to escape with you, but do not wait for them.

Hide

If it is not possible to escape, hide. Lock and/or barricade doors, turn off lights and silence your cell phone completely. Hide behind or under furniture.

Fight

If it is not possible to escape or hide and you are confronted by the aggressor, fight back with physical aggression. This should be a last resort when you have no other option. Try to use items around you as weapons. Your goal is not to apprehend or stop the aggressor, only to create an opportunity for escape.

Call For Help

Call 911 as soon as possible. Even if you are not able to provide information, call and lay the phone down. The dispatcher will be able to hear what is going on in the background. If you have escaped prior to calling 911, provide the dispatcher with as much information as possible.

When Law Enforcement Arrives

Stay calm, follow instructions, and keep your hands in plain view. Do not try to stop the officers to ask questions or seek help. Their goal will be to stop the aggressor. They will not be stopping to help the injured or search every room.

ELEVATED THREAT

(Bomb Threat, Fire, Natural Disaster)

Remain Calm

Help those around you remain calm as well.

Follow Any Directions You Receive

In the case of emergency, you may be notified through the VMI Voice-Over-IP phone system, the VMI e-mail system, the post-wide public address system, or Rockbridge Alerts. Instructions will vary depending on the threat. You may also be given instructions by police or fire personnel who arrive.

Specific Incidents

Fire Alarm: Evacuate the building immediately, even if you believe it to be a false alarm. Do not use elevators. Leave behind any belongings.

Bomb Threats: Remain calm. Signal a co-worker to call 911 and try to gather as much information from the caller as possible. Refer to the bomb threat checklist in the front of your VMI Directory for specific information to seek. Relay all information to the police and follow any evacuation orders they may give.

Earthquake: Drop to the floor and crawl under a heavy piece of furniture, such as a desk or table. Hold on to the furniture and move with it if it moves. If there is no appropriate furniture, crawl to an interior corner of the room and cover your head and neck with your arms. Do not attempt to leave the building. If you are outside, move to an open area away from buildings.

Tornado: Move to a safe area such as a basement, interior room or hallway, bathroom, or closet, on the lowest level of the building. Stay as far from windows as possible. Sit or kneel on the floor, facing down, and cover your head with your arms.

"When disaster strikes, the time to prepare has passed."
—Steven Cyros

Timely Warnings

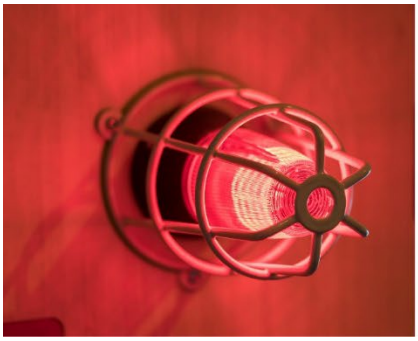
In the event that a potentially dangerous situation arises on Post, the Chief of Police or their designee will review the facts and circumstances of the incident. If in their judgment the situation constitutes an on-going or continuing threat to the community, the Virginia Military Institute Police Department will ensure that appropriate measures are taken by the appropriate individual to inform the VMI community.

Timely Warnings will be issued for the occurrence of a Clery category crime that is considered by the Institute to represent a serious or continuing threat to student and employees. Timely warnings are evaluated on a case-by-case basis depending on the facts of the case and the information known.

These warnings may also be developed to notify the VMI community in the event that a situation arises off Post, which, in the judgment of the Chief of Police or their designee, after reviewing the circumstances and facts of the incident, constitutes an ongoing or continuing threat to the VMI community. Warnings will be issued as soon as pertinent information regarding the situation is available.

Timely Warnings may be issued through Voice-Over-IP telephones in most offices and some classrooms, through the Barracks and Crozet Hall public address systems, and through the fire alarm systems in some buildings that can be used as public address systems, through the outdoor public address system, through the VMI e-mail system, and/or through Alert Rockbridge text alerts.

This combined notification system can be activated by the Deputy Superintendent for Finance, and Support; the Director of Auxiliary Services; the Chief of Police; the Commandant; the Emergency Management Director; or the Chief of Staff.





Violence Prevention and Threat Assessment

Virginia Code §23.1-805 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, and educational programming, publication of 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, and Support chairs the Post-wide Violence Prevention Committee, and a sub-set of that Committee, the Threat Assessment Team. The TAT is comprised of legal, medical, mental health, law enforcement, student affairs, and human resources professionals charged with assessing and managing threats of violence.

Virginia Code § 23.1-806 mandates that each public institution of higher education and nonprofit private institution of higher education shall establish a review committee for the purposes of reviewing information relating to acts of sexual violence. Pursuant to this Code, VMI's review committee consists of VMI's Title IX coordinator, VMI's Chief of Police, and the VMI Commandant.

Drug and Alcohol Policy

Virginia Military Institute strictly regulates the use of illegal drugs and the consumption of alcohol for its cadets and employees. Violators are subject to Institute sanctions as well as prosecution through the appropriate legal channels when applicable.

The Drug-Free Schools and Communities Act of 1989 and the U.S. Department of Education's supporting regulations require that the College provide all employees with written notice of the prohibition of unlawful possession, use or distribution of illicit drugs and alcohol. Virginia Military Institute General Order 02 (Alcohol and Controlled Substance Policy) addresses policies and sanctions for VMI employees, cadets and visitors. The Cadet Blue Book Chapter 20 (Drugs, Alcohol and Tobacco) specifically addresses VMI policies and sanctions for cadets. General Order 02 can be found at www.vmi.edu/generalorders.

Sexual Assault, Sexual Harassment and Discrimination

The Virginia Military Institute is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based on race, sex, color, ethnicity, national origin, religion, age, veteran status, sexual orientation, gender identity, pregnancy, genetic information, against otherwise qualified persons with disabilities, or based on any other status protected by law. VMI prohibits discrimination, harassment, sexual misconduct, and retaliation by individuals subject to its control or supervision.

Any question of impermissible discrimination on these bases will be addressed with efficiency and energy and in accordance with Virginia Military Institute General Order 16 (Nondiscrimination Policy). General Order 90 (Retaliation Policy) also addresses complaints or reports of retaliation against those who have opposed practices prohibited by this policy, those who have filed complaints or reports under this policy, and those who have testified or otherwise participated in enforcement of this policy. These General Orders can be found at www.vmi.edu/generalorders.

Crime Victims' and Witness' Rights and Resources

Virginia Military Institute recognizes the inherent trauma for any individual who is the victim of criminal behavior or who may witness the victimization of another. The Institute is dedicated to providing a safe and supportive environment and to ensuring access to appropriate resources for all members of the VMI community who may have need for these.

The Virginia Military Institute Cadet Counseling Center (CCC) provides a confidential space for all cadets to explore concerns. The Center for Cadet Counseling is fully accredited by the International Association of Counseling Services (IACS). Cadets can reach the CCC at (540) 464-7667.

The Chaplain's office can serve as a resource for the counseling needs of cadets, regardless of religious affiliation. Counseling received through the Chaplain's office is confidential and the religious convictions of all cadets are respected, regardless of one's faith preference. The Chaplain's office can be reached at (540) 464-7390.

Project Horizon is a non-profit organization dedicated to reducing dating, domestic, and sexual violence in Rockbridge County. They have outreach programs and provide direct services to clients including a 24-hour hotline, emergency shelter, crisis intervention, counseling, applicable referrals, and legal advocacy. Project Horizon has no income eligibility for the services offered. All services are

confidential and free of charge. VMI has executed a mutual aid agreement with Project Horizon to provide advocacy and support services to cadets and employees who may need these services.

Virginia Military Institute Police Department is available twenty-four hours a day to assist members of the VMI community. VMI officers can provide information regarding an individual's legal options and to assist victims in navigating the criminal justice system.

The Lexington/Rockbridge Commonwealth Attorney's Office employees a full time Victim/Witness advocate to help ensure that victims of crime will receive fair and compassionate treatment throughout the judicial process. The advocate helps victims and witnesses by answering questions, to keep him or her informed, providing referrals to counseling and support groups, and providing personal assistance when possible.

Several resources are available to individuals who feel that they have been the victim of harassing, discriminatory, or inequitable treatment based on status as a member of a protected class. Cadets may make reports to the Cadet Equity Association or choose to report directly to the Inspector General. All members of the VMI community may make reports to the Inspector General. The IG is responsible for receiving reports of alleged violations of Title IX of the Education Amendment of 1972, and Title VI and Title VII of the Civil Rights Act of 1964. The reports are resolved or investigated, with the IG recommending corrective actions to the appropriate authorities.

Students or employees who report being the victims of dating violence, domestic violence, sexual assault or stalking to VMI Police, VMI Counseling, or the VMI Inspector General will be provided with a written explanation of their rights and options, regardless of whether the offense occurred on Post, including written notification of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the institution and in the community, and the availability of changes to academic, living, transportation, and working situations, or protective measures regardless of whether the victim reports to law enforcement.

COMMUNITY RESOURCE

Thanks to Project Beloved, a nonprofit organization based in Texas, the police building at VMI has a soft interview room that can be used by departments throughout the Lexington-Rockbridge community. The room at VMI is the 49th in the country, third in Virginia, and the first on a Virginia college campus.



Hazing

Virginia Military Institute unconditionally opposes any situation created for the purpose of intentionally producing embarrassment, harassment or ridicule. Hazing is illegal under Virginia law and not tolerated by VMI. The VMI Ratline and cadet life are difficult, but the conduct of cadre must remain absolutely professional. Incidents of hazing should be reported promptly and will be investigated by VMI Police Department.

Virginia Code §18.2-56 defines hazing as "to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity." Violations of this statute are a Class 1 Misdemeanor.

Hazing is specifically forbidden by the Cadet Blue Book Chapter 23 (New Cadets) and by General Order 52 (Hazing Policy). This order can be viewed at www.vmi.edu/generalorders.



Stop Campus Hazing Act

Hazing: Means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate.

Learn more at **www.vmi.edu/hazing**

Sex Offender Registry

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amended the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Clery Act and the Family Educational Rights and Privacy Act of 1974, the Virginia Military Institute Police Department provides a link to the Virginia State Police Offender registry. This act requires institutions of higher education to issue a statement advising the community how to access information provided by a state concerning registered sex offenders. It requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the Commonwealth of Virginia, convicted sex offenders must register with the Sex Offender and Crimes Against Minors registry maintained by the State Police.

The Sex Offender and Crimes Against Minors Registry is available via the internet pursuant to Virginia Code § 19.2-390.1.

Registry information provided shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers, or otherwise for the protection of the public in general and children in particular.

Unlawful use of this information for the purpose of intimidating or harassing another is prohibited. Willful violation shall be punishable as a Class 1 Misdemeanor.

The Virginia State Police is responsible for maintaining this registry. The registry can be accessed at: www.sex-offender.vsp.virginia.gov/sor/ It can also be accessed via: www.vmi.edu/police

Confidential Reporting

Reports concerning possible victims of sexual assault are completely confidential only when those reports are made to licensed Cadet Counseling personnel, licensed medical professionals in the VMI Infirmary, the VMI Chaplain, or Project Horizon. These individuals will encourage victims of sexual assault to make a report to the VMI Police, the Inspector General, or local law enforcement. Institute officials receiving a report will treat the matter as confidential and maintain that confidentiality to every extent possible without compromising their ability to investigate and respond as necessary to the report.

Under the SAFE Payment Program, victims have right to seek evidence collection without filing a police report at no cost. Victims of certain crimes are entitled for compensations under the Virginia Victims Fund. These can include medical bills, prescriptions, and other items but usually requires criminal charges. More information can be found at http://cicf.state.va.us/

Security and Access to Facilities

All cadets reside within the Barracks. Security for personal belongings is governed by VMI's self-imposed honor system, which states that a cadet does not lie, cheat, or steal, nor tolerate those who do. VMI fosters a culture of self-policing among cadets. In addition, the military organization of the Corps of Cadets, with close supervision by the Commandant, provides a level of oversight that is unique on American campuses.

During the school year, the Barracks is monitored 24 hours a day by a cadet guard team supervised by the Commandant's staff during the day and by an officer-in-charge (a faculty or staff member) in the evenings. In addition, the sworn police officers and non-sworn security officers of the VMI Police Department provide round-the-clock patrols of the post.

Academic buildings are seldom vacant. Cadets may study in academic buildings until 1 a.m. and custodial staff begins work as early as 4 a.m. Administrative offices are locked at approximately 6 p.m. Most buildings on Post are equipped with electronic scan card lock systems to facilitate greater access control and security. These systems are set to lock automatically at scheduled times and with specific permissions for entry.

An extensive lighting system throughout the Post area provides security at night, and 29 emergency calling boxes with a direct 911 link have been placed strategically around Post for use by cadets and the general public. These call boxes are checked weekly by VMI police to ensure that they are functioning properly.

VMI's closed circuit television security camera system is used to observe and record public areas for the purpose of safety and security. The installation and monitoring of the camera system is done in accordance with VMI General Order 63 (Safety and Security Camera Use). This policy can be found at www.vmi.edu/generalorders.

Each facility has a faculty/staff building coordinator, who is responsible for coordinating maintenance of the building and ensuring procedures are followed in emergency situations. In addition, a Physical Plant maintenance team is assigned responsibility for each facility. A high priority of the building coordinators and the maintenance teams is to ensure safety and security features in each facility are operational.

Missing Cadet Protocol

A VMI cadet will be considered "missing" if they have been absent for 24 hours or more, or if their status has otherwise not been accounted for in several hours and it appears that the cadet has left the immediate area for unexplained reasons. Multiple regular VMI accountability checks allow for a prompt identification of any cadet whose whereabouts are unknown.

Any member of the VMI community, upon becoming aware that any cadet is missing, will make appropriate notifications as outlined in Virginia Military Institute General Order 60 (Missing Cadet Procedures). This General Order can be found at www.vmi.edu/generalorders.

Virginia Military Institute Police Department will conduct a prompt and thorough investigation into the whereabouts of the missing cadet.

Crime Prevention

Virginia Military Institute Police Department recognizes that crime prevention will always have a more positive impact on the community than a merely reactive response to criminal activity. As a result, VMI Police engage in many crime prevention activities including foot patrols, building door checks, and security assessments of Post facilities. VMI Police participate in regional crime prevention initiatives as well, such as National Night Out, Guns and Hoses, Trunk-or-Treating, and Crime Line. All VMI Police officers are certified in Crisis Intervention Training, aimed at recognizing and responding to individuals in mental health crisis in ways that may prevent a medical/psychological crisis from escalating into a criminal incident. More information can be found at www.vmi.edu/police.

New VMI employees receive training and/or information on Workplace Violence, Diversity in the Workplace, Terrorism Awareness/Active Shooter, and Alcohol & Other Drugs Education. Current employees are required to review each of these trainings annually. The Inspector General's office conducts regular training for all employees on dating violence, domestic violence, sexual assault and stalking.

Cadets receive training from the VMI Police Department, the Cadet Counseling Center, the Inspector General, the Commandant's staff, Cadet Government, and Project Horizon covering dating violence, domestic violence, sexual assault and stalking topics. The training begins prior to Matriculation for incoming Rats and recurs throughout the cadet's four years. The type and frequency of training is specific to the cadet's class year and responsibilities within the Corps. For example, members of the Cadre and Cadet Government receive more extensive training, reflective of their greater degree of

responsibility to their fellow cadets. Members of the Second Class receive additional safety training regarding alcohol safety and sexual assault prevention immediately prior to Ring Figure. Similar training is provided to all cadets prior to Homecoming and academic furloughs. Each year all cadets also receive Bystander Intervention training.

Crime prevention and safety information is provided to cadets and employees in written form. VMI Police support a booth at the annual Matriculation Fair to provide incoming Rats and their families with safety and crime prevention information. Cadet Counseling staffs awareness tables at the VMI Employee Health Fair and during Matriculation. Safety and crime prevention brochures are available at all times in the lobby of VMI Police Department and in Cadet Counseling during business hours.

VMI Police teach courses for students and parents at the local elementary and middle schools on Internet Safety, and Active Shooter Awareness Training. VMI Police participate in the local National Night Out, providing crime prevention literature, safety information and demonstrations to the community.

All awareness programs encourage cadets and employees to be aware of their responsibility for their own security and the security of others. Please contact VMI Police for further information concerning questions about crime prevention and safety.







CLERY REPORTING

Procedures For Gathering Crime Statistics

The VMI Police Department is responsible for collecting all crime reports from post authorities and local police for inclusion in this annual report. The tables in this report reflect the most recent information reported to federal authorities as required by the Clery Act. Crime, arrest, and referral statistics include those reported to the VMI Police, designated Institute officials, and local law enforcement agencies.

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is deemed to be "unfounded" and will be designated as such in VMI's annual crime statistics. An offense can only be deemed "unfounded" after a thorough investigation by sworn law enforcement personnel. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution or the failure to make an arrest does not "unfound" a legitimate offense.

Also, the findings of a coroner, court, jury or prosecutor do not "unfound" offenses or attempted offenses that law enforcement investigations establish to be legitimate. If a crime statistic is disclosed in the annual crime reporting and the crime is "unfounded" in a subsequent year, statistics will be revised. It will be noted in the subsequent year's report that the change to the prior year's statistics reflects the "un-founding" of a crime.

Campus Security Authorities

A campus security authority is a Clery specific term that encompasses four groups of individuals and organizations associated with an institution: a campus police department or a campus security department of an institution; any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department; any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; and an official of an institution who has significant responsibility for student and campus activities.

Although the Institute encourages members of the VMI community to report criminal incidents to law enforcement, we know that this doesn't always happen. Often, individuals who are the victim of a crime may be more inclined to report it to someone other than the police. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that Clery considers to be campus security authorities. Data is collected from a wide variety of campus security authorities to provide the most accurate crime statistics possible.

A campus security authority's primary responsibility is "to report allegations made in good faith to the reporting structure established by the Institution" in the Clery geography.

The VMI Police Department encourages members of the community to promptly and accurately report crimes to the police agency. However, in some instances members of the VMI community may choose to file a report with a different campus security authority.

VMI Campus Security Authorities

- VMI Police Department
- Contract Event Security
- Commandant's Staff
- International Programs
- Post Hospital Director
- Cadet Life (to include team sports and recognized clubs)
- Disability services
- ROTC Cadre
- Athletic Department (Directors, Coaches, Trainers)
- Faculty/Staff advisors to cadet organizations
- Human Resources Director
- Marching Band Director
- Inspector General/Title IX Coordinator and Assistants

Definitions

Clery Act Geography

On-Campus Property: Any building or property owned or controlled by an institution with in 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 -

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)

On-Campus Student Housing Facilities: any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus

Non-Campus Buildings and Property: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus

VMI Clery Act Geography
Includes but not limited to:

- VMI Main Post Facilities
- VMI Athletic Facilities
- VMI owned or leased parking locations
- McKethan Park
- Sky Farm
- Lackey Farm
- Hinty Hall
- Chessie Trail
- New Market Battlefield and the Museum of the Civil War
- Jackson House Museum
- Streets & sidewalks adjacent to these locations
- Properties leased and controlled by VMI for short-term educational or student housing purposes
- Properties leased and controlled by VMI for events

Clery Offenses and Definitions

HOMICIDE: the killing of one human being by another, either willfully or through gross negligence

- **Murder and Non-negligent Manslaughter**: the willful (non-negligent) killing of one human being by another
- **Manslaughter by Negligence**: the killing of another person through gross negligence

SEX OFFENSES: Any sexual act directed against another person without consent of the victim, including instances where the victim is incapable of giving consent.

Rape: 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. This offense includes any rape regardless of gender and/or gender identity.

Statutory Rape: sexual intercourse with a person who is under the statutory age of consent (the age of consent is 18 in the Commonwealth of Virginia)

Fondling: the touching of the private body parts of another person for purposes 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

Incest: non-forcible sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law

GENERAL OFFENSES

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.

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.

Burglary: unlawful entry into a structure for the purpose of committing a larceny or a felony.

Motor vehicle theft: the theft or attempted theft of a motor vehicle.

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.

Violations of liquor laws: includes illegally manufacturing, selling, transporting, furnishing or possessing alcoholic beverages, it does not include being intoxicated in public or driving under the influence (both arrests and discipline referrals).

Violations of drug laws: includes possessing, selling, using, growing, or manufacturing narcotic drugs and dangerous non-narcotic drugs, including abuse of prescription medications (both arrests and discipline referrals).

Violations of weapons law: includes manufacturing, selling, purchasing, transporting, possessing, providing, using or concealing any firearm, cutting instrument, explosive, incendiary device or other deadly weapon in violation of state or federal law (both arrests and discipline referrals).

INTIMATE PARTNER CRIMES

Dating violence: any crime of violence committed against a person by someone with whom the victim has been in a social relationship of a romantic or intimate nature

Domestic violence: any crime of violence committed against a person by someone who is a current or former spouse; a person with whom the victim has a child in common; a person with whom the victim has co-habited in a romantic relationship; and any other person who is protected from that person's acts as a family member under the Code of Virginia.

Stalking: engaging in a course of conduct directed at a specific person, that would cause a reasonable person to fear for their safety or the safety of others or that would cause a reasonable person to suffer substantial emotional distress

Hate crimes: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The previously listed offenses and the additional offenses in this chart are considered hate crimes if the crime is motivated by race, gender, religion, sexual orientation, gender identity, ethnicity, national origin or disability.

Larceny: the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

Simple Assault: an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Vandalism/Property Damage: to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Intimidation: to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Hazing: Means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate. Additional information at **www.vmi.edu/hazing**.

Any other crime that causes bodily injury.

Police Crime Log

The Daily Crime Log at Virginia Military Institute contains entries of crimes and/or alleged crimes that have been reported to the VMI Police Department for the required geographic locations to include on Post and/or off-Post property owned or controlled by VMI, or immediately adjacent to and accessible from the Post and the extended patrol jurisdiction. VMI has no off-Post housing facilities and does not recognize or sanction any off-Post student organizations.

All information will be recorded in the Crime Log within two business days of the reporting of the information to the VMI Police Department. The current Crime Log may be viewed at VMI Police Department during normal business hours.

VMI ANNUAL CRIME CHART

Total Crimes Reported	VMI Campus Non-Campus Buildings or Property Public Property

Geographic Boundaries: *Public Property includes some sidewalks and streets adjoining the campus. Residence refers to the Barracks at VMI. Non-Campus refers to outlying properties, including but not limited to Lackey Farm, McKethan Park and New Market Battlefield, as well as properties temporarily leased or otherwise controlled by VMI.*

Offense Type	2023 Residence	2023 Other	2023 Total	2024 Residence	2024 Other	2024 Total	2025 Residence	2025 Other	2025 Total	2023 Total	2024 Total	2025 Total	2023 Total	2024 Total	2025 Total
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0
Forcible Fondling	1	0	1	1	1	2	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	1	0	1	2	1	3	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	0	1	4	0	4	2	1	3	0	0	0	0	0	0
Hazing	-	-	-	-	-	-	2	1	3	-	-	0	-	-	0

UNFOUNDED CRIME **2025: Zero unfounded crime | 2024: Zero unfounded crime | 2023: Zero unfounded crime**

Note: Hazing was not tracked until 2025.

VMI ANNUAL CRIME CHART – HATE CRIMES

Total Crimes Reported	VMI Campus									Non-Campus Buildings or Property			Public Property		
Geographic Boundaries: *Public Property includes some sidewalks and streets adjoining the campus. Residence refers to the Barracks at VMI. Non-Campus refers to outlying properties, including but not limited to Lackey Farm, McKethan Park and New Market Battlefield, as well as properties temporarily leased or otherwise controlled by VMI.*															
Offense Type	2023 Residence	2023 Other	2023 Total	2024 Residence	2024 Other	2024 Total	2025 Residence	2025 Other	2025 Total	2023 Total	2024 Total	2025 Total	2023 Total	2024 Total	2025 Total
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	1	0	1	1	1	2	1	0	1	0	0	0	0	0	0
Vandalism	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Hate Crimes (by prejudice)															
Race	1	0	1	1	2	3	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

UNFOUNDED CRIME **2025: Zero unfounded crime | 2024: Zero unfounded crime | 2023: Zero unfounded crime**

VMI ANNUAL ARRESTS AND REFERRALS

	VMI Campus									Non-Campus Buildings or Property			Public Property		
Geographic Boundaries: Public Property includes some sidewalks and streets adjoining the campus. Residence refers to the Barracks at VMI. Non-Campus refers to outlying properties, including but not limited to Lackey Farm, McKethan Park and New Market Battlefield, as well as properties temporarily leased or otherwise controlled by VMI.															
Offense Type	2023 Residence	2023 Other	2023 Total	2024 Residence	2024 Other	2024 Total	2025 Residence	2025 Other	2025 Total	2023 Total	2024 Total	2025 Total	2023 Total	2024 Total	2025 Total
Liquor Law Violations															
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referral	19	0	19	34	0	34	25	0	25	0	0	0	0	0	0
Drug Law Violations															
Arrest	0	0	0	0	0	0	0	2	2	0	0	0	0	0	0
Referral	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Violations															
Arrest	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0
Referral	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0

REPORT COMPILED FALL 2026

VMI ANNUAL FIRE STATISTICS

On-Post Residence Hall	Address	Year	# of Fires	Date/Time	Cause	# of Deaths	# of Injuries	Value of Property Damage
Old Barracks	424 VMI Parade	2023	0					
		2024	0					
		2025	0					
New Barracks	422 VMI Parade	2023	0					
		2024	0					
		2025	0					
Third Barracks	418 VMI Parade	2023	0					
		2024	0					
		2025	0					
Other Location	**Address**	**Year**	**# of Fires**	**Date/Time**	**Cause**	**# of Deaths**	**# of Injuries**	**Value of Property Damage**
N/A								

REPORT COMPILED FALL 2026

APPENDIX 1

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 52) 5 April 2023

Hazing Policy

1. **Purpose:** The purpose of this policy is to establish clearly and unequivocally that VMI does not tolerate hazing and to ensure that cadets are not subjected to any type of hazing at any time. It is the responsibility of everyone in the VMI community to encourage an environment of learning that emphasizes the dignity and worth of every member of our community.

   Hazing is an unproductive and hazardous activity that is incongruous with the values expected of a VMI cadet or VMI employee and has no place at VMI, either on or off post. Hazing is injurious both to the individuals involved and to VMI.

2. **Policy:** 'Hazing' means to recklessly or intentionally endanger the health or safety of a cadet(s) or to inflict bodily injury on a cadet(s), in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, or student body; regardless of whether the cadet(s) so endangered or injured participated voluntarily in the relevant activity. See Appendix A (Va. Code Sec. 18.2-56). Hazing by any cadet or employee of the Institute will not be tolerated.

3. **Applicability:** This policy applies to all persons and groups associated with VMI, including, but not limited to, cadets, faculty, administrators, coaches, staff, athletic teams, club sports, and other organizations and encompasses all acts of hazing that occur on or off post.

   This policy is not intended to prohibit the following conduct:

   a. Customary athletic events, contests, or competitions that are sponsored by VMI or the organized and supervised practices associates with such events; or
   b. Any activity or conduct that furthers the goals of a legitimate educational curriculum, extracurricular program, or military training program, as approved by the Institute.

4. **Reporting:** Hazing complaints or any witness report/information regarding a hazing incident will be reported to the Commandant, the Inspector General, or any Institute Official, and may be reported anonymously as instructed through the VMI Police and VMI Inspector General websites. All incidents of reported hazing will be forwarded immediately to the Chief of Staff who will determine the appropriate office to conduct an investigation, if warranted. The Chief of Staff is charged with ensuring compliance with this policy.

5. **Disciplinary Action**
   Hazing is prohibited by law and Institute policy. Any individual or organization found to be in violation of this policy shall be subject to disciplinary action, which may include a sanction up

to and including dismissal for cadets and termination of employment for faculty, administrators, coaches, and staff.

6. **Retaliation**

It shall be a violation of this policy for an individual or organization to retaliate against a cadet or other person for reporting a suspected incident of hazing or cooperating in any investigation or disciplinary proceeding regarding an incident of hazing. Any individual or organization found to be in violation of this policy shall be subject to disciplinary action, which may include a sanction up to and including dismissal for cadets and termination of employment for faculty, administrators, coaches, and staff.

7. **Definitions:**

a. Administrator: The superintendent, deputy superintendent, assistant superintendent, institute official, director of a program or campus office, or designee of one of the aforementioned individuals.
b. Organization: Military unit, athletic team, association, corporation, order, society, Corps, cooperative, club, or other similar group, whose members primarily are cadets, and which is officially recognized by the Institute.
c. Staff: Any person employed directly by or retained through a contract with the Institute, including a coach or supervisor of an organization, professor, or intern.
d. Cadet: Any person who is enrolled in or matriculating from the Institute, registered or in attendance in a program operated by the Institute, or who has been accepted for admission into any program operated by the Institute.

FOR THE SUPERINTENDENT:

John M. Young
Lieutenant Colonel, Virginia Militia Chief of Staff

DIST: E, Cadets
OPR: COS

Appendix A

CODE OF VIRGINIA

§ 18.2-56. Hazing unlawful; civil and criminal liability; duty of school, etc., officials; penalty.

It shall be unlawful to haze so as to cause bodily injury, any student at any school, college, or university.

Any person found guilty thereof shall be guilty of a Class 1 misdemeanor.

Any person receiving bodily injury by hazing shall have a right to sue, civilly, the person or persons guilty thereof, whether adults or infants.

The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall, upon satisfactory proof of the guilt of any student hazing another student, sanction and discipline such student in accordance with the institution's policies and procedures. The institution's policies and procedures shall provide for expulsions or other appropriate discipline based on the facts and circumstances of each case and shall be consistent with the model policies established by the Department of Education or the State Council of Higher Education for Virginia, as applicable. The president or other presiding official of any school, college or university receiving appropriations from the state treasury shall report hazing which causes bodily injury to the attorney for the Commonwealth of the county or city in which such school, college or university is, who shall take such action as he deems appropriate.

For the purposes of this section, “hazing” means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily injury on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student or students so endangered or injured participated voluntarily in the relevant activity.

(Code 1950, § 18.1-71; 1960, c. 358; 1975, cc. 14, 15; 2003, cc. 62, 67; 2014, c. 627.)

APPENDIX 2

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 2) 8 October 2024

VMI Alcohol and Controlled Substances Policy

The VMI Post is Commonwealth of Virginia property and subject to its laws concerning consumption of alcohol and controlled substances.

1. **EMPLOYEES**

A. The Commonwealth of Virginia's Policy 1.05 on Alcohol and Other Drugs states that the following acts by all classified and non-classified employees, including teaching, research, and administrative faculty are prohibited (a copy of the entire Commonwealth of Virginia's Policy on Alcohol and Other Drugs can be obtained at DEPARTMENT OF HUMAN RESOURCE MANAGEMENT POLICIES AND PROCEDURES MANUAL ALCOHOL AND OTHER DRUGS POLICY NO. 1.05:

1) the unlawful or unauthorized manufacture, distribution, dispensation, possession, or use of alcohol and other drugs on the workplace;

2) the impairment in the workplace from the use of alcohol or other drugs, (except the use of drugs for legitimate medical purposes);

3) any action which results in the criminal conviction for:

a. a violation of any criminal drug law, based upon conduct occurring either on or off the workplace, or

b. a violation of any alcoholic beverage control law, or law which governs driving while intoxicated, based upon conduct occurring on the workplace;

4) the failure to report to their supervisors that they have been convicted of any offense, as defined in 3 above, within five calendar days of the conviction.

B. VMI employees shall not consume alcohol while on duty, during work hours, and/or while in the workplace, including while on meal breaks. The workplace consists of any site, including state owned or leased property, where state employees are performing official duties.
C. Employees may not be impaired by or under the influence of alcohol while working.
D. Employees may not participate in the unlawful use of controlled substances and may not be impaired by controlled substances while working.
E. Alcoholic beverage-related sponsorship of VMI activities, as well as the advertisement and promotion of alcoholic beverages on Post is prohibited. Any exceptions to this policy must be approved by the Chief of Staff.

2. **EMPLOYEES, CADETS, VISITORS, AND OTHER PERSONS**
   A. Employees, cadets, visitors, and other persons, regardless of age, are not allowed to consume or possess alcohol on Post, including events such as tailgating and locations such as, but not limited to, Alumni Memorial Field, Foster Stadium, Gray-Minor Stadium, and other locales involving Institute athletic events.
   B. The VMI Foundation, the VMI Alumni Association, the Keydet Club ("Alumni Agencies"), and others associated with VMI, will not normally host events on Post at which alcohol is available. Certain events, at which there is no cadet involvement, or where cadets are present as dinner guests, ushers, or escorts, may be exempted from this prohibition.
   C. The Alumni Association's policy and practice is to limit the provision and consumption of alcohol to the interior, porches and balconies of Moody Hall.
   D. Members of the VMI community living on the Post are asked to refrain from hosting outdoor events that include the provision of alcohol when the Corps is in residence, whether or not cadets are involved.
   E. Approval for exceptions to the policy regarding the possession and consumption of alcohol on Post must be approved by the Superintendent, through the Chief of Staff. This authority may be delegated to the Chief of Staff.
   F. Any permits for events off Post that involve any combination of cadets, faculty/staff and the use of alcohol, must be approved by the Superintendent through the Chief of Staff.
   G. It is the responsibility of all Institute officials and the Alumni Agencies to inform visitors to the Post (e.g., football ticket-holders, cadet parents, alumni reunion visitors) of VMI's rules regarding alcohol and drugs, and request that they absolutely refrain from providing alcohol to cadets anywhere on Post in accordance with Section 2(A).
   H. The possession or consumption of controlled substances on-Post or during any VMI sanctioned activity by anyone is strictly prohibited.

3. **VMI SANCTIONS -** VMI will impose sanctions on cadets and employees (consistent with local, state, and federal law) up to and including dismissal or termination of employment and referral for prosecution, for violations of this policy and standards of conduct in accordance with the Faculty Handbook, the Administrative and Professional Faculty Handbook, the Classified Employee Handbook, and the Blue Book.
   A. Employees who are impaired by or under the influence of alcohol and/or engage in the unlawful use of controlled substances while working will be subject to a full range of disciplinary actions up to and including termination of employment and referral for prosecution and may be required to participate satisfactorily in an appropriate rehabilitation program.
   B. Cadets are subject to the provisions found in the Blue Book for violations of alcohol-related policies. Cadets arrested for driving under the influence of alcohol off Post may be referred for an alcohol assessment and, if convicted of an offense, may be subject to penalties for Conduct Unbecoming a Cadet, Conduct Discrediting the Institute, or other penalties as specified in the Blue Book. See Appendix I for the Alcohol Medical Safety Policy.
   C. Cadets possessing controlled substances will be subject to the provisions found in General Order 53 - Policy on Prohibiting Controlled Substance and Drug Paraphernalia; and the VMI Drug Testing Program as well as the Blue Book. Cadets convicted of Driving under the Influence of drugs will be similarly subject to these policies and the Blue Book.

D. Any violation by a VMI employee of the alcohol and drug policies contained in this General Order must be reported to the Director of Human Resources or the Dean of the Faculty by supervisors through the employee's chain of command; for cadets, the Commandant's office must be notified. This ensures that VMI sanctions are appropriately administered and are consistent with the nature of the offense, applicable laws, policy, and other legal requirements. These actions are independent of any law enforcement or criminal prosecution that may be ongoing or may have preceded VMI sanctions.

4. **CRIMINAL SANCTIONS FOR EMPLOYEES, CADETS, VISITORS, AND OTHER PERSONS**

A. Alcohol - Virginia's Alcohol Beverage Control Act contains a variety of laws governing the possession, use, and consumption of alcoholic beverages. The Act applies to cadets and employees of the Institute. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below:

1. It is unlawful for any person under age 21 to purchase or possess any alcoholic beverage. Violation of the law exposes the violator to a Class 1 misdemeanor conviction for which the minimum penalty is a fine of at least $500 and/or performance of a minimum of 50 hours of community service and suspension of the individual's driver's license for at least six months. The maximum punishment is confinement in jail for twelve months and a fine of $2,500, either or both, and suspension of the individual's driver's license for one year.
2. It is unlawful for any person to sell alcoholic beverages to persons under the age of 21 years of age. Violation of the law exposes the violator to a Class 1 misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to $2,500, either or both, and a suspension of the individual's driver's license for up to one year.
3. It is unlawful for any person to purchase alcoholic beverages for another when, at the time of the purchase, he knows or has reason to know that the person for whom the alcohol is purchased is under the legal drinking age. Such violation also exposes the violator to a Class 1 misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine of up to $2,500, either or both, and a suspension of the individual's driver's license for up to one year.
4. A person in his or her own home may provide alcoholic beverages to family members under 21, but guests provided alcohol must be of legal age unless accompanied by a parent, guardian, or spouse age 21 or older. Violation of this law also constitutes a Class 1 misdemeanor punishable by up to 12 months in jail and/or a fine of up to $2,500, and a suspension of the individual's driver's license for up to one year. Underage cadet served alcohol by parents or guardians remain subject to Blue Book penalties as appropriate.
5. It is unlawful for any person to consume alcoholic beverages in unlicensed public places. Persons violating the law, upon conviction, expose the violator to a Class 4 misdemeanor conviction for which the punishment is a fine up to $250.

B. **Controlled Substances and Illicit Drugs -** The unlawful possession, distribution, and use of controlled substances and illicit drugs, as defined by the Virginia Drug Control Act, are prohibited in Virginia. Controlled substances are classified under the Act into

"schedules," ranging from Schedule I through Schedule VI, as defined in sections 54.1-3446 through 54.1-3456 of the Code of Virginia (1950), as amended and can be found at Virginia Code § 54.1-3446 - Schedule I. As required by the Federal Drug-Free Schools and Communities Act of 1989, the pertinent laws, including sanctions for their violation, are summarized below (Refer to General Order 53's Annex I for controlled substance classifications at General Orders (Policies & Procedures)

1. Possession of a controlled substance classified in Schedules I or II of the Drug Control Act, upon conviction, exposes the violator to a Class 5 felony conviction for which the punishment is a term of imprisonment ranging from one to ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to twelve months and a fine up to
$2,500, either or both.

2. Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a Class 1 misdemeanor conviction for which the punishment is confinement in jail for up to twelve months and a fine up to $2,500, either or both.
3. Possession of a controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a Class 2 misdemeanor conviction for which the punishment is confinement in jail for up to six months and a fine up to $1,000, either or both.
4. Possession of a controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a Class 3 misdemeanor conviction for which the punishment is a fine up to $500.
5. Possession of a controlled substance classified in Schedule VI of the Drug Control Act, upon conviction, exposes the violator to a Class 4 misdemeanor conviction for which the punishment is a fine up to $250.
6. Possession of a controlled substance classified in Schedule I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction for a first offense, exposes the violator to a felony conviction for which the punishment is imprisonment from five to forty years and a fine up to $500,000. Upon a second conviction, the violator must be imprisoned for a minimum of three years up to life imprisonment, and a fine of up to $500,000.
7. Possession of a controlled substance classified in Schedule III of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a Class 5 felony conviction for which the punishment is confinement in jail for up to ten years and a fine up to $2,500, either or both.
8. Possession of a controlled substance classified in Schedule IV of the Drug Control Act with the intent to see or otherwise distribute, upon conviction, exposes the violator to a Class 6 felony conviction for which the punishment is confinement in jail for up to five years and a fine up to $2,500, either or both.

9. Possession of a controlled substance classified in Schedule V or VI of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to punishment of confinement in jail for up to one year and a fine up to $2,500, either or both.
10. In accordance with the Virginia Code Section 4.1-1100, with the exception of possession by a person in his residence or possession by a licensee in the course of his duties related to such licensee's marijuana establishment, any person who possesses on his person or in any public place (i) more than four ounces but not more than one pound of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board is guilty of a Class 3 misdemeanor and, for a second or subsequent offense, a Class 2 misdemeanor and

(ii) more than one pound of marijuana or an equivalent amount of marijuana product as determined by regulation promulgated by the Board is guilty of a felony punishable by a term of imprisonment of not less than one year nor more than 10 years and a fine of not more than $250,000, or both. The Code of Virginia section 18.2-255.2 specifically prohibits the manufacture, selling, distribution, or possession with the intent to sell, give, or distribute any controlled substance, imitation controlled substance, or marijuana at any time upon the property, including buildings and grounds, of any institution of higher education. Violation of this section constitutes a separate and distinct felony punishable by one to five years imprisonment and a fine of up to $100,000 for a first offense. Under federal law, possession of marijuana in any amount, is a criminal offense. In accordance with 21 U.S.C. § 844, a first offense for simple possession of marijuana is a Class A misdemeanor that is punishable by up to one year in jail and/or a minimum fine of $1,000.

FOR THE SUPERINTENDENT:

John M. Young

Colonel, Virginia Militia Chief of Staff

OPR: CoS

Dist: E, Cadets

Appendix I

Alcohol Medical Safety Policy

Blue Book regulations clearly state penalties for underage consumption of alcohol and drinking alcohol on Post. Cadets are expected to fulfill all their obligations, and intoxication is not an excuse for failing to do so. Members of the VMI faculty and staff will enforce Blue Book regulations.

Intoxicated cadets reporting to the VMI Infirmary will be treated as medical patients. Pursuant to state laws and the professional ethical obligations of licensed health care providers, the Infirmary staff cannot break confidentiality. Any assessment and treatment in the Infirmary, including referral to the emergency room when intravenous hydration is required, is confidential.

If a VMI faculty or staff member discovers the alcohol use, the infirmary and CCC cannot halt any disciplinary process and penalties will be at the discretion of the Commandant's Office. Any cadet who brings a highly intoxicated cadet to the Infirmary will not be subjected to an alcohol penalty. Abusive language, violence, aggression, or other inappropriate behavior towards infirmary staff will not be tolerated and may result in Post Police involvement and notification to the Commandant's Office.

Because of confidentiality, cadets treated in the Infirmary will not be reported to the Commandant for discipline. All intoxicated cadets seen in the infirmary, or the emergency room will be referred to Cadet Counseling for mandatory assessment and alcohol education. Cadets who fail to attend mandatory assessment and alcohol education will be turned over to the

Commandant's Staff for appropriate discipline or sanctions.

Pursuant to General Order 16, cadets who report a violation involving sexual misconduct and other prohibited forms of discrimination may be given amnesty for minor disciplinary infractions, including underage drinking, at the time of the incident, except respondents in any such investigation shall not be granted amnesty for any infractions if found responsible for the underlying complaint. Violations of the Honor Code are not covered by amnesty.

A cadet seen in the Infirmary for a second episode of intoxication will again be referred to Cadet Counseling which may require the cadet to participate in an off-Post alcohol treatment program.

APPENDIX 3

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 16) 15 May 2025

Nondiscrimination Policy

1. Purpose.

The Virginia Military Institute is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination and harassment based on a protected characteristic, and free from retaliation for engaging in a protected activity.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of civility and respect in all aspects of its education program and activities, VMI developed policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of a protected characteristic, and for allegations of retaliation under General Order 90.

2. Policy Statement.

Unless otherwise permitted, restricted, or required by Federal or State law, VMI does not discriminate and prohibits discrimination in its employment, programs, activities on any basis protected by law.

VMI adheres to all federal and state laws regarding non-discrimination and anti-harassment in institutions of higher education.

3. IG/Title IX Coordinator.

A. Responsibilities. VMI's Inspector General serves as the Institute's Title IX Coordinator and Inspector General (collectively, "IG") and oversees implementation of General Order 16 ("this Policy" or "the Policy"). The IG has the primary responsibility for coordinating VMI's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination and harassment under this Policy, and retaliation under General Order 90. All parties will be provided with a copy of this Policy detailing options and resources, which the IG may also review with the parties in person.

B. Contact Information. Complaints or notice (reports) of alleged violations of this Policy, or inquiries or concerns regarding this Policy may be made internally to:

Alyssa Astphan, IG/Title IX Coordinator
303 Letcher Avenue, Lexington, Virginia, 24450
ig@vmi.edu
540-464-7086

Inquiries about Title IX or other civil rights laws, such as Title VI and Title VII, may also be referred to the U.S. Department of Education's Office for Civil Rights at:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov

Web: http://www.ed.gov/ocr

C. Independence and Conflict of Interest. The IG and their staff act with independence and authority free from bias and conflicts of interest. The IG oversees all resolutions under this Policy and these procedures. The members of the IG staff are vetted and trained to ensure they are not biased for or against any party in a specific Complaint, or for or against Complainants and/or Respondents, generally.
To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the IG, contact the VMI Superintendent or Chief of Staff at 540-464-7311. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other IG staff member should be raised with the IG.

4. Scope.

When the Respondent is a member of the VMI community, a Formal Complaint may be filed and a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the VMI community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, vendors, contractors, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed and investigated in accordance with this Policy.

VMI recognizes that reports and/or Formal Complaints under this Policy may include multiple forms of discrimination and harassment as well as violations of other VMI policies; may involve various combinations of students, employees, and other members of the VMI community; and may require the simultaneous attention of multiple VMI departments. Accordingly, all VMI departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable VMI policies, to provide uniform, consistent, efficient, and effective responses to alleged discrimination and harassment or retaliation.

5. Jurisdiction.

This Policy applies to VMI's education program and activities, to conduct that takes place on property owned or controlled by VMI, at VMI-sponsored events. The Respondent must be a member of VMI's community for this Policy to apply.

Regardless of where the conduct occurred, VMI will review reports (notice) or Complaints to determine whether the conduct occurred in the context of its employment or education program or activity and/or has continuing effects on Post (including virtual learning and employment environments) or in an off Post sponsored program or activity.

A. Off-Post Misconduct. This Policy may also be applicable to the effects of off-Post misconduct that effectively deprives a person of access to VMI's education program or activities, when the Institute determines that the conduct affects a substantial VMI interest. VMI policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on VMI's education program and activities or when they involve the use of VMI networks, technology, or equipment. A substantial VMI interest includes:

- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
- Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or other individual.
- Any situation that significantly impinges upon the rights, property, or achievements of others,

significantly breaches the peace, and/or causes social disorder.

- Any situation that substantially interferes with the educational interests or mission of VMI

B. Non-GO 16 Discrimination and Harassment. VMI does not tolerate discrimination or harassment of any employee, student, visitor, or third party and will act to remedy all forms of harassment when reported, whether or not the conduct meets the jurisdictional requirements set forth in this Policy. In cases where the conduct alleged would not violate this Policy, but may violate other VMI policy or regulation, the IG will refer the matter to the appropriate office for resolution under other processes. Conduct involving cadets will be referred to the Commandant of Cadets for resolution under the VMI Blue Book. Conduct involving employees will be referred to the appropriate Official with Authority and/or Human Resources) for resolution under the applicable VMI or DHRM policy or regulation. See Paragraph 5 of this Policy, for additional information.

C. If the Respondent is Not a Member of the VMI Community. The IG will assist the Complainant in identifying appropriate institutional and local resources and support options. If criminal conduct is alleged, VMI can assist in contacting local or institutional law enforcement if the individual would like to file a police report. Further, even when the Respondent is not a member of VMI's community, supportive measures, remedies, and resources may be provided to the Complainant by contacting the IG. In addition, VMI may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from VMI property and/or events.

When the Respondent is enrolled in or employed by another institution, the IG can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to pursue action under that institution's policies.

Similarly, the IG may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to VMI where Sexual Harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse.

D. Vendors Serving VMI Through Third-Party Contracts. These vendors are subject to the policies and procedures of their employers and/or to these Policies and procedures, if and when their employer has agreed to be bound by their contracts.

6. Prohibited Conduct.

The sections below describe the specific offenses that are prohibited under VMI Policy, including the applicable grievance procedures used to resolve Complaints and the range of sanctions for findings of responsibility. All offense definitions encompass actual and/or attempted offenses. Complaints that meet the jurisdiction and definitions within this Policy and as described below will be resolved through the GO 16 Grievance Procedures found in Appendix B, except as described in Paragraph 6.E., below. VMI reserves the right to impose any level of sanction for violations of this Policy resolved through the Grievance Procedures in Appendix B and/or Appendix E. Sanctions may range from a reprimand up to and including suspension or dismissal/termination.

A. Discrimination. Acts by any member, office, or organization of the VMI community that deny, deprive, or limit the educational or employment access, benefits, and/or opportunities of any member of VMI community, guest, or visitor on the basis of that person's protected characteristics as defined in this Policy.

B. Discriminatory Harassment. Unwelcome verbal, written, graphic, and/or physical conduct by any member or group of the community on the basis of characteristics protected by policy or law. Discriminatory Harassment violates this Policy when it rises to the level of creating a hostile environment. A hostile environment is defined as unwelcome conduct, determined by a

reasonable person to be so severe, pervasive, and objectively offensive that it unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. VMI reserves the right to address Complaints of Discriminatory Harassment that occur off-Post and effectively deprive a person of access to VMI's education program or activities, and when the Institute determines that the conduct affects a substantial VMI interest, as described in this Policy.

C. Title IX Sexual Harassment, as an umbrella category, includes the offenses of Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking. The alleged conduct must have occurred within VMI's education program and activities, taken place on property owned or controlled by VMI, or at VMI-sponsored events off-Post, and the Respondent must be a VMI student or employee. The following definitions apply:

1) **Title IX Sexual Harassment.** Conduct on the basis of sex that satisfies one or more of the following:

   a. **Quid Pro Quo.** Occurs when an employee of VMI conditions the provision of an aid, benefit, or service of VMI on an individual's participation in unwelcome sexual conduct.

   b. **Sexual Harassment (Hostile Environment).** Unwelcome conduct, determined by a reasonable person, to be so severe, pervasive, and objectively offensive, that it effectively denies a Complainant equal access to VMI's education program or activity.

   c. **Sexual Assault.** Any sexual act directed against a Complainant without their consent, or instances in which the Complainant is incapable of giving consent. For purposes of this Policy, sexual assault includes any of the following offenses:

      i. Rape. 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 their consent. Attempts to commit rape are included.

      ii. Fondling. The touching of the private parts of the Complainant (buttocks, groin, breasts) for the purpose of sexual gratification, without the consent of the victim.

      iii. Incest. Non-forcible sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by Virginia law.

      iv. Statutory Rape. Non-forcible sexual intercourse, with a person who is under the statutory age of consent, as defined in the Code of Virginia, Title 18.2, Chapter 4, Article 7.

D. Dating Violence. Violence on the basis of sex committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, 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.

   a. **Domestic Violence.** Violence on the basis of sex committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, or by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Virginia, or by any other person against an adult or youth Complainant who is protected from that person's acts under

the domestic or family violence laws of Virginia.

b. **Stalking.** Engaging in a course of conduct on the basis of sex directed at the Complainant, that would cause a reasonable person to fear for the person's safety, fear for the safety of others, or suffer substantial emotional distress. For the purposes of this definition,

   i. Course of conduct means two or more acts, including, but not limited to acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

   ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

   iii. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

E. Sexual Exploitation. An individual taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute Sexual Harassment under this Policy. Sexual Exploitation includes prostituting another person, non-consensual visual or audio recording of sexual activity, non-consensual distribution (including showing) of photos or other images of an individual's sexual activity or intimate body parts with an intent to embarrass such individual, non-consensual voyeurism, knowingly transmitting HIV or an STD to another, or exposing one's genitals to another in non-consensual circumstances. Sexual Exploitation is not considered Title IX Sexual Harassment.

F. Other Prohibited Misconduct. Complaints or reports of alleged misconduct that meet the definitions in this paragraph, but not the jurisdiction, within this Policy will be referred to the appropriate Official with Authority for resolution under other disciplinary processes. At the request of the Official with Authority, or as directed by the Superintendent, the IG will investigate allegations of misconduct through the Grievance Procedures, found in Appendix E of this Policy.

G. Retaliation. Intimidation, threats, coercion, or discrimination against any person by VMI, a student, or an employee or other person authorized by VMI to provide aid, benefit, or service under its education program or activity, for the purpose of interfering with any right or privilege secured by this Policy because the person has reported information, made a Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Grievance Procedures. For VMI's policy on Retaliation, see General Order 90, Retaliation.

H. Force, Coercion, Consent, and Incapacitation. As used in the offenses above, the following definitions and understandings apply.

1) **Force.** The use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," which elicits the response, "Okay, don't hit me. I'll do what you want.").
Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

2) **Coercion.** Unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that

they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

3) **Consent.** Knowing, voluntary, and clear permission by word or action to engage in sexual activity.

- For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Silence or absence of resistance does not imply consent. Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.
- Consent is voluntary and may be withdrawn at any time by communicating the withdrawal through an outward demonstration of understandable words or actions.
  I. Consent cannot be obtained by physical or verbal coercion that is expressed or implied, which includes the use of intimidation, threats, force, or duress.
- An individual who is incapacitated because of age, disability, voluntary activity, or through the acts of others cannot give consent. Consent cannot be obtained by taking advantage of another person's incapacitation or physical helplessness where one knows, or a reasonable person should have known, of such incapacitation or helplessness. The reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.
- Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected.
- Proof of consent or non-consent is not a burden placed on either party involved in a Complaint. Instead, the burden remains on VMI to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.

    1) **Incapacitation**: Physical or mental inability to make informed, rational judgments.

- A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drug consumption. This Policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances.
- Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

7. Reports/Complaints of Discrimination, Harassment, and/or Retaliation.

As used in this Policy, the term "report" means verbal or written notice given to the IG, a member of their staff, or an Official with Authority that alleges an occurrence of harassing, discriminatory, and/or retaliatory conduct. The term "Formal Complaint" means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Complaint, and requests that VMI investigate the allegations.

Because reporting carries no obligation to initiate a formal response, and because VMI respects Complainant requests to dismiss Complaints, unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of confidentiality by making a report that allows VMI to discuss and/or provide supportive measures.

Reports or Complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

A. File a report or Formal Complaint with the IG or a member of their staff.

Reports to the IG may be made using the online reporting form, via email (ig@vmi.edu), phone (540-464-7086), in-person (303 Letcher Avenue), via mail at the same address, or to any of the reporting contacts found on the IG website.

Formal Complaints must be submitted to the IG in person (303 Letcher Avenue), via mail at the same address, or via email (ig@vmi.edu). Blank forms are available in the IG office and a member of the staff can assist, if needed. If a Formal Complaint is submitted in a form that does not meet this standard, the IG will contact the Complainant to ensure that it is filed correctly. The Complainant must also disclose if a formal Complaint has been filed with another VMI office, or a state or federal agency for the same offense.

B. File a report with any Mandated Reporter.

As defined in this Policy, all non-confidential employees are Mandated Reporters. Any information provided to a Mandated Reporter that includes potential violations of this Policy will be shared with the IG, who will attempt to contact the victim. Reports may be made in any form, including phone, email, in-person, or mail. See the section on Mandated Reporting for more information.

C. Make an anonymous report.

Reports may be made to the IG anonymously through the online reporting form or via anonymous voicemail at 540-464-7702. The IG may be limited in the ability to investigate an anonymous report unless sufficient information is furnished to enable the IG to conduct a meaningful and fair investigation. Even if no further formal action is taken, measures intended to protect the community may be enacted. VMI tries to provide supportive measures to all Potential Complainants, which may be impossible with an anonymous report that does not identify the Potential Complainant.

D. Report Through Cadet Government.

Any reports made to any member of Cadet Government that includes conduct that may violate this Policy must be immediately forwarded to the Cadet Government Officer for review. The Cadet Government Officer will share reports with the IG, who has ultimate discretion over whether the reported conduct will be resolved through this Policy or referred for resolution through Cadet Conduct procedures. Cadets are encouraged to ensure the victim's safety, in coordination with the Commandant's Staff; however, no action should be taken to investigate or resolve the Complaint.

8. Mandated Reporting and Confidential Resources.

A. Mandated Reporting Requirements. All VMI employees (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the IG all known details of a report made to them in the course of their employment using any of the reporting options provided in Reports/Complaints section of this Policy. Employees must also promptly share all details of behaviors under this Policy that they observe or have knowledge of, even if not reported to them by a Potential Complainant or third party.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment, discrimination, or retaliation of which they become aware is a violation of VMI Policy and can be subject to disciplinary action for failure to comply/failure to report.

Finally, a Mandated Reporter who is themselves a target of harassment or other misconduct under this Policy is not required to report their own experience, though they are encouraged to do so.

B. Confidential Resources. If a Potential Complainant would like the details of an incident to be kept confidential, they may speak with the following resources designated as Confidential Resources by VMI:

- Counselors at the Cadet Counseling Center. Contacts: 540-464-7667, 2nd floor of the VMI Health Center, or email at cadetcounseling@vmi.edu.
- Providers and staff at the VMI Infirmary. Contacts: 540-464-7218, 1st floor of the VMI Health Center, or email at infirmary@vmi.edu.
- Institute Chaplains. Contacts: 540-464-7460, 540-464-7390, or Old Hospital. (note: Cadet Chaplains are not designated Confidential Resources)
- Project Horizon, an off-Post resource for victims of sexual violence. 24-hour Hotline: 540-463-2594
- Other off-Post sexual violence-focused resources
- Off-Post licensed professional counselors, medical providers, clergy/chaplains, and attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, professional credentials, or official designation, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

9. When a Potential Complainant Does Not Wish to Proceed.

A Potential Complainant may request confidentiality with the IG when declining to file a formal complaint The IG will evaluate that request in light of the duty to ensure the safety of the institution and to comply with state or federal law. VMI's ability to remedy and respond to notice (reports) may be limited if the Potential Complainant does not want VMI to proceed with an investigation and/or grievance process. The goal is to provide the individual with as much control over the process as possible, while balancing VMI's obligation to protect its community.

A. Declining a Formal Complaint. In cases in which the Potential Complainant requests confidentiality/no formal action and the circumstances allow VMI to honor that request, the IG will request the individual sign a document stating such. VMI may offer supportive measures and remedies to the individual and the community but will not otherwise pursue formal action.

B. Filing at a later date. If the Potential Complainant elects to take no action, they can change that decision if they decide to pursue a Formal Complaint at a later date. Upon making a Formal Complaint, a Complainant has the right, and can expect, to have allegations taken seriously by VMI and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

C. Legal reporting obligations. Notwithstanding a Potential Complainant's request that local law enforcement not be informed of an incident, the Institute is required pursuant to Virginia Code §23.1-806 to report information about an incident to local law enforcement if necessary to address an articulable and significant threat posing a health or safety emergency, as defined by the implementing regulations of the Family Educational Rights and Privacy Act (FERPA), 34 C.F.R.§ 99.36, and as detailed in the Sexual Violence Threat Assessment provisions in Appendix C.

D. Proceeding with an investigation.

1) The IG has ultimate discretion over whether VMI proceeds when the Potential Complainant does not wish to do so, and the IG may sign a Formal Complaint to initiate a grievance

process when a compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The IG must also consider the effect that non-participation by the victim may have on the availability of evidence and VMI's ability to pursue a Formal Grievance Process fairly and effectively.

2) When the IG executes the written Complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this Policy.

3) When VMI proceeds, the Complainant (and/or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

10. Time Limits on Reporting.

There is no time limitation on providing a report (notice) or Complaint to the IG; however, if the Respondent is no longer subject to VMI's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be limited or impossible.

Acting on a report (notice) or Complaint significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the IG, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When the report (notice) or Complaint is affected by significant time delay, VMI will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of the report (notice) or Complaint. In most cases, this Policy is only applied to alleged incidents that occurred after August 14, 2020. For incidents alleged to have occurred prior to August 14, 2020, previous versions of this Policy will apply.

11. Supportive Measures.

VMI will offer and implement appropriate and reasonable supportive measures to the parties upon a notice (report) of alleged harassment, discrimination, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered, without fee or charge to the parties, to restore or preserve access to VMI's education program or activity, including measures designed to protect the safety of all parties and/or VMI's educational/work environment and/or to deter harassment, discrimination, and/or retaliation.

The IG promptly makes supportive measures available to the parties upon receiving a report (notice) or a Complaint. At the time that supportive measures are offered, the IG will inform the Complainant, in writing, that they may file a Formal Complaint with the IG either at that time or in the future. The IG works with the Complainant to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

VMI will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair VMI's ability to provide those supportive measures. VMI will act to ensure as minimal an academic/occupational impact on the parties as possible. VMI will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, or community-based service providers

- Altering rooming assignments
- Altering company or platoon assignments
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Class schedule modifications, withdrawals, or leaves of absence
- Providing transportation assistance
- Visa and immigration assistance
- Student financial aid counseling
- Altering work arrangements for employees or student-employees
- Referral to the Employee Assistance Program
- Safety measures, including safety planning, providing on-Post safety escorts, increased security and monitoring of certain areas of the Post or Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Any other actions deemed appropriate by the IG or other Institute Officials

Violations of no contact orders or other restrictions may be referred to the appropriate student or employee conduct process for enforcement or added as collateral misconduct allegations to an ongoing Complaint under this Policy.

12. Emergency Removal.

A Respondent may be removed from Post or other education program or activity on an emergency basis, provided that VMI undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. The VMI Threat Assessment Team will decide whether a situation warrants an emergency removal.

13. Federal Timely Warning Obligations.

VMI is required by federal law to issue timely warnings for reported incidents that pose a substantial threat of bodily harm or danger to members of the VMI community. The Institute will ensure, to every extent possible, that a victim's name and other identifying information is not disclosed, while still providing enough information for members of the VMI community to make decisions to address their own safety in light of the potential danger.

14. Promptness.

Once VMI has received a report (notice) or a Formal Complaint, all allegations are promptly acted upon. Complaints typically take 90-120 business days to resolve through the Formal Resolution process, and 60-90 business days to resolve through the Informal Resolution process. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but VMI will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in VMI's procedures will be delayed, VMI will provide written notice to the parties of the delay, the cause for the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

See Appendix F for process flowcharts and timeframes.

15. Confidentiality/Privacy.

Every effort is made by VMI to preserve the confidentiality of reports. VMI will not share the identity of any individual who has made a report or Formal Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of harassment,

discrimination, or retaliation; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA) or its implementing regulations, or as required by law; or to carry out the purposes of 34 C.F.R. Part 106, including any investigation, hearing, or grievance proceeding arising under these policies and procedures.

VMI reserves the right to determine which VMI officials have a legitimate educational interest in being informed about incidents that fall under this Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will be told about the Complaint. These may include but are not limited to: The Commandant of Cadets (for Complaints involving cadets), the Superintendent, VMI Police, and the Threat Assessment Team, when appropriate. Information will be shared as necessary with Investigators, Decision-maker, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

16. False Allegations and Evidence.

All members of the VMI community are expected to provide truthful information in any report or proceeding under this Policy and the Grievance Procedures. Deliberately providing false and/or malicious accusations under this Policy is prohibited and subject to honor charges for cadets or employee discipline under the appropriate policy. This provision does not apply to reports made or information provided in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation, hearing, or Informal Resolution can be subject to discipline under appropriate VMI policies.

17. Federal Statistical Reporting Obligations.

Certain institutional officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- All "primary crimes," which include criminal homicide, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson
- Hate crimes, which include any bias-motivated primary crime as well as any bias-motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property
- VAWA-based crimes, which include Sexual Assault, Domestic Violence, Dating Violence, and Stalking
- Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug law violations

All personally identifiable information is kept private, but Institute officials must share statistical information with VMI Police regarding the type of incident and its general location (on or off Post or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily Post crime log.

Campus Security Authorities include Cadet conduct staff, Post Police, local police, coaches, athletic directors, human resources staff, advisors to student organizations, IG/Title IX staff, and any other official with significant responsibility for student and on-Post activities.

18. Cadet Amnesty.

A. Policy.

It is in the best interests of VMI community that individuals choose to report misconduct to VMI officials, that witnesses come forward to share what they know, and that all parties be forthcoming

during the process. To encourage reporting and participation in the process, VMI maintains a policy of offering parties and witnesses amnesty for disclosing conduct otherwise subject to discipline under the Blue Book. This includes, with some exceptions described below, consumption of alcohol in Barracks, underage consumption of alcohol anywhere, or status violations. If amnesty is provided, no conduct proceedings or record of adverse conduct actions will result for disclosed disciplinary infractions.

B. Exceptions and Limitations to the Amnesty Policy.
Amnesty may not be offered when the disciplinary infraction:

1) Places or placed the health or safety of any other person at risk,
2) Indicates a potential violation of the Honor Code, or
3) Indicates a pattern of misconduct for similar incidents by the same cadet.

Additionally, abuse of amnesty requests may result in a decision by the Commandant of Cadets not to extend amnesty to the same cadet repeatedly.

19. Sexual Violence Response.

A. Sexual Violence Threat Assessment. Upon receipt of any report of sexual violence, defined as a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent, that is alleged to have occurred (i) against any VMI student; or (ii) on Post, in or on a VMI building or property, or on public property that is on Post or immediately adjacent to and accessible from Post, the IG will promptly inform a review committee of the report, including personally identifying information. The review committee will be comprised of, at a minimum, the IG, the Chief of the VMI Police, and the Commandant of Cadets, or their designees. The review committee may consult other VMI officials depending on whether the accused individual is a student, faculty, or staff member and the circumstances of the report. The review committee will be advised by VMI counsel. The full response procedures are found in Appendix C.

B. Sexual Violence Victim's Rights, Options, and Procedures. VMI will assist sexual misconduct survivors/victims in a supportive manner, implementing the procedures set out in Appendix D of this Policy. Preserving the evidence is often a key step of successful investigation of alleged sexual misconduct.

20. Education and Awareness.

The IG's Office coordinates an education, training, and awareness program on discrimination, harassment, and sexual misconduct for students and employees, including training on primary prevention, bystander intervention, risk reduction, consent, and other pertinent topics.

21. Academic Freedom and Free Speech.

This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial, or sensitive subject matters protected by academic freedom. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of VMI Policy, though supportive measures will be offered to those impacted.

This Policy does not allow curtailment or censorship of constitutionally protected expression, which is valued in higher education and by the Institute. In addressing all Complaints and reports of alleged violations of this Policy, the Institute will take all permissible actions to ensure the safety of students and employees while complying with any and all applicable legal authority regarding free speech rights of students and employees. This Policy does not in any way apply to curriculum and curriculum decisions or abridge the use of particular textbooks or curricular materials.

FOR THE SUPERINTENDENT:

Travis Homiak ‘95
Colonel (Retired)
Chief of Staff

DIST: E, Cadets

APPENDIX A: DEFINITIONS

Advisor. A person chosen by a party or appointed by the institution to accompany the party to meetings related to the Resolution Process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any.

Complainant. An individual who has filed a Complaint alleging they were the victim of conduct that could constitute harassment or discrimination based on a protected characteristic, or retaliation for engaging in a protected activity.

Confidential Resource. An employee who is not a Mandated Reporter of reports (reports/notice or Complaints) of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status). The Institute Physician and other medical personnel at the VMI Infirmary, counselors at the Cadet Counseling Center, and the VMI Chaplains are designated as the Institute's confidential resources.

Consent. Knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity. Silence does not necessarily constitute consent. Past consent to sexual activities, or a current or previous dating relationship, does not imply ongoing or future consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonably immediate time. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred.

Day. A business day when VMI is in normal operation.

Decision-maker. The person who hears evidence, determines relevance, and makes the Final Determination of whether this Policy has been violated and/or assigns sanctions.

Directly Related Evidence. Evidence connected to the Complaint, but which is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the Decision-maker. Compare to Relevant Evidence, below.

Education Program or Activity. Locations, events, or circumstances where VMI exercises substantial control over both the Respondent and the context in which the harassment, discrimination, and/or retaliation occurs and also includes any building owned or controlled by a student organization that is officially recognized by VMI.

Finding. A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").

Formal Complaint. A document submitted or signed by a Complainant or signed by the IG/Title IX Coordinator alleging a Respondent engaged in harassment or discrimination based on a protected characteristic or retaliation for engaging in a protected activity and requesting that VMI investigate the allegation(s).

Formal Resolution. A method of formal resolution designated by VMI to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations (34 C.F.R. § 106.45) and the Violence Against Women Act § 304.

Informal Resolution. A Complaint resolution agreed to by the Parties and approved by the IG/Title IX Coordinator that occurs prior to a formal Final Determination being reached.

Mandated Reporter. A VMI employee who is obligated by policy to share knowledge, report (notice), and/or reports of harassment, discrimination, and/or retaliation with the IG/Title IX Coordinator.

Official with Authority (OWA). A VMI employee who has responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the Institute. VMI has designated the following individuals as Officials with Authority: Superintendent, Commandant of Cadets, Dean of the Faculty, Director of Intercollegiate Athletics, Deputy Superintendent for Finance and Support, and Chief of Staff.

Parties. The Complainant(s) and Respondent(s), collectively.

Potential Complainant. An individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected characteristic, or retaliation for engaging in a protected activity and who has not yet filed a formal Complaint.

Relevant Evidence. Evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the Complaint.

Remedies. Measures provided, as appropriate, to a Complainant or any other person VMI identifies as having had their equal access to the Institute's education program or activity limited or denied by discrimination, harassment, or sexual misconduct. These measures are provided to restore or preserve that person's access to the VMI's education program or activity after a determination that a policy violation occurred.

Report. An employee, student, or third party informs the IG, a member of their staff, or an Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.

Respondent. An individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected characteristic, or retaliation for engaging in a protected activity under this Policy.

Sanctions. Consequences imposed on a Respondent following a determination under this Policy that the Respondent violated VMI's prohibition on discrimination, harassment, or sexual misconduct.

APPENDIX B: GO 16 GRIEVANCE PROCEDURES

1. Purpose.

VMI will act on any formal Complaint of violation of General Order (GO) 16, VMI's Nondiscrimination and Discriminatory Harassment Policy ("the Policy") that is received by the IG or any other Official with Authority by applying these procedures, known as the Grievance Procedures.

The procedures below apply to all allegations of harassment or discrimination on the basis of an actual or perceived protected characteristic involving students, staff, administrators, or faculty members and that are prohibited by the Policy.

2. Reports (Notice) and Complaints.

Upon receipt of a report (notice) of an alleged policy violation, the IG initiates a prompt initial assessment to determine the next steps VMI needs to take. The IG will contact the Potential Complainant to offer supportive measures and determine whether they wish to file a Formal Complaint. The IG will then initiate at least one of four responses:

- Offering supportive measures because the individual does not want to file a Formal Complaint
- A Formal Resolution, including an investigation and a hearing
- An Informal Resolution
- An Accepted Responsibility Resolution

VMI uses a Formal Grievance Process as described below to determine whether the Policy has been violated. If it is determined the Policy was violated, VMI will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, and/or their effects.

If more than one Respondent is involved in the alleged violations of this Policy, then the Complainant must file a separate formal Complaint against each Respondent. The IG may choose to consolidate the cases once the separate Complaints are filed.

3. Initial Assessment.

Following receipt of report (notice) or of an alleged violation of the Policy, the IG engages in an initial assessment, typically within one to five (1-5) business days. The steps in an initial assessment can include:

A. Initial Contact. The IG reaches out to the Potential Complainant to offer supportive measures and to determine if they wish to make a Formal Complaint, and will assist them to do so, if desired. If they do not wish to do so, the IG:

1) Documents the Potential Complainant's declination of their right to file a formal Complaint. No Formal Grievance Process is initiated, though the individual can elect to initiate one later, if desired.

2) Works with the individual to identify any supportive measures or resources needed/requested and coordinates with the applicable office for implementation.

3) Determines whether they will initiate a Complaint because a violence risk assessment indicates a compelling threat to health and/or safety.

B. When a Formal Complaint is Filed. If a Formal Complaint is received, the IG:

1) Assesses its sufficiency and works with the Complainant to make sure it is correctly completed.

2) Works with the Complainant to ensure they are aware of the right to have an Advisor.

3) Works with the Complainant to determine whether they prefer an Informal or Formal Resolution option.

   a. If an Informal Resolution option is preferred, the IG assesses whether the Complaint is suitable for Informal Resolution and may seek to determine if the Respondent is also willing to engage in Informal Resolution.

   b. If a Formal Grievance Process is preferred by the Complainant, the IG determines if the alleged misconduct falls within the scope and jurisdiction of the Policy. If so, the IG will initiate the formal investigation and grievance process. If some or all of the alleged misconduct falls outside the scope and jurisdiction of the Policy, the IG will dismiss that aspect of the Complaint, assess which policies may apply, and refer the matter accordingly. Please note that dismissing a Complaint under the Policy does not limit VMI's authority to address a Complaint with an appropriate process and remedies.

C. Dismissal of Complaints (Mandatory and Discretionary).

1) **Mandatory Dismissal of Title IX Sexual Harassment Complaints.** VMI must dismiss a Formal Complaint alleging Title IX Sexual Harassment if, at any time during the investigation or hearing, it is determined that:

   a. The conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment, as defined in this Policy, even if proved.

   b. The conduct did not occur in an educational program or activity controlled by VMI (including buildings or property controlled by recognized student organizations), and/or VMI does not have control of the Respondent.

   c. The conduct did not occur against a person in the United States.

   d. At the time of filing a Formal Complaint, a Complainant is not participating in or attempting to participate in VMI's education program or activity, and based on the available information, the IG has determined that they do not need to sign a Formal Complaint on behalf of VMI.

2) **Discretionary Dismissal of Complaints.** VMI may dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing:

   a. For Complaints alleging conduct other than Title IX Sexual Harassment, the conduct alleged in the Formal Complaint would not constitute a clear violation of the Policy, as defined in Prohibited Conduct, and/or the conduct alleged occurs outside the jurisdiction set forth in this Policy.

   b. For all Complaints, a Complainant notifies the IG in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein. A Complainant who decides to withdraw a Complaint may later request to reinstate it or refile it.

   c. For all Complaints, the Respondent is no longer enrolled in or employed by VMI.

   d. For all Complaints, specific circumstances prevent VMI from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

3) **Dismissal Procedures.** Upon any dismissal, VMI will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties. This dismissal decision is appealable by any party under the procedures for appeal (See the Appeals section of these Grievance Procedures). At the conclusion of the appeals process, or five business days after the written notice of dismissal was issued to the parties if no appeal was received, the IG refers the matter to the appropriate disciplinary process/administrator.

4. Counterclaims.

VMI is obligated to ensure that the grievance process is not abused for retaliatory purposes, thus counterclaims made with retaliatory intent will not be permitted. VMI permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith.

Counterclaims determined to have been reported in good faith will be processed using the Resolution Process below. Investigation of such claims may take place after resolution of the underlying initial Complaint, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying Complaint, at the discretion of the IG. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this Policy.

5. Right to an Advisor.

A. Selection of Advisor.

1) **Advisor of Choice.** The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the Resolution Process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is eligible and available.

   Choosing an Advisor who is also a witness in the process is not prohibited but does create potential for bias and conflict of interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decisionmaker.

   If either party has retained legal counsel, the party must immediately notify the IG of such representation. The role of counsel for the parties will be limited to advice and consultation with the attorney's client.

2) **VMI-Provided Advisors.** If either party does not choose to have an advisor of his/her choice, the IG will assign an advisor to that party in order to participate in the initial hearing phase of the process and for the limited purpose of conducting the Questioning at no fee or charge to the party. If neither a party nor their advisor appears at the hearing, VMI will provide an advisor to appear on behalf of the non-appearing party.

3) All Advisors are subject to the same VMI policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by VMI.

B. Advisor Roles and Expectations. When an Advisor is selected by the party or assigned by VMI, the IG will provide Advisors and their parties the VMI Advisor's Guide, meet with the Advisor and their party to review Advisor roles and expectations, document the Advisor's acknowledgement of their roles and expectations, and document the party's consent to release case information and records protected by FERPA to their Advisor.

1) **Roles.** During the investigation, the Advisor's role is limited to advice and consultation. Neither the advisor for the Complainant nor the advisor for the Respondent will be permitted to question witnesses, raise objections, or make statements or arguments at any meetings or proceedings during the investigation.

   During the hearing, the Advisor's role expands to include conducting questioning of the other party and witnesses, on behalf of their party. If a party does not attend the live hearing, the party's advisor may appear and conduct questioning on his or her behalf.

2) **Expectations.** Advisors are expected to advise their party without disrupting proceedings. Advisors should not address VMI officials or Investigators in a meeting or interview unless

invited to do so or unless asking procedural questions. The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigators or other Decision-maker except during a hearing proceeding during questioning.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the Resolution Process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

3) **Advisor Non-Compliance with the Policy.** Any Advisor who oversteps their role as defined by this Policy, or who refuses to comply with VMI's established rules of decorum for the hearing, will be warned. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing may be ended, or other appropriate measures implemented, including VMI requiring the party to use a different Advisor or providing a different VMI-appointed Advisor. Subsequently, the IG will determine how to address the Advisor's non-compliance and future role.

6. Informal Resolution Processes.

A. Overview. Informal Resolution is a resolution in which the parties agree to resolve the matter through an Informal Resolution, including facilitated mediation, restorative practices, and facilitated dialogue, as described below. All parties must consent to the use of an Informal Resolution approach.

B. Initiating Informal Resolutions.

1) To initiate Informal Resolution, a Complainant must submit a Formal Complaint, as defined above, and request Informal Resolution. A Respondent who wishes to initiate Informal Resolution should contact the IG.

2) It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process. The IG has discretion to determine if an investigation will be paused during Informal Resolution, or if it will be limited, or will continue during the Informal Resolution process.

C. Prior to implementing Informal Resolution, VMI will provide the parties with written notice of the reported misconduct and will meet with the parties to obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution, that they understand the expectations and rules for participating in Informal Resolution, and that they are allowed to have one advisor of their choice participate in the process, if they so choose.

1) The IG will assign an Informal Resolution Facilitator to oversee the process. Facilitators are members of the Institute faculty and staff who have received formal training on facilitating Informal Resolutions.

D. The Informal Resolution Process.

1) The Informal Resolution Facilitator will work with the Complainant and the Respondent in order to reach a resolution that is satisfactory to both parties. Any resolution through the informal process must adequately address the concerns of the Complainant, as well as the rights of the Respondent and the responsibility of the Institute to prevent, address, and remedy alleged violations of this Policy.

2) No finding of responsibility for violations of the Policy will be implemented when Informal

Resolution is used.

3) Informal Resolution remedies might include providing training, providing counseling to an individual whose conduct, if not ceased, could rise to a higher level of policy violations, confidential briefing of the Respondent's work supervisor, use of penalties through the cadet governance system, use of penalties through the Human Resources Department, or other methods deemed appropriate by the facilitator.

4) The parties may not enter into an agreement that requires VMI to impose suspension or dismissal/termination sanctions, though the parties can agree to certain restrictions or other courses of action. For example, the parties cannot require a student be suspended, but the parties can agree that the Respondent will temporarily or permanently withdraw. Only the Accepted Responsibility or Formal Resolution Processes can result in suspension or dismissal/termination sanctions levied by the institution.

5) Informal Resolutions will be reviewed and approved by the IG and all parties will be provided written notification of the resolution of the Complaint through the informal process.

6) There will be no right of appeal afforded to the Complainant or the Respondent following the completion of an Informal Resolution process.

7) Failure to fulfill the terms of the Resolution Agreement by either party may result in referral to an appropriate disciplinary process and may subject the non-compliant party to sanctions.

E. Limitations to the Use of Informal Resolutions.

1) The IG reserves the right to determine whether Informal Resolution is appropriate, or which form of Informal Resolution may be most successful for the parties. The IG is authorized to determine when an Informal Resolutions is not available based on the following factors:

- The nature, severity, and complexity of the alleged misconduct
- Likelihood of potential resolution
- Informal Resolution facilitator skill
- Adequate resources to invest in Informal Resolution (time, staff, etc.)
- The parties' emotional investment/capability, rationality, goals, motivation to participate, civility, power dynamics, and amenability to Informal Resolution
- Respondent's disciplinary history

2) The Informal Resolution Process cannot be utilized when the Complainant is a student, and the Respondent is an employee.

3) When the IG determines the Informal Resolution Process is not/is no longer appropriate, they will notify the parties and begin/resume the Formal Resolution process to resolve the Complaint.

7. Respondent Accepts Responsibility for Alleged Violations

A. Overview. The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the IG will determine whether the "Accepted Responsibility" resolution process can be used according to the criteria in Section C, below. All parties and VMI must agree on responsibility, restrictions, remedies, and/or sanction.

B. Accepted Responsibility Resolution Process.

1) The IG will determine whether all parties and VMI are able to agree on responsibility, restrictions, remedies, and/or sanctions; any agreement must adequately address the concerns of the Complainant, uphold the rights of the Respondent, and enable the Institute to meet its responsibility to prevent, address, and remedy alleged violations of the Policy, as determined

by the IG. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

2) If the parties and VMI are able to agree, the IG implements and documents the accepted finding that the Respondent is in violation of the Policy. All parties will be provided written notification of the resolution of the Complaint, the accepted findings of responsibility, and the agreed-upon restrictions, remedies, and sanction(s).

3) The IG refers a summary of the resolution to the applicable administrator for their implementation of the agreed-upon restrictions, remedies, and sanction(s).

4) This result is not subject to appeal once all parties indicate their written assent to all agreed upon resolution terms.

5) When a resolution is accomplished, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

C. Limitations to the Use of Accepted Responsibility Resolutions.

1) The IG reserves the right to determine whether Accepted Responsibility is appropriate. The IG is authorized to determine when an Informal Resolutions is not available based on the following factors:

- The nature, severity, and complexity of the alleged misconduct
- Likelihood of potential resolution
- Informal Resolution facilitator skill
- Adequate resources to invest in Informal Resolution (time, staff, etc.)
- The parties' emotional investment/capability, rationality, goals, motivation to participate, civility, power dynamics, and amenability to Informal Resolution
- Respondent's disciplinary history

2) The Accepted Responsibility Resolution Process cannot be utilized when the Complainant is a student, and the Respondent is an employee.

3) When the IG determines the Accepted Responsibility Resolution Process is not/is no longer appropriate, they will notify the parties and resume the Formal Resolution process to resolve the Complaint.

8. Formal Resolution Process – Preparation for the Investigation.

A. Notice of Investigation and Allegations.

1) The IG will provide written Notice of the Investigation and Allegations (the "NOIA") to the parties upon commencement of any of the resolution processes in these Grievance Procedures. The Complainant will be given advance notice of when the NOIA will be delivered to the Respondent.

2) The NOIA will include:
- A meaningful summary of all allegations
- The identity of the involved parties (if known)
- The precise misconduct being alleged
- The date and location of the alleged incident(s) (if known)
- The specific policies implicated
- A description of the applicable procedures
- A statement that VMI presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination

- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity during the review and comment period to inspect and review all directly related and/or relevant evidence obtained
- A statement about VMI's policy on retaliation
- Information about the confidentiality of the process
- Information on the need for each party to have an Advisor, the right to have an Advisor of their choosing, and VMI's responsibility to provide an Advisor if one is not selected
- A statement informing the parties that VMI's policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process
- Detail on how the party may request disability accommodations during the Resolution Process
- The name(s) of the Investigators, along with a process to identify to the IG, in advance of the interview process, any conflict of interest that the Investigators may have
- Information on the parties' right to submit relevant evidence and the names of any known witnesses with relevant information to the Investigators.

3) In Formal Resolutions, the IG will issue a supplemental written notice providing additional details and will provide additional time to the Respondent to prepare a response before any initial interview occurs regarding those additional charges if the scope of the investigation expands.

B. Resolution Timeframes, Delays, and Interactions with Law Enforcement.

1) VMI will make a good faith effort to complete the Resolution Process within ninety to one hundred twenty (90-120) business-days, including any appeal. The timeframe can be extended as necessary for appropriate cause by the IG, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

2) Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take many weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, law enforcement involvement, etc. VMI will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

3) VMI may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or health conditions.

   VMI will communicate the anticipated duration of the delay and reason to the parties in writing and provide the parties with status updates if necessary. VMI will promptly resume its investigation and Resolution Process as soon as feasible. During such a delay, VMI will implement supportive measures as deemed appropriate.

C. Appointment of Investigators and Impartiality.

1) **Appointment of Investigators.**

   a. Once the decision to commence a formal investigation is made, the IG appoints the Investigators from the pool of trained and available IG staff. The IG may also use an external investigator, if deemed appropriate. VMI typically uses a team of two Investigators and usually makes the appointment within five (5) business days of determining that an investigation should proceed.

   b. Any individual materially involved in the administration of the Resolution Process,

including the IG, their staff, Investigators, and Decision-maker, may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

c. The IG will vet the assigned Investigators for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases.

2) **Concerns with Bias or Conflict of Interest.**

a. Within three business days of receipt of the NOIA, the parties may raise a concern regarding bias or conflict of interest, and the IG will determine whether the concern is reasonable and supportable. If so, another trained staff member will be assigned, and the impact of the bias or conflict, if any, will be remedied.

b. If the IG is suspected of possible bias or conflict of interest, then an external investigator chosen by the Superintendent will conduct the investigation and the VMI Chief of Staff will oversee the investigation.

3) **Impartiality.**

a. The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

b. VMI operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

9. Formal Resolution Process – Investigation Procedures.

The IG will conduct a thorough, prompt, reliable, impartial, and fair fact-finding investigation of the Complaint. Investigations involve interviews with all available relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record. Recordings of interviews are not provided to the parties, but the parties will have the ability to review the transcript or summary of the interview once the investigation report is compiled.

At the discretion of the IG, investigations can be combined when complaints implicate a pattern, collusion, and/or other shared or similar actions.

A. Investigation Process Steps.

The investigators typically take the following steps, but not necessarily in this order:

- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the parties and witnesses.
- Meet with the Complainant to conduct or finalize their interview/statement, if necessary.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes or transcript of the relevant evidence/testimony from their respective interviews and meetings.

- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Allow each party the opportunity to suggest witnesses to be interviewed.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors with a list of witnesses whose information will be used to render a finding
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices will include relevant physical or documentary evidence and directly related but not relevant physical or documentary evidence. The Investigators should gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which VMI does not intend to rely in reaching a determination, for a ten (10) business-day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten (10) days.
- Respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses, when appropriate.
- Incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigators should document all rationales for any changes made after the review and comment period.
- Share the report with the IG and/or legal counsel for their review and feedback.
- Incorporate any relevant feedback and share the final report with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties and Advisors are also provided with a file of any directly related evidence that was not included in the report.

B. Witness Role and Participation in the Investigation.

1) Witnesses (as distinguished from the parties) who are employees of VMI are strongly encouraged to cooperate with and participate in VMI's investigation and Resolution Process. Student witnesses and witnesses from outside VMI community are encouraged to cooperate with VMI investigations and to share what they know about a complaint. Witnesses are encouraged to provide any relevant evidence in their possession.

2) Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Zoom, Microsoft Teams, FaceTime, or similar technologies may be used for interviews if the Investigators determine that timeliness, efficiency, or other reasons dictate a need for remote interviewing. VMI will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

3) Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigators, though not preferred.

C. Interview Recording.

1) No unauthorized audio or video recording of any kind is permitted during investigation meetings, or any other meetings held within the course of the resolution process.

2) Investigators may elect to audio and/or video record interviews for the purpose of creating a transcript or record of the interview. When an interview is recorded, all involved participants will be made aware of such recording and its purpose.

D. Evidentiary Considerations.

1) Neither the investigation nor the hearing will consider:

   a. Incidents not relevant or not directly related to the possible violation(s), unless they evidence a pattern; or

   b. Questions and evidence about the Complainant's sexual predisposition; or

   c. Questions and evidence about the Complainant's prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

2) Within the boundaries stated above, the investigation and the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

3) Evidence that will be available for inspection and review by the parties will be any evidence that is either relevant or directly related to the allegations raised in the formal Complaint.

   a. Relevant evidence is evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the Complaint and is relied upon by the Decision-maker.

   b. Directly related evidence is evidence connected to the Complaint, but which is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the Decision-maker.

E. Referral for Hearing.

1) Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the IG will refer the matter for a hearing, with one exception: in cases alleging Discriminatory Harassment or Title IX Sexual Harassment (Hostile Environment), the IG will review the evidence to verify that the conduct meets the Hostile Environment standard, as defined in the Prohibited Conduct section of the Policy.

2) The IG will select an appropriate Decision-maker from the pool of trained and available IG staff, and provide them with a copy of the investigation report and the file of directly related evidence.

3) The hearing cannot be held less than ten (10) business days from the conclusion of the investigation–when the final investigation report is transmitted to the parties and the Decision-maker–unless all parties and the Decision-maker agree to an expedited timeline.

4) No less than ten (10) business days prior to the hearing, the IG or the Decision-maker will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notice will contain:

   - A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
   - The time, date, and location of the hearing.
   - Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker and parties to see and

hear a party or witness answering questions. Such a request must be raised with the IG as soon as possible, but at least five (5) business days prior to the hearing.

- The name and contact information of the Decision-maker selected to chair the hearing, and an invitation to object to the selection based on demonstrated bias or conflict of interest at least five (5) business days prior to the hearing.
- Information on how the hearing will be recorded and how the parties can access the recording after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Decision-maker may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the IG if they wish to conduct questioning and do not have an Advisor, and VMI will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
- An invitation to each party to submit to the Decision-maker an impact and/or mitigation statement pre-hearing that the Decision-maker will review during any sanction determination.
- An invitation to contact the IG to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least five (5) business days prior to the hearing.

5) Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held during the summer, as needed, to meet the resolution timeline followed by VMI and remain within the 90-1200 business-day goal for resolution. Employees who do not have 12-month contracts are still expected to participate in Resolution Proceedings that occur during months between contracts.

F. Hearing Decision-maker Selection.

1) VMI will designate a single Decision-maker from the pool of trained and available IG staff, at the discretion of the IG. The single Decision-maker will chair the hearing.

2) The Decision-maker will not have had any previous involvement with the complaint. The IG may elect to have an alternate from the pool sit in throughout the hearing process in the event that a substitute is needed for any reason.

3) Those who have served as Investigators may not serve as Decision-maker. Those who are serving as Advisors for any party may not serve as Decision-maker in that matter.

4) The IG may not serve as a Decision-maker in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill the facilitator role. The hearing will convene at a time and venue determined by the IG or designee.

G. Alternative Hearing Participation Options.

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the IG or the Decision-maker as soon as possible, preferably at least five (5) business days prior to the hearing.

The IG or the Decision-maker can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the IG or the

Decision-maker know as soon as possible, preferably at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

10. Formal Resolution – Pre-Hearing Preparation and Meetings.

A. Pre-Hearing Preparation.

1) After any necessary consultation with the parties, the IG, on behalf of the Decision-maker, will provide the names of persons who have been asked to participate in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

2) Any witness scheduled to participate in the hearing must have been first interviewed by the Investigators or have proffered a written statement or answered written questions, unless all parties and the Decision-maker assent to the witness's participation in the hearing. The same holds for any relevant evidence that is first offered at the hearing. If the parties and Decision-maker do not assent to the admission of evidence newly offered at the hearing, the Decision-maker may delay the hearing and/or instruct that the investigation needs to be re-opened to consider that evidence.

3) The parties will be given the name of the Decision-maker at least ten (10) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the IG as soon as possible and no later than five (5) business days prior to the hearing. Decision-makers will only be removed if the IG concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the complaint.

4) The IG will give the Decision-maker a list of the names of all parties, witnesses, and Advisors at least ten (10) business days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the IG as soon as possible.

5) During the ten (10)-business-day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Decision-maker at the hearing.

B. Pre-Hearing Meetings.

1) The IG will offer a pre-hearing meeting to each of the parties and their Advisors within the ten business-days prior to the hearing. During the meeting, the IG will invite the parties and/or their Advisors to submit the questions or topics they wish to ask or discuss at the hearing. The IG will provide all questions or topics to the Decision-maker so that they can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing. The IG will provide the Decision-makers response at least two (2) business-days prior to the hearing, including those questions/topics approved for inclusion and their rationale for any exclusions.

2) This advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration on a pre-hearing ruling by the Decision-maker based on any new information or testimony offered at the hearing.

3) The Decision-maker, typically with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigators in the investigation report or during the hearing.

4) At each pre-hearing meeting with a party and/or their Advisor, the IG will document arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigators may be argued to be relevant. The IG will provide this information to the Decision-maker so they have the option to rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Decision-maker may consult with legal counsel and/or the IG and may attend pre-hearing meetings.

5) The pre-hearing meetings will not be recorded. The pre-hearing meetings will be conducted separately with each party and their Advisor, and may be held in-person, remotely, or as a written-only exchange. The IG will work with the parties to establish the format.

11. Formal Resolution Process – Hearing Procedures.

At the hearing, the Decision-maker have the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation. The Decision-maker will preside over the hearing, including the presentation of evidence, the questioning of witnesses, and the questioning of witnesses by each party's advisor.

H. Order of the Hearing.

1) **Introductions and Explanation of Procedure.** The Decision-maker explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker based on bias or conflict of interest. The Decision-maker will rule on any such challenge unless the Decision-maker is the individual who is the subject of the challenge, in which case the IG will review the challenge and decide.

2) **Investigator Presentation of Final Investigation Report.** The Investigators will present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker and the parties (through their Advisors). Neither the parties nor the Decision-maker should ask the Investigators their opinions on credibility, recommended findings, or determinations, and Advisors and parties will refrain from discussion of or questions for Investigators about these assessments. If such information is introduced, the Decision-maker will direct that it be disregarded.

3) **Testimony and Questioning.** Once the Investigators present the report and respond(s) to questions, the parties may provide an opening statement including relevant information in turn. The hearing will facilitate questioning of parties and witnesses by the Decision-maker and then by the parties through their Advisors. The parties are not permitted to conduct questioning; it must be conducted by the advisor. As a result, if a party does not select an advisor, the Institute will select an advisor to serve in this role for the limited purpose of conducting the Questioning at no fee or charge to the party.

   All questions are subject to a relevance determination by the Decision-maker. The Advisor, who will remain seated during questioning, will pose the proposed question, the proceeding will pause to allow the Decision-maker to consider the question, and the Decision-maker will determine whether the question will be permitted, disallowed, or rephrased.

   The Decision-maker may invite explanations or persuasive statements regarding relevance with the Advisors if the Decision-maker so chooses. The Decision-maker will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Decision-maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-maker will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Decision-maker has final say on all questions and determinations of relevance. The Decision-maker may consult with legal counsel on any questions of admissibility. The Decision-maker may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Decision-maker has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Decision-maker may elect to address those issues, consult with legal counsel, refer them to the IG, and/or preserve them for appeal. If bias is not in issue at the hearing, the Decision-maker should not permit irrelevant questions that probe for bias.

4) **Refusal to Submit to Questioning and Inferences.**

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The Decision-maker can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to questioning or answer other questions.

5) **Hearing Recordings.**

Hearings are recorded by VMI for purposes of review during deliberations and/or in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-maker, the parties, their Advisors, and appropriate administrators of VMI may be permitted to review the recording or review a transcript of the recording, upon request to the IG. No person will be given or be allowed to make a copy of the recording without permission of the IG.

I. Additional Evidentiary Considerations in the Hearing.

6) Previous disciplinary action of any kind involving the Respondent may not be used unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process and is not shared until then.

7) The parties may each submit a written impact and/or mitigation statement prior to the hearing for the consideration of the Decision-maker at the sanction stage of the process when a determination of responsibility is reached.

8) After post-hearing deliberation, the Decision-maker render(s) a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

9) VMI has the burden of proof and the burden of gathering evidence. This burden does not rest with either party, and either party may decide not to share his or her account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from VMI and does not indicate responsibility.

10) VMI cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information.

11) Only evidence that is relevant to the allegations in the Complaint will be considered at any stage of the process. "Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation in the Complaint more or less likely to be true.

J. Joint Hearings.

In hearings involving more than one Respondent and/or involving more than one Complainant who has accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each complaint with respect to each alleged policy violation. The IG may permit the investigation and/or hearings pertinent to each Respondent or complaint to be conducted separately if there is a compelling reason to do so.

12. Formal Resolution Process – Post-Hearing Decision-Making

A. Deliberation and Decision-Making.

B. After the hearing, the Decision-maker will deliberate in closed session to determine whether the Respondent is responsible for the Policy violation(s) in question. The preponderance of the evidence standard of proof is used. The Decision-maker may consult with the Institute's legal counsel during deliberation, if desired.

1) When deliberating potential Discriminatory Harassment or Title IX Sexual Harassment (Hostile Environment) policy violations, the Decision-maker must first determine whether the conduct created a hostile environment, as defined in the Prohibited Conduct section of the Policy. They should consider not only whether the conduct was unwelcome to the Complainant, but also whether the conduct was severe and pervasive, and whether a reasonable person similarly situated to the Complainant would have perceived the conduct to be objectively offensive. If the alleged conduct created a hostile environment as defined in the Policy, the Decision-maker then makes a determination on whether the Respondent is responsible for those policy violation(s).

C. When there is a finding of responsibility on one or more of the allegations, the Decision-maker will recommend the appropriate sanctions, after consulting with the administrator with disciplinary authority over the Respondent. Coordination may occur through an in-person or virtual meeting or over e-mail. The Decision-maker and administrator may consider any previously submitted party impact and/or mitigation statements (Decision-maker provides) and should consider any pertinent conduct history (administrator provides) during their consultation. The Decision-maker will submit written documentation of the consultation to the IG. There is no format specified (email is sufficient) but the document should include the date, method, individuals involved, and results of the coordination.

1) The Decision-maker will complete their deliberations not later than ten (10) business days from the date of the hearing.

D. Notice of Final Determination.

1) The Decision-maker, with support from the IG, will prepare the Notice of Final Determination letter within two (2) business days of the end of deliberations, unless the IG grants an extension. If an extension is granted, the IG will notify the parties. The Notice of Final Determination will be reviewed by legal counsel. The IG will share the letter, which includes the final determination, rationale, and any recommended sanction(s).

2) The Notice of Final Determination will be shared with the parties and their Advisors simultaneously. Notification will be made in writing and, in most cases, delivered by email. The IG may also provide notice in person or via mail, if required. Once emailed, received in-person, or mailed, the notice will be presumptively delivered.

3) The Notice of Final Determination will articulate the specific alleged policy violation(s), including the relevant policy section(s), and will contain a description of the procedural steps taken by VMI from the receipt of the misconduct report to the determination and will specify the finding for each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent VMI is permitted to share such information under state or federal law; any sanction(s) recommended which VMI is permitted to share according to state or federal law; and whether remedies will be provided to the Complainant to ensure access to VMI's educational or employment program or activity.

4) The Notice of Final Determination will also include information on when the results are considered final by VMI, will note any changes to the outcome and/or sanction(s) that occur prior to finalization, and the relevant procedures and bases for appeal (See the Appeals section, below).

5) Subsequent to receiving the Notice of Final Determination, the parties may request a meeting with the IG to review the appeals procedures. If neither party notifies the IG of their desire to appeal, the findings become final and, when sanctions are recommended, the IG will forward a copy of the Notice of Final Determination to the appropriate administrator for review and implementation of the recommended sanctions.

13. Sanctions.

A. Procedures.

Sanctions are recommended by the Decision-maker, in consultation with the appropriate administrator. The Superintendent reserves the right to determine and issue sanctions for any violation of this Policy; it is the Institute Official with Disciplinary Authority's responsibility to communicate and coordinate with the Superintendent for his decision on sanctions prior to the date the decision becomes final (after appeal or the date the appeal period expires) and sanctions may be implemented, but preferably ahead of the Decision-maker's Notice of Final Determination. Sanctions are implemented by the appropriate administrator, as recommended by the Decision-maker or determined by the Superintendent, unless the administrator has a compelling need to modify the sanctions. Any modification of recommended sanctions must be documented, with rationale, and a copy sent to the IG for review and record-keeping.

To the extent permitted by applicable VMI policies and regulations, sanctions will be imposed within fourteen (14) business days of completion of the Decision-maker's written determination of responsibility if neither the Complainant nor the Respondent requests an appeal hearing. If an appeal is requested, sanctions, if any, will be imposed within fourteen (14) business days of the final decision of the Appeals Officer. If extension of the time frame for sanctions to be imposed beyond fourteen (14) business days is necessary, all parties will be notified of the expected time for imposition of sanctions. The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

1) If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and/or referring that information to another process for resolution.

2) The Respondent will be informed in writing of any sanctions imposed for violation of this Policy by the individual imposing the sanctions within five (5) business days of the determination. The IG will be provided a copy of such written notification. The IG will disclose to the Complainant, as simultaneous as possible to the notification provided to the Respondent, sanctions that directly relate to the Complainant as permitted by state and federal law including the Family Educational Rights and Privacy Act (FERPA) and the Virginia

Freedom of Information Act.

3) Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker

B. Student (Cadet) Sanctions.

The Commandant of Cadets implements sanctions for cadets, based on the recommendation of the Decision-maker and the results of their prior consultation during the deliberation phase.

Sanctions may include, but are not limited to:

- Blue Book Penalties #1 through #10, as described in the Blue Book: Penalties may include assessment of demerits, confinement, penalty tours, Conduct Probation, and loss of rank and/or position.
- Suspension: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at VMI.
- Suspension in Abeyance: Deferment of Suspension, as defined above, provided the Respondent is not found responsible for further misconduct that results in a Blue Book Penalty #1 through #6.
- Dismissal: Permanent termination of student status and revocation of rights to be on Post for any reason or to attend VMI-sponsored events.
- Withholding Diploma: VMI may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating policy.
- Revocation of Degree: VMI reserves the right to revoke a degree previously awarded from VMI for fraud, misrepresentation, and/or other violation of VMI policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Other Actions: In addition to or in place of the above sanctions, VMI may assign any other sanctions as deemed appropriate.

Students suspended or dismissed, or who withdraw from VMI while under investigation, for offenses involving sexual violence under this Policy will have their academic transcript annotated. (i.e., "Suspended for a violation of General Order 16, VMI's Policy on Non-Discrimination")

VMI will notify each student that any such suspension, permanent dismissal, or withdrawal will be documented on the student's academic transcript, remove such notation from the academic transcript of any student who is subsequently found not to have committed an offense involving sexual violence under the institution's code, rules, or set of standards governing student conduct, and expunge such notation for good cause shown and after a period of three years.

VMI will remove such notation from a suspended student's academic transcript if the student completed the term and any conditions of the suspension and has been determined by VMI to be in good standing.

C. Employee Sanctions.

1) **Teaching and Research Faculty.** The Dean of the Faculty implements sanctions for Teaching and Research Faculty based on the recommendation of the Decision-maker and the results of their prior consultation during the deliberation phase, and in accordance with the procedures in the Faculty Handbook. Possible sanctions include, but are not limited to counseling, training, reassignment, or the initiation of termination proceedings according to procedures.

2) **Administrative and Professional Faculty.** The appropriate Official with Authority (the Dean of the Faculty; the Director of Finance and Support; the Director of Intercollegiate Athletics; the Commandant of Cadets; the Chief of Staff; or the Superintendent) implements sanctions for non-teaching faculty and other non-classified staff based on the recommendation Decision-maker and the results of their prior consultation during the deliberation phase, and in accordance with the procedures in the A&P Faculty Handbook or other applicable VMI regulations. Possible sanctions include, but are not limited to counseling, training, reassignment, or the initiation of termination proceedings according to procedures.

3) **Classified Employees**. The Director of Human Resources, in coordination with the employee's supervisor, implement sanctions for classified employees based on the recommendation of the Decision-maker, in consultation with the Director of Human Resources, and in accordance with the Commonwealth's Standards of Conduct Policy. Sanctions that may be imposed by the Institute include, but are not limited to verbal counseling, and additional training, issuance of a Written Notice, or suspension or termination of employment.

D. Contractors. Contractors will assign for duty only employees acceptable to the Institute. The Institute reserves the right to require the Contractor to remove from the Post any employee who violates this Policy.

E. Visitors (including, but not limited to, students participating in camp programs, non-degree seeking students, exchange cadets, and other students taking courses or participating in programs at VMI), who violate this Policy will be directed to immediately leave the Post and may be subject to a permanent bar from Post.

14. Appeals.

A. Overview.

Parties have the right to appeal a Decision-maker's written determination of responsibility or the IG/Title IX Coordinator's decision to dismiss a complaint.

Appeals must be filed in accordance with these procedures and based on one of the following grounds of appeal:

1) Procedural irregularity that affected the outcome.

2) New evidence, unavailable at the time of the investigation that could substantially impact the Decision-maker's findings.

3) Conflict of interest or bias by the institutional participants that affected the outcome.

4) The sanctions recommended by the Decision-maker are substantially outside the parameters or guidelines set by the Institute for this type of offense or the cumulative conduct record of the Respondent.

The decision of the Appeal Officer is final with no further right to appeal.

B. Appeal Decision-makers.

The Appeal Decision-maker will be a member of the Institute staff who has received formal training on being an Appeal Decision-maker and on overseeing an appeal hearing. Appeal Decision-maker will be authorized to hear appeals by either party to include: an appeal hearing in regard to an IG decision to dismiss a formal Complaint; an appeal hearing in regard to an emergency removal ordered by the Threat Assessment Team; and an appeal hearing requested by any party in regards to a Decision-maker's written determination of responsibility.

Appeals will be heard by one Appeal officer. If either the Complainant or the Respondent suspects that the Appeal officer could be biased of have a conflict of interest, then that party has three (3) business days from notification of the identity of the Appeal officer to file a written statement claiming that the Appeal officer likely will be biased or likely has a conflict of interest. The statement must include details regarding why possible bias or conflict of interest is suspected. If a bias or conflict-of-interest claim is reasonable, the Superintendent or the President of the VMI Board of Visitors will select a replacement Appeal officer.

C. Appeal Procedures.

1) A Complainant or Respondent desiring to appeal must file a written Request for Appeal with the IG within five (5) business days of delivery of the written determination or dismissal. Their written submission may be made via email to ig@vmi.edu or delivered by mail or in person to 303 Letcher Avenue, Lexington, Virginia 24450, and must include:

   a. The ground(s) upon which the appeal will be based, as described in Paragraph 14.A.2) above.

   b. A written description of the specific reasons for their appeal.

   c. Evidence supporting the appeal, if any.

2) The Request for Appeal will be forwarded to the Appeal Decision-maker, selected by the IG, for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

   a. If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, or if the request is not timely filed, that request will be denied by the Appeal Decision-maker, and the parties and their Advisors will be notified in writing of the denial and the rationale.

   b. If any of the grounds in the Request for Appeal meet the grounds in this Policy and it was timely filed, then the Appeal Chair will notify all parties and their Advisors, the IG, and, when appropriate, the Investigators and/or the original Decision-maker.

3) The IG will provide a written copy of the Request for Appeal to all parties and the name of the Appeal Decision-maker assigned to hear the appeal. All other parties may submit a written response within five (5) business days of the notification. All responses will be forwarded to the Appeal Decision-maker upon receipt.

4) The Appeal Decision-maker will collect any additional information needed and all documentation regarding the approved grounds for appeal and will render a decision within no more than five (5) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard. The written decision will include:

   a. A description of the appellant's grounds for appeal.

   b. The Appeal Decision-maker's decision to uphold or reject the findings of the initial

Decision-maker and/or the recommended sanction and the rationale for such determination.

c. If the Decision-maker's findings and/or recommended sanction are rejected, the findings of the Appeal Decision-maker and recommendations for resolution.

15. Record-Keeping.

The Office of the IG will maintain, in a confidential manner, for at least seven (7) years paper or electronic files of all investigative case files to include: Complaints, witness statements, documentary evidence, written investigation reports, written determinations of responsibility, Informal Resolutions, written appeals decisions, hearings documentation, and other associated case-related documents. The IG will prepare a monthly summary of pending cases that will be presented to the Superintendent. The summary will contain sufficient information to permit the Superintendent to assess VMI's compliance with the requirements of Title IX.

16. IG and Supporting Staff Training.

Institute officials who are involved in these Grievance Procedures receive formal training in regard to their roles in the process. This training will be provided to the IG and their staff, Assistant Title IX Coordinators/investigators, external investigators when applicable, Informal Resolution Facilitators, and Decision-makers. The training covers various aspects of this Policy and the grievance procedures including: the definition of Sexual Harassment and other policy violations; the scope of the Institute's education programs and activities; conducting investigations; conducting hearings, including appeals hearings; facilitating Informal Resolutions; and serving impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The training for Decision-makers and Appeal Officers will also include understanding technology to be used at live hearings, relevance, and the permissible use of sexual history. All training provided in regard to this Policy and the grievance procedures will be posted on VMI's website for public review.

APPENDIX C: SEXUAL VIOLENCE THREAT ASSESSMENT PROCEDURES

1. Overview.

Upon receipt of any report of sexual violence, defined as a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent, that is alleged to have occurred (i) against any VMI student; or (ii) on Post, in or on a VMI building or property, or on public property that is on Post or immediately adjacent to and accessible from Post, the IG will promptly inform a review committee of the report, including personally identifying information.

2. Review Committee Members.

The review committee will be comprised of, at a minimum, the IG, the Chief of the VMI Police, and the Commandant of Cadets, or their designees. The review committee may consult other VMI officials depending on whether the accused individual is a student, faculty, or staff member, and depending on the circumstances of the report. The review committee will be advised by VMI counsel.

3. Review Committee Actions.

A. Within 72 hours of receipt of the report from the IG, the review committee will meet to review the information and will continue to meet as necessary as new information becomes available. If the criteria in Paragraph 1 are met, the review committee will convene regardless of whether or not the victim has notified the VMI Police or local law enforcement or whether or not the victim has requested that VMI proceed with a Title IX investigation.

B. The review committee may obtain law-enforcement records and criminal history record information as provided in Virginia Code § 19.2-389 and § 19.2-389.1, health records as provided in Virginia Code § 32.1-127.1:03, available conduct or personnel records, and known facts and circumstances of the reported incident of Sexual Harassment or sexual misconduct and other evidence known to VMI, including the VMI Police, and local law enforcement.

C. The review committee will be considered to be a threat assessment team established pursuant to Virginia Code § 23.1-805 for purposes of (i) obtaining criminal history record information and health records and (ii) the Virginia Freedom of Information Act (Virginia Code § 2.2-3700 et seq.) The review committee will comply with the Family Educational Rights and Privacy Act in conducting its review.

D. In addition to the available information detailed in this paragraph, above, the review committee will consider factors that suggest there is an increased risk of the accused individual committing additional acts of sexual misconduct or other violence, including, but not limited to:

1) Other sexual misconduct Complaints about the same individual;

2) Prior arrests or reports of misconduct at another institution or a history of violent behavior;

3) Threats of further sexual misconduct against the reporting individual or others;

4) A history of failing to comply with a no-contact order issued by Institute officials;

5) Allegations of multiple perpetrators in the same incident;

6) Use of physical violence in the reported incident or a prior incident. Examples of physical violence include, but are not limited to, hitting, punching, slapping, kicking, restraining, or choking;

7) Reports or evidence of a pattern of perpetration, including a pattern of the accused individual using alcohol or drugs to facilitate sexual misconduct or harassment;

8) Use of a weapon in the reported incident or a prior incident;

9) A victim under the age of 18 or who is significantly younger than the accused individual;

E. The review committee will also consider whether means exist to obtain evidence other than investigation by law enforcement or a Title IX investigation such as security camera footage, eyewitness reports from security or guard personnel, or physical evidence.

1. Review Committee Responsibilities and Determinations.

If based on a consideration of all factors, the review committee determines that there is a significant and articulable threat to the health or safety of one or more individuals and that disclosure of the information to local law enforcement, including personally identifying information, is necessary to protect the health and safety of one or more individuals, the Chief of the VMI Police will immediately disclose such information to the law-enforcement agency that would be responsible for investigating the incident, for the purpose of investigation and other actions by law enforcement.

If the review committee cannot reach a consensus, the Chief of the VMI Police may make the threat determination. Upon any disclosure to law enforcement under this paragraph, the IG will notify the victim that such disclosure is being made. The provisions of this paragraph will not apply if the law enforcement agency responsible for investigating the alleged incident is located outside the United States.

If information is disclosed to law enforcement under this paragraph or if the review committee determines that sufficient factors exist to proceed with a Title IX investigation, despite the stated desires of the victim for confidentiality or not to proceed with an investigation, the IG will proceed with a full investigation under these procedures. In those situations, the IG will notify the victim that VMI is overriding the victim's requests for confidentiality and not to sign a formal written compliant. Other than the disclosure under this paragraph, if made, the information will only be shared with individuals who are responsible for handling VMI's response to incidents of sexual violence and VMI will ensure that any information maintained by VMI is maintained in a secure manner.

If the reported incident would constitute a felony violation of Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, as determined by the Chief of the VMI Police or any other member of the review committee, the Chief of the VMI Police will inform other members of the review committee and will notify the attorney for the Commonwealth or other prosecutor responsible for prosecuting the incident and provide information received without disclosing personally identifying information, unless such information was disclosed to a law-enforcement agency pursuant to this paragraph.

At the conclusion of the Sexual Violence Threat Assessment, the IG and the Chief of the VMI Police will each retain (i) the authority to proceed with any further investigation or adjudication allowed under state or federal law and (ii) independent records of the review committee's determination considerations, which will be maintained under applicable state and federal law.

2. Overview.

When a student or VMI employee reports that he or she has been a victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking, whether the offense occurred on or off Post, the student or VMI employee will be provided an explanation of rights and options.

3. Notification of Rights and Options.

Procedures victims should follow if a crime of Dating Violence, Domestic Violence, Sexual Assault, or Stalking has occurred, including information about:

A. The importance of seeking medical attention and of the collection and preservation of evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order;

B. How and to whom the alleged offense should be reported;

C. Options about the involvement of local law enforcement and the VMI Police, including the victim's option to:

1) Notify proper law enforcement authorities, including local law enforcement and/or the VMI Police;

2) Be assisted by VMI staff in notifying law enforcement authorities, if the victim so chooses; and

3) Decline to notify such authorities; and

4) The rights of victims and VMI's responsibilities regarding no contact orders, restraining orders, protective orders, or similar orders;

D. Information about how the Institute will protect the confidentiality of victims and other parties, including how the Institute will:

1) Complete publicly available recordkeeping, including reporting and disclosures required by the Clery Act, without the inclusion of personally identifying information about the victim;

2) Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the Institute to provide the accommodations or protective measures; and

3) Ensure confidentiality of investigative files as education records protected by the Family Educational Rights and Privacy Act (FERPA), including that the process for the Sexual Violence Threat Assessment in accordance with Virginia Code § 23.1-806 could, if the incident poses to members of the VMI community a health or safety emergency as defined by the FERPA regulations, lead to disclosure of personally identifying information to the law enforcement agency that would be responsible for investigating the incident and other appropriate parties whose knowledge of the information is necessary to protect the health/safety of the victim or other individuals.

E. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the Institute and in the local community

F. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures, regardless of whether the victim chooses to report the crime to VMI police or local law enforcement; and

G. The procedures for VMI investigation, adjudication, and disciplinary action, including the right to decline to participate in a VMI investigation.

APPENDIX E: IG INVESTIGATION GRIEVANCE PROCEDURES

1. Purpose.

VMI may elect to resolve any Complaint of discrimination, harassment, or sexual misconduct that meets the definitions within General Order (GO) 16, VMI's Nondiscrimination and Discriminatory Harassment Policy ("the Policy"), but not its jurisdictional requirements.

The inquiry and investigation procedures below apply to allegations of harassment or discrimination on the basis of a protected characteristic involving students, staff, administrators, or faculty members and that are prohibited by the Policy but do not meet its jurisdictional requirements when the Institute determines it has a substantial interest in resolution of the matter.

2. Retaliation.

All involved parties, including the IG, their staff, and other Institute officials assisting in the investigation, are protected from retaliation, in accordance with GO 90, Retaliation. Any suspected incidents of retaliation should be reported to the IG for immediate investigation and resolution, as appropriate.

3. Rights.

Parties involved in an IG investigation will have the following rights afforded to them:

- Complainants and named subjects of investigations receive and sign a rights statement during their initial meeting with the IG, summarized below.
- Complainants, named subjects, or other involved parties are entitled to participate in a confidential process that protects their privacy.
- Complainants and named subjects are entitled to an advisor of their choice. Advisors may include legal counsel at the individual's own expense; in these cases, the individual must notify the IG in advance of any meetings at which legal counsel will be present. The Commonwealth's Attorney assigned as VMI's legal counsel must attend these meetings.
- Named subjects have the right to present matters in their own defense and to respond to the allegations and statements made by other parties during the investigation process. They also have the right to decline to present matters in their own defense or to make any statement. Named subjects are not required to make self-incriminating statements during interviews.
- Named subjects are afforded the opportunity to view material evidence and statements gathered during the investigation prior to making statements, participating in an interview, or declining to make a statement or participate in an interview.
- Complainants and named subjects are entitled to receive advanced notification of meetings and interviews.
- Complainants and named subjects are afforded the opportunity to review and provide additional statements in response to the draft "Summary of Investigation Findings" prior to submission to the Institute Official with Disciplinary Authority. The final "Summary of Investigation Findings" will include any statements received in response to the draft.

4. Investigation Procedures.

A. Investigation Initiation. Upon receipt of a directive to investigate, the IG:

1) Gathers and reviews initial evidence from the reporting source.

2) Determines relevant laws, policies, regulations, and individuals involved, including the named subject or subjects of the investigation.

3) Provides an allegation advisement to the subject(s) of the investigation. For due process purposes, IG allegations serve as notice to the subject. The allegation advisement frames the allegation(s) by precisely identifying the who, what, when, and how of an alleged violation of law, regulation, or policy. The advisement includes the specific sections of each law, regulation, or policy that is alleged to have been violated, as well as the subject's rights in the investigation process.

4) Develops an investigation plan and timeline, including interviews and evidenced required/desired.

5) Assigns additional investigators as needed.

B. Investigation. The IG attempts to complete investigations within 60 business days from receipt of the inquiry directive. The IG and assisting investigators conduct the following steps, often in the order shown. Steps may be conducted in parallel and may be revisited if the IG determines additional evidence or statements are required.

1) Gather and review additional evidence required, including documents, correspondence, photographs, videos, screen shots, recordings, or any other material evidence related to the inquiry.

2) Schedule and conduct an interview with involved parties and witnesses.

3) Complete the "Draft Summary of Investigation Findings." This draft report includes the procedural steps taken during the investigation, facts found in the investigation, and summaries of evidence and statements gathered.

4) Provide the draft report to the complainant/named subject for review and response, if desired. Responses received to the draft will be included in the final summary.

5) Complete the final "Summary of Investigation Findings." The final report includes the draft report contents and determinations on whether the facts and evidence gathered substantiate or the allegations using the preponderance of the evidence standard, and the IG's recommendations for further action. Recommendations may include penalties, sanctions, or disciplinary measures; policy or regulatory amendments; referral to another Institute official for adjudication; remedial training on relevant topics; or no further action taken.

C. Investigation Conclusion. The IG meets with the Superintendent, or the Institute official to whom he delegates disciplinary authority, to present the "Summary of Investigation Findings" for their action. The Institute official will provide a determination on whether to adopt some or all recommendations, decline to adopt the recommendations, or take actions other than those recommended, and will document their decision by signing the "Summary of Investigation Findings," initialing those recommendations to which they intend to adopt, striking through those they decline to adopt, and/or writing in any they would like added that were not included by the IG. The IG actions, or coordinates the actions, directed by the Institute Official with Disciplinary Authority within one week of the meeting and documents the actions in a Memorandum for Record.

5. Sanctions.

A. Student (Cadet) Sanctions.

The Commandant of Cadets implements sanctions for cadets. Sanctions may include, but are not limited to:

- Blue Book Penalties #1 through #10, as described in the Blue Book: Penalties may include
  assessment of demerits, confinement, penalty tours, Conduct Probation, and loss of rank and/or position.
- Suspension: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at VMI.
- Suspension in Abeyance: Deferment of Suspension, as defined above, provided the Respondent is not found responsible for further misconduct that results in a Blue Book Penalty #1 through #6.
- Dismissal: Permanent termination of student status and revocation of rights to be on Post for any reason or to attend VMI-sponsored events.

The procedures outlined in General Order 17, Administrative Process for Cadet Suspensions and Dismissal, are applicable for any student who recommended for suspension or dismissal through these Grievance Procedures.

Students suspended or dismissed, or who withdraw from VMI while under investigation, for offenses involving sexual violence under this Policy will have their academic transcript annotated. (i.e., "Suspended for a violation of General Order 16, VMI's Policy on Non-Discrimination")

VMI will notify each student that any such suspension, permanent dismissal, or withdrawal will be documented on the student's academic transcript, remove such notation from the academic transcript of any student who is subsequently found not to have committed an offense involving sexual violence under the institution's code, rules, or set of standards governing student conduct, and expunge such notation for good cause shown and after a period of three years.

VMI will remove such notation from a suspended student's academic transcript if the student completed the term and any conditions of the suspension and has been determined by VMI to be in good standing.

B. Employee Sanctions.

1) **Teaching and Research Faculty.** The Dean of the Faculty implements sanctions for Teaching and Research Faculty, in accordance with the procedures in the Faculty Handbook. Possible sanctions include, but are not limited to counseling, training, reassignment, or the initiation of termination proceedings.

2) **Administrative and Professional Faculty.** The appropriate Official with Authority (the Dean of the Faculty; the Director of Finance and Support; the Director of Intercollegiate Athletics; the Commandant of Cadets; the Chief of Staff; or the Superintendent) implements sanctions for non-teaching faculty and other non-classified staff in accordance with the procedures in the A&P Faculty Handbook or other applicable VMI regulations. Possible sanctions include, but are not limited to counseling, training, reassignment, or the initiation of termination proceedings.

3) **Classified Employees**. The Director of Human Resources, in coordination with the employee's supervisor, implements sanctions for classified employees and in accordance with the Commonwealth's Standards of Conduct Policy. Sanctions that

may be imposed by the Institute include, but are not limited to verbal counseling, and additional training, issuance of a Written Notice, or suspension or termination of employment.

6. Confidentiality.

The IG is required to maintain confidentiality in its inquiries and investigations to protect the privacy and rights of those involved, as well as to ensure the integrity of the investigation and its findings.

All involved parties are expected to maintain confidentiality. No individuals should discuss interviews, evidence, statements, or other information made known through their involvement in the investigation with anyone other than the inquiry officers/investigators assigned to the case or their advisor. Disclosure of confidential information that results in an adverse effect on the inquiry/investigation, including retaliation against involved parties or IG/Institute officials conducting the inquiry/investigation, may be subject to disciplinary action.

All statements, material evidence, IG notes, or any other document contained within the case files gathered during inquiries and investigations are considered confidential and private. As such, these records are not subject to release under the Freedom of Information Act (FOIA) and any records involving students (cadets) are further protected by the Family Educational Release and Privacy Act (FERPA).

7. Record Keeping.

Records are stored on the IG's shared folder network folder, Box.com folders accessible by the IG, their staff, or involved parties, and/or the Maxient online case management website.

Records are available only to the following individuals/offices:

- The IG and their staff.
- Named subjects of investigations and their advisors.
- The Superintendent.
- Institute officials involved in the conduct or resolution of an investigation/inquiry.

8. Investigators and Training.

The Office of the IG staff conducts investigations/inquiries and receives training through the Student Conduct Institute of New York's Student Conduct Institute online training platform and/or in-person training conducted by various training providers. On occasion, members of the following offices may support IG staff in the conduct of investigations/inquiries: Human Resources (HR), Commandant, Dean of the Faculty, Intercollegiate Athletics, and Finance and Support, or any other VMI office.

Non-IG officials who assist in investigations/inquiries receive training on an as-needed basis by SUNY-SCI, or in-person training conducted by IG staff or external training providers.

APPENDIX 4

VIRGINIA MILITARY INSTITUTE

Lexington, Virginia

GENERAL ORDER)

NUMBER 25) 8 October 2024

Institute Violence Prevention Policy

1. Purpose

Virginia Military Institute strives 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, providing assistance and support to victims, and ensuring fair and impartial investigation and adjudication of allegations of violence. This policy specifically addresses the Institute's efforts 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 but not limited to, barracks or any structure designed for cadet housing, academic buildings, administrative office buildings, support buildings, military training facilities, athletic facilities, dining facilities, parade ground, faculty and staff housing, green space, roadways, sidewalks, and parking lots and the Jackson House, Davidson-Tucker House, Hinty Hall, New Market Battlefield and the Virginia Museum of the Civil War, McKethan Park, Lackey Park, Chessie Nature Trail, and property leased by VMI.

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.

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, community services boards, outside health care providers, 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.

VMI will cooperate with law enforcement and prosecutors in accordance with federal and state law.

2.1 Applicability

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.

This policy further applies to cadets, summer session cadets, volunteers, contracted service representatives, visitors, and other third parties. Sexual misconduct, including but not limited to sexual assault, sexual exploitation, dating violence, domestic violence, and stalking, occurring on or off Post will be governed by General Order 16, Discrimination, Harassment, and Sexual Misconduct Policy, in addition to this policy.

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 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.

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 prohibited by this policy also includes electronic communication such as e-mail, comments posted on websites, and social media. See also, General Order 71, Use of Social Media.

Violation of this policy, including off-duty violent conduct by an employee, may result in 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 any applicable federal and/or state criminal statute, and/or may be barred from Post.

2.3 Prohibition of Weapons

In accordance with 8 VAC 100-10-20, possession, carrying, or storage of any weapon by any person, except a police officer, is prohibited:

(a) in all academic buildings, administrative office buildings, support buildings, military training facilities, athletic facilities, barracks or any structure designed for cadet housing, or dining facilities; or

(b) while attending sporting, entertainment, or educational events.

For purposes of this policy, "weapons" are defined as (i) any pistol, revolver, or other weapon designed or intended to propel a missile of any kind; (ii) any dirk, bowie knife, switchblade knife, ballistic knife, razor, slingshot, sprint stick, metal knuckles, or blackjack; (iii) any flailing instrument consisting of two or more rigid parts connected in such manner as to allow them to swing freely, which may be known as nun chahka, nun chuck, nunchaku, shuriken, or fighting chain; or (iv) any disc, of whatever configuration, having at least two points or pointed blades that is designed to be thrown or propelled and that may be known as throwing star or oriental dart.

Entry upon Institute property in violation of this prohibition is expressly forbidden. In addition to individuals authorized by Institute policy, VMI Police officers are lawfully in charge for the purposes of forbidding an individual from entry upon or remaining upon Institute property while possessing, carrying, or storing weapons in violation of this prohibition.

VMI cadets are prohibited from possessing, carrying, or storing a weapon on any VMI property unless in accordance with the Cadet Weapons Policy. See Section 2.4, below and Appendix 1. Permitted use and storage of VMI issued weapons (rifles, bayonets, and sabers) by cadets will be governed by the Commandant's Office.

Employees who are occupants of VMI quarters may store rifles, shotguns, handguns, knives, bows, and other legal weapons which they are lawfully permitted to possess in their quarters, pursuant to rules developed and approved by the Deputy Superintendent for Finance and Support.

Visitors who are staying overnight in VMI guest accommodations in Moody Hall or the VIP quarters are prohibited from possessing, carrying, or storing any weapon in such guest accommodations, as a condition of overnight lodging in a VMI facility. Any weapons brought to Post by visitors lodging overnight in a VMI facility shall be stored pursuant to rules developed and approved by the Deputy Superintendent for Finance and Support.

Cadets, employees, and parties contracting with VMI for the provision of goods or services may not store weapons in a personal or contractor vehicle on VMI property. Visitors who may lawfully possess a weapon may store such weapon in a private vehicle if it is secured in a container or compartment in the vehicle. However, visitors are strongly encouraged to store any weapons brought on Post in accordance with rules developed and approved by the Deputy Superintendent for Finance and Support.

Any such individual who is reported or discovered to possess a weapon on VMI property in violation of this policy will be asked to remove it immediately. Failure to comply may result in arrest, disciplinary action, referral to the Commandant's Office, or bar from Post.

2.4Authorized Exceptions to Prohibition on Possession of Weapons

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

- Used by a cadet, employee, or approved student connected with weapon 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 an employee's job duties with the Commonwealth of Virginia or for cadet training or recreational purposes as approved by the Commandant;
- Used by an ROTC employee engaged in military training involving weapons.
- Individually authorized hunting or game reduction program expressly permitted by VMI officials.
- Used by an individual in connection with the NCAA rifle teams or club shooting teams and programs.

VMI Rifle Team weapons can be fired at both VMI Ranges and will be stored at the Kilbourne Indoor Range or the VMI Armory as required for maintenance and will not be transported to any other location on Post.

Rules for cadet organizations utilizing weapons and shooting programs or events sponsored by the Director of Marksmanship will be approved by the Commandant. The Commandant will ensure the rules for storage of these weapons in the Armory is consistent with the overall intent of this policy.

The Director of Marksmanship will ensure the rules for storage of weapons 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 North Post Baffled Range Facility 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.

The transport and handling of all weapons, both VMI owned and personally owned, will be in accordance with the published Range Standard Operating Procedures (Range SOP).

VMI owned weapons may be stored only in the VMI Armory, North Post Range, the Kilbourne Hall Range, and the VMI Police Department. The gun locker in the Guard Room will be used only for temporary (overnight) storage of Skeet Club shotguns.

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); and
- A list of individuals who will have weapons, or in the case of a 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

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, 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 Violence Prevention Committee also serves as a forum for the Partnership Council, established by the Memorandum of Understanding between the US Army Cadet Command and VMI, to develop strategies to prevent sexual harassment and sexual assault.

The Deputy Superintendent for Finance and Support will chair the Violence Prevention Committee and the Threat Assessment Team. The mission, responsibilities, and membership of the Violence Prevention Committee and Threat Assessment Team are outlined in General Order 22, Workplace Violence Prevention Committee and Threat Assessment Team.

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 must place safety as their highest concern and must report immediately all acts of violence and threatening or aberrant behavior that may represent a physical threat to the VMI community. 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.

Retaliation against employees or cadets who report threatening or aberrant behavior or acts of violence in good faith is prohibited. Any retaliation against an employee shall be reported to the Inspector General or Human Resources Office, as appropriate. Retaliation against cadets shall

be reported to the Commandant's Office. 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 also, General Order 90, Retaliation Policy.

See Appendix 2, "Workplace Violence/Hostility: Employee Guidelines and Procedures," for guidelines on general security practices and coping with threatening or 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 threatening or aberrant behavior that may represent a physical threat to the community to the appropriate authorities as set forth in this policy. Department heads and supervisors are responsible for communicating this policy to all employees under their supervision, ensuring that facilities are as safe as feasible and 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 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 an alleged offender.

The Human Resources Office will coordinate employee-related preventive measures, including coordinating employee training and communications programs, conducting criminal background 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 Director of Emergency Management will develop and coordinate 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

A threat which individuals are required to report pursuant to this policy includes expression of intent to cause physical 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

Faculty and staff employed by VMI are required to report threats and any other non-verbal aberrant behavior that may pose a physical threat to the VMI community to the VMI Police or a member of the Threat Assessment Team. Other concerns about violence or potential violence can be reported to the employee's immediate supervisor or the Human Resource Office, in addition to the VMI Police or Threat Assessment Team. Mental health service providers employed by VMI or as independent contractors shall report threats in accordance with Virginia Code § 54.1- 2400.1

Cadets are required to report any threats and any other non-verbal aberrant behavior that may pose a physical threat to the VMI community to the VMI Police, a member of the Threat Assessment Team, or a member of the Commandant's staff.

All reports of conduct that may constitute sexual misconduct, including sexual assault, sexual exploitation, domestic violence, dating violence, or stalking, should also be made to the Inspector General/Title IX Coordinator in accordance with General Order 16.

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. Every effort will be made to protect the confidentiality and safety of anyone who reports a potential violation of this regulation or otherwise raises concerns about a threat or act of violence. All reports will be handled in as confidential manner as possible, with information released only on a need-to-know basis or as required by law. Victims may also need special accommodations or adjustments to work or class schedule, location, or working conditions in order to enhance their safety. VMI will accommodate these requests and needs whenever possible and appropriate. VMI will provide interim measures to individuals involved in an incident of sexual misconduct in accordance with General Order 16.

FOR THE SUPERINTENDENT:

John M. Young

Colonel, Virginia Militia
Chief of Staff

OPR: F&S

Appendix 1

Cadet Weapons Policy -- Extract from VMI Regulations Part III Blue Book

CHAPTER 31 – Weapons

1. VMI ISSUED WEAPON

a. Cadets are responsible for the security, accountability and maintenance of their assigned M-14 rifle and bayonet, or any other issued weapon, at all times.

b. VMI issued weapons (M-4s, AR-15, bayonets, etc.) are property of the U.S. Federal Government and must be secured, safeguarded and maintained at all times; loss of a weapon, including any major parts/components, is a serious offense/incident and must be reported immediately to the Cadet chain of command, VMI guard room, VMI arms room and Commandant's office (OC/TAC).

c. Cadets are prohibited from possessing M-14 firing pins or separate M-14 functional bolt assemblies containing firing pins. Further, cadets are prohibited from making government issued firearms operational.

d. In the event a VMI weapon is found on post, the responsible individual should safely secure the weapon and transport to the guard room for accountability and security.

e. A lost or stolen firearm is a serious offense. A lost or stolen firearm will be grounds for a penalty ranging from Federal/State prosecution and/or a VMI penalty of dismissal to a number five (5).

f. Loss of a bayonet is a serious offense and must be reported through the Cadet chain of command to the Battalion Operations and Training Sergeants or any Commandant's staff member.

g. Bayonets are only drawn from scabbards for cleaning and maintenance or as directed at parades and formation.

h. 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.

(5) Cadets must inform their company master sergeants when rifles and or bayonets have been turned into the arms room for damage repairs for proper accountability.

(6) Cadets will immediately report a lost, found, or stolen firearm to a Commandant staff official, officer in charge, and to the guard room.

2. OTHER FIREARMS:

a. Cadets are prohibited from possessing, carrying or storing a weapon on any VMI property unless IAW General Order 25, Section 2.4. For the purposes of this regulation, all Cadet parking areas, to include any off Post, are considered "VMI property".

b. The registration, storage and handling of personally owned weapons belonging to the Trap and Skeet Club, VMI Rifle Team, Combat Shooting Team, or paint ball/airsoft gun clubs are as described in the team permit and approved by the Commandant.

c. Cadet personally owned weapons may be authorized for specific training or shooting events in the North Post baffled range facility and will be stored at the range or removed from VMI property upon completion of the event.

3. PROCEDURES FOR LOST OR STOLEN FIREARMS

a. Commandant's staff officials and/or Officer in Charge who has been notified of a lost or stolen firearm will report the incident to the Commandant.
b. The first notified Commandant staff official or Officer in Charge will commence a log of events; commencing with the time first notified of the lost or stolen firearm.
c. The first notified Commandant staff official or Officer in Charge will commence the procedures in place for lost firearm.
d. Responsibility:
(1) Commandant
(a) Ensure a 100% inventory of all weapons is completed.
(b) Notify the Institute armorer to report to post.
(c) Initiate an investigation and search for the lost weapon.
(d) Immediately notify higher HQ (Institute Chief of Staff) and VMI Police Department; report must be filed NLT 4 hours of the incident.
(e) Immediately notify ROTC battalion command (Army)
(2) Armor:
(a) Assist in the inventory of all assigned firearms in the arms room.
(b) Provide all necessary documentation.

(3) Unit Personnel (Cadets):
(a) Upon suspecting that a weapon is lost/stolen, immediately notify the Commandant, Deputy Commandant, Corps Sergeant Major, Officer-in-Charge, and guard room.
(b) Assist as necessary in the search for the weapon.
e. Timeline:

Initial alert from Cadet WHO: Cadet	Zero hour
Lock down and 100% search WHO: Commandant	As Ordered
Initiate search of last known area of firearm WHO: CMDT Staff / OC	+10 Minute
Commence journal (Log) WHO: CMDT Staff / OC	+20 Minute
Contact Armorer (To report) WHO: CMDT Staff /OC	W/I one hour of initial alert
Notify commandant WHO: CMDT Staff / OC	+2 Hour
Notify Institute Chief of Staff/VMI Police/ROTC ARMY WHO: Commandant	+4 Hour
File report WHO: Commandant	+4 Hour

4. INSPECTIONS
a. Compliance. The Commandant directs periodic inspections of government issued firearms to the Corps of Cadets. Inspections are either announced, unannounced, or spot checks. Inspections are conducted by VMI Officers and/or Cadet leaders as the inspectors. The purpose of the inspection is to ensure compliance with this regulation.

b. Military Training. The Commandant also directs formal rifle inspections for the Corps as part of military training. Guard Mount, in-ranks formal and informal rifle inspections are scheduled to ensure cleanliness and serviceable of government issued weapons to the Corps of Cadets.

5. VIOLATION OF WEAPONS POLICY

Cadets found to be in violation of the weapons policy are subject to a penalty ranging from Federal/State prosecution and/or a VMI penalty of dismissal to a number five (5).

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

Guidelines for Violent Incident Response

The potential for violent incidents in the workplace is an unfortunate reality. As these incidents generally occur without warning, every member of the VMI community should always be prepared. Workplace violence may include physical assaults, active shooters, terrorism, and more.

All members of the VMI Police Department are trained in nationally recognized rapid intervention tactics to respond to and neutralize immediate threats to life and safety. The following recommendations will help you take appropriate actions to protect yourself and will assist law enforcement in their response. No matter what happens, try to remain calm. Your behavior will influence those around you.

Remember **Run, Hide, Fight.** Run should always be your first goal. If that is not possible, hide in a secure location. Fighting should be your last resort, only if escaping and hiding are not possible.

GENERAL ORDER 25, 8 October 2024

Run

- **Have an escape route and plan in mind.**
    - Listen to try and judge from where sounds of violence are coming.
    - Consider escaping through windows or access panels.
- **Go quickly and quietly.**
    - Leave your belongings behind.
    - Silence your cell phone.
    - Call 911 after you are safe.
- **Commit to your plan.**
    - Evacuate regardless of whether others agree to follow.
    - Help others escape, if possible.
    - Do not attempt to move wounded people
- **Keep your hands visible.**
- **Follow the instructions of any police officers you encounter.**
- **Prevent others from entering an area where the assailant may be.**

Hide

- **Securing the immediate area:**
    - Lock or barricade the door, if you can. Use whatever is available – desks, tables, file cabinets, other furniture, books, etc.
    - If there are no items available to barricade the door, lie flat on the floor with your feet against the door and use your body weight as a barricade.
    - After securing the door, stay behind solid objects away from the door as much as possible.
    - If the assailant enters your room and then leaves, lock or barricade the door behind them to prevent them from returning.
    - If safe to do so, allow others to seek refuge with you.

- **Un-securing the Area:**
    - The assailant may not stop until his objectives have been met or until they are neutralized by law enforcement.
    - Always consider the risk of opening the door for any reason.

- Attempts to rescue people only should be made if it can be done without further endangering the persons already inside of a secured area.
- Be aware that the assailant may bang on the door, yell for help, or otherwise try to convince you to open the door of a secured area.
- If there is any doubt about the safety of the individuals inside the room, the area needs to remain secured.

- **Protective Actions.**
  - Close blinds.
  - Block windows.
  - Turn off lights.
  - Turn off radios and computer monitors.
  - Silence cell phones.
  - Place signs in exterior windows to identify your location and the location of injured persons.
  - Keep people calm and quiet.
  - After securing the room, people should be positioned out of sight and behind items that might offer additional protection – walls, desks, file cabinets, bookshelves, etc.

- **Open Areas:**
  - If you find yourself in an open area, immediately seek protection.
  - Put something between you and the assailant.
  - If in doubt, find the safest area available and secure it the best way that you can.

- **Call 911.** Be prepared to provide the 911 operator with as much information as possible in a calm clear manner, such as the following:
  - What is happening.
  - Where you are located, including building name and room number.
  - Number of people at your specific location.
  - Injuries, if any, including the number of injured and types of injuries.
  - Your name and other information as requested.
  - Specific location and direction of the assailant.
  - Number of assailants.
  - Gender, race, and age of the assailant.
  - Language or commands used by the assailant.
  - Clothing color and style.

  - Physical features – e.g., height, weight, facial hair, glasses.
  - Type of weapons – e.g., handgun, rifle, shotgun, explosives.
  - Description of any backpack or bag.
  - Do you recognize the assailant? Do you know their name?
  - What exactly did you hear – e.g., explosions, gunshots, etc.
- **Treat the Injured.** EMS will respond to the site, but will not be able to enter the area until it is secured by law enforcement. You may have to treat the injured as best you can until the area is secure. Remember basic first aid:
  - For bleeding apply pressure and elevate. You can use many items to do this, such as clothing, paper towels, feminine hygiene products, newspapers, etc.
  - Reassure others that help will arrive – try to stay quiet and calm.

Fight

- **When the shooter is at close range and you cannot flee or hide:**
  - Your chance of survival is much greater if you try to incapacitate him/her.
  - This should be a last resort when your life is in imminent danger.
  - Consider using items such as chairs, lamps, or fire extinguishers as weapons.
  - Your goal is to protect yourself and create an opportunity for escape.

When Law Enforcement Responds

- **Officers' first goal is to stop the assailant and prevent further casualties.**
  - The first officers to arrive will not stop to treat the injured or evacuate anyone.
  - Officers may be wearing uniforms, be in plain clothes with badges displayed, or in tactical uniforms, including bullet proof vests and helmets. There may be officers from several jurisdictions, all in different uniforms.
  - Officers may point weapons at you, shout commands or push you to the ground or towards the direction of escape. Comply with their commands.
  - Stay where you are and keep your area secured until instructed to do otherwise.
  - Do not attempt to detain the officers or ask questions.
  - It may take some time for you to be evacuated. Be patient. Your safety is the officers' first priority.
  - When being evacuated, follow directions exactly.
  - Once you are evacuated, you may be taken to a holding area to be identified, treated for injuries, or interviewed. This is important for safety and accountability. Remain there until told that you can leave.

- **Officers must consider the possibility that the assailant(s) are posing as victims to avoid detection or ambush them.**
    - Remain calm and follow instructions
    - Put down any items in your hands (e.g., bags, jackets)
    - Keep hands visible at all times. Raise hands and spread fingers.
    - You may be searched.
    - Avoid quick movements toward officers, such as holding on to them for safety.
    - Avoid pointing, screaming, or yelling.

APPENDIX 5

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)

NUMBER 60) 8 October 2024

MISSING CADET RESPONSE PROCEDURES

1. **Purpose**: This general order outlines the procedures to be followed when a cadet is missing/absent from Post without permission. VMI officials must follow the procedures contained in this general order when dealing with this situation. This directive enacts the requirements of 20 USC 1092 (j) and 34 C.F.R. 668.46(b)(14) and (h).

2. **Definitions**: A cadet is defined as a member of the VMI Corps of Cadets residing in barracks during the academic year. A missing cadet is one who has been absent for 24 hours or more. A cadet whose status has not been accounted for in several hours and it appears that he or she may have left the VMI main post area for unexplained reasons is also considered missing if that individual's whereabouts could not be determined following reasonable and timely efforts by the Commandant's Office to locate the cadet.

3. **Procedures:** The following procedure applies to new cadets and upper-class cadets beginning at 2200 hours on the day the Old Corps returns for both the fall and spring semesters. Procedures to locate new cadets during the early return period are disseminated each August as part of the Matriculation Week SOP.
   A. VMI accountability checks identify cadets whose whereabouts are unknown. These checks include Corps formations, class formations, infirmary sign-ins, and other formations. The following process is followed:
      1) Breakfast Roll Call (BRC) is the primary accountability formation used to identify missing cadets. This is the Institute's 6-day a week AWOL formation after which the location of every absent cadet is ascertained. As such, missing cadets are often identified following this formation via a review of computer sign out records, looking in barracks or locker rooms, etc.
      2) Notifications during the duty day (0800-1700, Monday - Friday): A member of the VMI community, including but not limited to Institute officials and cadets, who have reason to believe that a cadet is missing immediately notifies the Administrative Assistant for Accountability @ ext. 7073 or the Deputy Commandant @ ext. 7718. The Commandant's Office then takes immediate action to locate the cadet. Actions include contacting roommates, coaches, teammates, dykes, and other individuals who may possess firsthand information on the cadet's whereabouts. The Commandant's Office also calls the cadet on their mobile and home phone numbers. Following these initial efforts, the Deputy Commandant or Administrative Assistant for Accountability immediately notifies the Commandant and VMI Police if the cadet still has not been located.
      3) During non-duty hours (1700 – 0800 Monday – Thursday, and 1700 Friday – 0800

Monday), members of the VMI community wishing to report a missing

cadet notify the Officer in Charge at 540-784-6937. Members of the guard team immediately contact the Officer in Charge @ ext. 7293. The Officer in

Charge takes immediate action to locate the cadet. Actions include reviewing computer sign out records, looking in barracks or locker rooms, or contacting roommates, teammates, dykes, and other individuals who may possess firsthand information on the cadet's whereabouts. The Officer in Charge also attempts to contact the cadet via their mobile or home phone. The Officer in Charge notifies the VMI Police if the cadet has still not been located.

4) The Commandant notifies the Chief of Staff and other offices as required such as the Athletic Department (for an NCAA cadet) or Office of International Programs (for an international student). The Commandant notifies the Superintendent in accordance with General Order 95 (wake up at night / immediate notification during the day).

B. VMI Police investigate and follow appropriate protocol and procedures. The official determination that a cadet is missing can be made at any time by the VMI Police Department.

C. If the missing individual is a foreign cadet or international exchange student, the Office of International Programs is notified and handles the search process in coordination with the VMI Police and Commandant.

D. Cadets are advised as follows:

1) Cadets will acknowledge and update each semester their Missing Cadet information as a part of their enrollment. Each semester, cadets are asked to review and confirm their emergency and missing contact information through the EMERGENCY INFORMATION link in Postview.

2) During enrollment each semester, cadets may specifically identify a confidential contact person or persons who are to be advised if the cadet is deemed to be in a "missing" status within 24 hours of such determination. The identity of this contact person will remain confidential and will be made available only to VMI officials with a need to know. Such officials may disclose the contact information only to law enforcement and only for the purpose of a missing cadet investigation. A cadet may opt to have an emergency contact and a missing cadet contact who are different people, and thereby will have the opportunity to designate each of them.

3) In addition to the confidential contact person mentioned above, if one is selected, the Commandant will notify the custodial parent or guardian of any cadet under the age of 18 that is not emancipated within 24 hours of a determination that the cadet is missing.

4) Parents or guardians will be contacted in any situation unless that cadet has registered as an independent student.

5) Appropriate local law enforcement agencies will be notified in the event a cadet is discovered missing within 24 hours of a determination that a cadet is missing, unless the local law enforcement agency was the entity that made the determination that the cadet is missing.

E. The above procedures will go into effect as soon as VMI officials determine a cadet is missing, but in no event longer than 24 hours from such determination.

F. The Commandant and Chief of Staff will be notified as soon as the missing cadet's status/location has been determined.

FOR THE SUPERINTENDENT:

John M. Young

Colonel, Virginia Militia Chief of Staff

DIST: E, Cadets OPR:

Commandant

APPENDIX 6

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)

NUMBER 63) 15 July 2024

POLICY REGARDING SAFETY AND SECURITY CAMERA USE

1. **Policy:** This policy addresses the Institute's safety and security needs while respecting and preserving individual privacy. To ensure the protection of individual privacy rights in accordance with state and federal laws, this policy is adopted to formalize procedures for the installation of surveillance equipment and the handling, viewing, retention, dissemination, and destruction of surveillance records.
2. **Purpose:** The purpose of this policy is to regulate the use of Closed Circuit Television (CCTV) security camera systems used to observe and record public areas for the purposes of safety and security. The existence of this policy does not imply or guarantee that security cameras will be monitored in real time 24 hours a day, seven days a week.
3. **Responsibility:** The Deputy Superintendent of Finance and Support is responsible for (1) authorizing the selection, installation, coordination, operation, modification, management, and monitoring of all security cameras pursuant to this policy, except for covert security cameras authorized by the VMI Police, and (2) receiving complaints regarding the utilization and/or placement of security cameras and determining whether this policy is being followed. A form is included in this policy outlining the required information to request the installation of a security camera.

   Information Technology will review security camera requests to ensure compatibility with existing infrastructure.

   VMI Police and Information Technology shall be responsible for: (1) the implementation of this policy and for reviewing requests for security camera installations and, (2) monitoring developments in the law, security industry practices, and technology to ensure that installed security cameras are consistent with best practices and comply with federal and state laws.

   Ownership of the CCTV security camera systems belongs to the VMI Police. VMI Police are responsible to: (1) review and recommend to the Deputy Superintendent of Finance, Administration, and Support the specific placement of security cameras after determining conformance to this policy, (2) test and verify the security cameras and supporting systems are working, and (3) notify the Physical Plant of needed repairs.

   Physical Plant shall be responsible for installation and routine maintenance of security camera systems.

   The Executive Assistant to the Superintendent will review all external public and media requests for release of records and footage obtained through security cameras and present all requests to the Deputy Superintendent of Finance, Administration, and Support.

Information obtained through security camera video recording will be used for security and law enforcement purposes. The copying, duplicating, and/or retransmission of recorded video shall only be authorized by one of the following:

- Superintendent
- Deputy Superintendent of Finance, Administration, and Support
- VMI Chief of Police

4. **Scope:** This policy applies to all personnel and departments of VMI in the use of security cameras and their monitoring and recording systems. Security cameras may be installed in situations and locations where the security and safety of either property or persons would be enhanced. Security cameras will be limited to uses that do not violate a reasonable expectation of privacy. Where appropriate, security cameras may be placed Post-wide, inside and outside of buildings. Audio recording from security cameras is prohibited.

   Legitimate safety and security purposes for a security camera monitoring system include:

   A. Property Protection: To deter thefts and acts of vandalism or to capture such incidents if they do occur.

   B. Personal Safety: To deter crimes against persons or to capture incidents if they do occur. This includes the use for prevention of and response to sexual misconduct as outlined in General Order #16, Discrimination, Harassment, and Sexual Misconduct Policy.

   C. Extended Responsibility: To monitor areas from a remote location when necessary due to lack of personnel or to enhance the security of the area being monitored.

5. **Placement of Cameras:** The locations where security cameras are installed may be restricted access sites such as a departmental computer lab; however, these locations are not places where a person has a reasonable expectation of privacy. Security cameras will be located so that personal privacy is maximized. Unless being used for criminal investigations, the location of security cameras will be visible.

   Security camera positions that include views of faculty/staff residential housing shall be limited. The view of a residential housing facility must not violate the standard of a reasonable expectation of privacy. Security cameras in Barracks may view arches, entry/exit points, hallways/stoops, and courtyards.

   Unless the security camera is being used for criminal investigations by the VMI Police or other law enforcement agency, monitoring by security cameras in the following locations is prohibited:

   - Restrooms
   - Locker rooms
   - Offices
   - Classrooms

   The installation of “dummy” security cameras is prohibited.

6. **Access and Monitoring:** All recording or monitoring of activities of individuals or groups by Institute security cameras will be conducted in a manner consistent with VMI policies and state and federal laws, and will not be based on the subjects' personal characteristics or status, including race, sex, color, national origin, religion, age, veteran status, sexual orientation, pregnancy, genetic information, disability, or other protected characteristics. Furthermore, all recording or monitoring will be conducted in a professional, ethical, and legal manner.

   All personnel with access to view live video from Institute security cameras must be trained by the VMI Police in the technical, legal, and ethical parameters of monitoring equipment. A copy of this policy and related standards of appropriate use will be provided to users. Upon separation from the Institute, access privileges to the CCTV systems will be withdrawn within 24 hours.

   Institute security cameras are not monitored continuously under normal operating conditions, but may be monitored for legitimate safety and security purposes that include, but are not limited to, the following: high risk areas, restricted access areas/locations, in response to an alarm, special events, and specific investigations authorized by the VMI Chief of Police or his/her designee.

   The Superintendent, Deputy Superintendent of Finance, Administration, and Support, or VMI Chief of Police may grant authorization for users to be trained to monitor live video from the CCTV systems. Access to monitor live video from security cameras shall be limited to authorized personnel and only for purposes related to the performance of duties pertaining to that authorization. This policy provides authorization to monitor live video from a security camera to (1) all VMI Police Officers, (2) employees of the VMI Museum System, (3) members of the Commandant Staff including the Officers in Charge, Assistant Officers in Charge, (4) Director of Emergency Management, and (5) the Inspector General and Title IX Officer.

   Access to recorded and stored video from cameras shall be limited to the VMI Police for official use of law enforcement. Other requests for recorded video footage will be made through the Deputy Superintendent of Finance, Administration and Support to the Superintendent. Any disclosure of recorded and stored video will be in accordance with the Family Educational Rights and Privacy Act (FERPA), as applicable.

   Cadets are not authorized to monitor or access live or recorded video of the CCTV systems unless the cadets are (1) in an official capacity as part of the guard team where authorization is granted to view only live video of entrances and exits of the Barracks, or (2) in an official capacity and have received written approval from the Superintendent to access either live or recorded video.

   Unauthorized access to the CCTV systems is not allowed and will not be tolerated. If the system is accessed by an unauthorized person, the VMI Police will be notified and will investigate the allegations of unauthorized access. Unauthorized access of the CCTV systems or intentional destruction of or tampering with cameras or monitoring equipment by cadets or employees will result, in most cases, in administrative discipline and sanctions up to and including dismissal or termination.

7. **Appropriate Use and Confidentiality:** Information obtained from security cameras shall be used for safety and security purposes and for law and policy enforcement, including, where appropriate, Cadet functions (Honor Court, General Committee, Executive Committee, Officer of the Guard Association, etc.). Requests for cadet organizations to access live or recorded video will be submitted by the appropriate Officer in Charge of the specific cadet organization to the Deputy Superintendent of Finance, Administration, and Support. Information must be handled with an appropriate level of security to protect against unauthorized access, alteration, or disclosure in accordance with General Order # 21, Records Management Policy, and FERPA.

   All appropriate measures must be taken to protect an individual's right to privacy and hold Institute information securely through its creation, storage, transmission, use, and deletion.

   All security camera installations are subject to any applicable federal and state laws.

   Personnel are prohibited from using or disseminating information acquired from Institute security cameras, except for official purposes. All information and/or observations made in the use of security cameras are considered confidential and can only be used for official Institute and law enforcement purposes.

8. **Use of Cameras for Criminal Investigations:** Mobile or hidden video equipment may be used in criminal investigations by the VMI Police Department. Covert video equipment also may be used for non-criminal investigations of specific instances which may be a significant risk to public safety, security, and property as authorized by the VMI Chief of Police or his/her designee.

9. **Exceptions:** This policy does not apply to:

   A. Cameras used for academic purposes. Cameras that are used for research are governed by other policies involving human subjects and are, therefore, excluded from this policy.

   B. Webcams for general use by the Institute (e.g., on the official VMI website).

   C. Video equipment for the recording of public performances or events, interviews, or other use for broadcast or educational purposes. Examples of such excluded activities would include videotaping of athletic events for post-game review, videotaping of concerts, plays, and lectures, or videotaped interviews of persons.

   D. Audio/video recording equipment in VMI Police vehicles or department issued body cameras worn by VMI Police Officers.

   E. Video that is streamed to or posted to the internet for public affairs projects approved by the Deputy Superintendent of Communications and Marketing.

   F. Automated teller machines (ATMs), which utilize security cameras.

10. **Storage and Retention of Recordings:** No attempt shall be made to alter any part of any security camera recording. Surveillance centers and monitors will be configured to prevent camera operators from tampering with or duplicating recorded information.

GENERAL ORDER NUMBER 63, 15 July 2024

All security camera recordings shall be stored for a period of no less than 60 days, after which they may be erased or written over, unless retained as part of a criminal investigation or court proceedings (criminal or civil), in reasonable anticipation of litigation, for administrative or internal investigation, or other bona fide use as approved by the VMI Chief of Police or VMI legal counsel. Individual departments shall not store security camera recordings.

A log shall be maintained by VMI Police of all instances of access to or use of security camera records. The log shall include the date and identification of the person or persons to whom access was granted.

FOR THE SUPERINTENDENT:

John M. Young
Colonel, Virginia Militia
Chief of Staff

DIST: E, Cadets

OPR: Ops & Planning/VMI Police

REQUEST FOR SECURITY CAMERA INSTALLATION

In accordance with General Order 63, request is hereby made to install a security camera or modify an existing security camera as outlined below.

Requestor	Department	Date
Facility/Building/Area Location:		
Describe Purpose of Installation/Modification:		
Describe Security Camera Locations and Monitoring Locations:		
Describe Requirements for Live Feed or Recording:		
Names of Personnel to Have Access to Security Camera System:		
PHYSICAL PLANT – Project Information		
Estimated Installation Cost		$
Estimated Annual Maintenance Cost		$
INFORMATION TECHNOLOGY – Request Meets IT Requirements		
Signature Approval:		Date:
VMI POLICE – Request Meets Police Requirements		
Signature Approval:		Date:
DEPUTY SUPERINTENDENTOF FINANCE, ADMINISTRATION, AND SUPPORT PROJECT APPROVAL		
Signature Approval:		Date:

Virginia Military Institute Police Department

Security Camera Use Policy Training Log

Employee	Date Policy Received	Date of Review	Employee Signature	Policy

APPENDIX 7

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 90) 9 October 2024

Retaliation Policy

The Virginia Military Institute is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that ensures administrative investigations, and their participants are free from retaliation during and after the investigation process. Retaliation is taking or attempting to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has engaged in a protected activity. This policy addresses complaints or reports of retaliation against those who have filed complaints of violations of any other VMI policy or regulation and/or those who have participated in any way in the investigative process, including but not limited to complainants, respondents, witnesses, investigators, decision makers, advisors, or appeals officers. In pursuit of this goal, any reported allegation of retaliation will be investigated under VMI's Grievance Procedures, which is found at Appendix A in General Order 16. Questions regarding retaliation prohibited by this policy may be referred to the VMI Inspector General and Title IX Coordinator (IG), Ms. Alyssa Astphan, 303 Letcher Avenue, 540-464-7086, ig@vmi.edu

Purpose. The purpose of this policy is to establish clearly and unequivocally that VMI prohibits retaliation by individuals subject to its control or supervision and to set forth procedures by which such allegations shall be filed, investigated, and adjudicated.

Applicability. This policy applies to on-Post conduct involving VMI cadets, employees, faculty, and staff. This policy also is applicable to any conduct that occurs off Post that may have retaliatory effects. Conduct by cadets in violation of this policy that occurs off Post will be addressed in a manner consistent with other cadet misconduct off Post that is subject to discipline under the Blue Book or as an honor offense. Allegations of on-Post or off-Post violations of this policy should be reported to the IG in accordance with the guidance below and the Grievance Procedures.

Definition. Any form of retaliation, including intimidation, threats, harassment, and other adverse action taken or threatened against any complainant or person reporting or filing a complaint alleging violations of any other VMI policy or any individual testifying, assisting, or participating in any manner in an investigation pursuant to another VMI policy. Retaliation may result in disciplinary or other action independent of the sanctions or interim measures imposed in response to the underlying allegations of another VMI policy. Retaliation prohibited by this policy includes

any intimidation, threat, or coercion against the IG, an Assistant IG/Title IX Coordinator, or an external investigator for the purpose of interfering with his or her job responsibilities.

Reporting. Conduct in violation of this policy should be reported promptly by all cadets, employees, faculty and staff. Reports may be made to the VMI IG's office at ig@vmi.edu, 540-464-7086, or https://www.vmi.edu/reportnow. VMI's IG is responsible for overseeing the investigation of all reports of alleged retaliation.

Sanctions. If it is determined that conduct in violation of this policy has occurred, sanctions will be determined in accordance with the Grievance Procedures. Consequences for violation of this policy will depend on the facts and circumstances of each situation, the frequency and severity of the offense, and any history of past conduct in violation of this policy. Sanctions may include penalties up to and including dismissal for cadets and termination for employees. In addition to sanctions that may be imposed on an individual found in violation of this policy, the Institute will take steps to prevent recurrence of any retaliation.

FOR THE SUPERINTENDENT:

Gary A. Bissell
Colonel, USAR (Ret.)
Interim Chief of Staff

DIST: E, Cadets / OPR: IG

APPENDIX 8

CHAPTER 13 – OFFENSES

BLUE BOOK PENALTY TABLES		
Code	**Violation**	**Penalty**
Conduct Related Offenses		
ARMS, Firearms, or Weapons (Institute/Government Issued)		
S0121	Damaging or mishandling	#5 - #9
S0123	Discharging without authority	D - #5
S0124	Pointing at another cadet	#5 - #10
S0125	Grossly neglecting rifle maintenance	#6 - #10
S0126	Misplaced	#5 - #7
S0127	Losing	#1 - #5
S0128	Removing from post without authority	D
S0129	Not turning in or picking up when directed	#9 - #10
ARMS, Firearms, or Weapons (Privately Owned)		
S0141	Unauthorized on post (not stored and registered in armory or guard room)	D - #5
Automobiles/Motorcycles/ Motor Vehicles		
S0220	Failure to register	#5 - #7
S0221	Failure to display decal	#8 - #10
S0225	Unauthorized Parking of registered vehicle on post or in County	#5 - #9
S0227	Unauthorized maintaining or operating of automobile by an underclassman on post or in County	#5 - #7
Assault & Battery		
S0150	Physical or Sexual	D - #5
Attempting to Deceive		
S0161	Attempting to Deceive Institute Officials and/or members of the Guard	D - #4
S0180	Malingering, making a false official statement	D
S1010	Lying then correcting yourself to OC/Institute Official	D
Authority		
S0340	Conspiring against and/or showing gross disrespect to authority	D - #1
S0200	Unauthorized assumption or abuse of	S - #7
S0201	Circumventing or not following the chain of command	#1 - #9
S1200	Moving Rooms without authority from the Class Historian and Commandant	#9 - #10
Breach of Permit (See Also "Late Return")		
S0240	Breach of Permit	D - #10
Cell Phones		
S0278	Using cell phone while moving outside of barracks	#8 - #10
S0279	Unauthorized use in Institute offices, class, during mandatory formations or public forum	#8 - #10
S0280	Cell phone improperly worn/displayed on uniform	#9 - #10

Conduct, Unbecoming or Inconsistent with VMI Values (On or Off Post) as Defined by GO #13		
S0360	Dangerous, malicious, injurious, or demeaning	D - #4
S0361	Discourteous or inattentive in class or elsewhere	#5 - #9
S0375	Engaging in lewd, vulgar, profane, or obscene behavior or activity	D - #10
S0363	Tolerating discrimination, sexual harassment, and sexual misconduct	D - #10
S0364	Unbecoming a cadet or coercing such conduct by other cadets	D - #6
S0365	Violating dating and fraternization policies	D - #9
S0367	Inappropriate displays of affection in public	#5 - #9
S0368	Inappropriate physical contact (romantic or otherwise) between cadets	#5 - #9
S0369	Violating cadet-to-cadet professional relations	#5 - #9
S0362	Engaging in proscribed sexual activity or cohabitation	D - #5
S0371	Disrespect to another cadet based on their membership in a protected class (i.e., gender, race, religion, color, ethnicity, etc.) as defined by General Orders #13 & #16	D - #9
S1301	Sleeping or distractive behavior during a public lecture	#8 - #9
S1135	Pornographic materials (Print or online) openly displaying or disseminating	D - #5
S0372	Harassing, bullying, or intimidating another cadet	D - #10
S0373	Retaliation as defined by General Order #90	D - #10
S0947	Conduct anywhere such as to discredit uniform or Institute	#5
S0800	Hazing as defined in General Order #52	D - #2
Deficiency In Conduct		
S0480	By accumulating more than 100 demerits in any semester	S
S0481	By repetition of same offense or continued disregard of regulations	D - #6
S0544	By a 1st classman exceeding 76 demerits in final semester	S
S546	Accruing more than 100 penalty tours in an academic term	Conduct Review Board
S1565	Failing to fulfill responsibilities of a cadet (i.e. repeatedly missing formations)	S - #4
S0545	Failure or refusal to perform cadet duties prior to withdrawal from Institute	S - #1
Disobedience/Disturbances/Misconduct		
S0540	Disobedience of or failure to comply with lawful orders	D - #9
S0900	Interfering with any formation	#7 - #9
S1240	Running from/evading OC, OD, or Institute official (when ordered to stop)	S - #7
S0625	Endangering self or others	D - #5
S1420	Trifling with member of guard	#8 - #10
S1460	Urinating not in latrine	#5 - #8
S1464	Failing to participate in emergency management activities and fire drills	#5 - #10
S0460	Defacing, Destroying, and/or losing Institute, private, or public property	D - #9
S0600	Creating a disturbance or dangerous, riotous, insubordinate, or injurious actions	#4 - #10
S1360	Striking another cadet / Scuffling	S - #8
S1220	Being on the roof of any building without authority	S - #7
S1340	Spitting in public or in barracks	#7 - #9
S1346	Littering	#8 - #10
M2280	Sunbathing outside of authorized area (visitors section of Foster Stadium)	5 Demerits
S0960	Language Unbecoming a cadet	#5 - #8
S0961	Excessive profanity	#6 - #10
S1380	Tampering or Damaging VMI power or communications/Internet system	D - #4

S1230	Not using bridges, Kilbourne Hall tunnel, or crosswalk adjacent to Cameron Hall to cross Route 11 (Kilbourne Hall crosswalk may only be used when police traffic control is present)	#9 - #10
S1232	Crossing routes, roads, and public highways in an unsafe manner	#9 - #10
S1250	Failure to salute	#9 - #10
S1251	Careless or improper Salute	#10
S1343	Disposing of trash, litter, or waste inappropriately in or outside of barracks	#8 - #10
S1140	Refusing to answer official, non-self-incriminating	D - #7
S0277	Defying CCQ in Barracks	#5 - #8
S1348	Intentional Falling out during Parade, Formation, or March down	#7 - #10
S1349	Unintentional Falling out during Parade, Formation, or March down	#9 - #10
S1000	Loss and/or misuse of Federal or Institute property	#1 - #5
S1045	Loss of military bearing	#5 - #9
M0081	Riding bicycle/skateboard/ etc. on stoop	5 Demerits
M1520	Loitering on stoop after Taps	3 Demerits
M1521	Loitering in Courtyard (improper conduct)	5 Demerits
M2481	Exiting/entering through exterior window	5 Demerits
S0541	Tampering with or exiting alarmed doors when not an emergency	#5-#10
Disrespect		
S0580	To Institute officials & Cadet Leadership	D - #9
S0587	To the Flag, Colors, or Taps	#7 - #10
M0960	Walking on grass in Memorial Gardens	2 Demerits
Drugs or Drug Paraphernalia		
S0620	Unauthorized possession, use or distribution as defined by General Order #53	D
S0619	Refusal to take a drug test	D
S0626	Allowing/Tolerating drug use, possession, or trafficking	D - #6
Failure to Comply		
S0681	To answer Special Report or Submit Form 24 within 2 days	#9
M0841	To answer Special Report in person after reminder sent	5 Demerits
S0687	To submit OCMNI sheet by 1200hrs	#9
S0682	To coordinate class absence with professor prior to taking day or weekend	#9
S0683	To inform self of contents of permits, regulations, orders, bulletins, or SOP's	#6 - #9
S0692	To clear post/barracks properly	#5 - #9
S0100	To keep an appointment with faculty/staff, failure to show when requested	#5 - #9
S0104	To comply with Status Checks	D - #9
S0102	Refusal to cooperate in an ongoing investigation	D - #5
S0103	To march to BRC/DRC/SRC and/or enter Crozet Hall when not authorized	#8 - #10
S0680	Failure to Comply, [must specify infraction]	#6 - #9
M0844	Basic Failure to Comply, [must specify infraction]	5 Demerits
M0920	Forming incorrectly; Standing in wrong spot, in ranks	2 Demerits
M0760	Failure to turn in or pick up equipment when directed	5 Demerits
M0761	Not having correct equipment at formation when directed	5 Demerits
S1136	Registration: Failure to register or pre-register for classes	#8 - #10
S1461	Failing to participate in emergency management activities (fire/active shooter drill/etc.)	#5 - #7
Fire		

S0700	Starting a fire on post	D - #4
S0701	Damaging, impeding, misusing or sabotaging fire systems or alarms	D
S0702	Wrongful setting off Fire Alarm or Emergency Phone	#5 - #9
S0720	Wrongful destruction or discharge of fire extinguishers	S - #7
S0660	Possession or use of explosives or fireworks	D
Guard, member of		
S1082	Neglect of Duty by member of the Guard	#2 - #9
S0501	Desertion by Sentinel on post	#3 - #7
S1085	Late for guard shift	#5 - #9
S1300	Sleeping while on guard duty	#6 - #8
S0802	Wearing headphones or earbuds while on guard	#5 - #8
M1000	Failure to know general orders (must specify infraction)	5 Demerits
M1001	Leaving guard room without authority	5 Demerits
Guard Room		
M1040	Behind counter in guard room, not on duty	3 Demerits
M1041	Improperly dressed in guard room	3 Demerits
Internet/Computer		
S0920	Unauthorized/inappropriate use of / violation of General Order #50	#5 - #9
S0922	Sending or passing on a mass email without authority	#5 - #9
S0927	Using another cadet's computer, account, or ID # without authorization	#5 - #7
S0929	Failure to reply to Institute Official or Cadet Officer email in timely manner	#8 - #10
S0930	Inappropriate / unprofessional / demeaning use of social media	S - #10
Intoxicants		
S0940	Introducing, possessing, or consuming on post or VMI Events	S - #1 + Conduct Probation + Substance Abuse Assessment + if applicable, Loss of Rank, Class leadership position, and Dyke Privilege review
S0941	Second alcohol offense (any type)	S - #1
S0944	Third alcohol offense (any type)	D
S0945	Allowing another cadet's alcohol use/possession in barracks or on post	#5 - #9
S0946	Consuming underage	S - #1 + Conduct Probation + Substance Abuse Assessment
S0943	Providing to New Cadets	S - #5
S0948	Being under the obvious influence while on confinement or conduct probation	S - #5
S0952	Providing to persons, less than 21 years of age	S- #5 or deferred to Law Enforcement
S0953	Being under the obvious influence of alcohol	#1 - #7 (#1 - #5 Results in Conduct Probation + Subst. Abuse Assessment if applicable, Loss of Rank, Class leadership position, and Dyke Privilege review)
Neglect of Duty		
S1092	Neglect of Duty	#4 - #10

S1080	Intentional or habitual neglect of duty	D - #7
S1086	Cadet in charge of formation or group	#2 - #10
S1089	Failure to take proper accountability	#8 - #9
S1090	Failure to fulfill duties of leadership positions	#4 - #8
S0912	Not prepared for formal inspection on the bricks	#8 - #10
New Cadets (Rats), Offenses Against		
S1102	Conducting or encouraging unauthorized Ratline Activities	D - #7
S1103	Encouraging or requiring breaking of Institute regulations	D - #7
S1104	Fraternizing with	D - #9
S1141	Failure to intercede when witnessing Ratline abuse	D - #9
S1120	Failure to supervise and educate New Cadets (Rats) on Institute regulations	#5 - #9
S1119	Falling a new cadet out of formation	#8 - #10
S1117	Abuse or wrongful New Cadet (Rats) Mentor Relationship (Loss of Privilege	D - #3
S1121	Banishing or casting out a new cadet	#5 - #7 + Loss of Dyke Privilege
S1123	Extorting meals or services from a new cadet	#5 - #7 + Loss of Dyke Privilege
S1124	Taking New Cadet property or belongings without permission	#5 - #7 + Loss of Dyke Privilege
S1126	Undermining the authority of Cadre with new cadets	#5 - #7 + Loss of Dyke Privilege
S1128	Encouraging prejudicial behavior in new cadets	#5 - #7 + Loss of Dyke Privilege
S1129	Inciting new cadets to physically abuse peers	D - #1 + Loss of Dyke Privilege
S1118	Inciting to Riot	D - #1
S1105	Interfering with movements to and from duty	D - #8
S1109	Servitude: Mean-spirited and/or Menial service	#9
S1110	Accepting meals, gifts, favors	#5 - #9
S1115	Visiting new cadet's room or allowing or requiring new cadets to visit upper class cadet's room without authority: For purpose of discipline	#4 - #6
S1116	Visiting new cadet's room or allowing or requiring new cadets to visit upper class cadet's room without authority: For Other	#7 - #8
New Cadets (Rats), Offenses Committed By		
S1170	Disrespect to Cadre, Cadet NCOs/Officers, Cadet Government officers, or Athletic/Club Sports Captains	#5 - #9
S1171	Continual inattentiveness to Cadre instruction or directives	#9 - #10
S1172	Failure to execute legitimate orders with urgency and purpose	#9 - #10
S1188	Following illegal orders which violate Institute regulations	S - #8
S1175	Pattern of New Cadet indiscipline	S - #5
S1177	Entering or moving on the 3rd or 2nd stoop without authority	#5 - #9
S1178	Entering the room of a 2nd or 3rd classman to vandalize or harass occupants	S - #6
S1179	Inciting fellow New Cadets (Rats) to riot or create disturbances	S - #7
S1180	Fraternization with Upperclassmen	D - #9
M2440	Visiting During evening CQ in barracks (New Cadets (Rats) only)	5 Demerits
Ranks (Meal and Other Formations, Parades, Guard Mounts, etc.)		
M0042	Dropping saber or rifle in ranks	5 Demerits
M0047	Improper saber or rifle manual	5 Demerits

M1641	Improper procedure during Parade or Formation	2 Demerits
S0841	Gross appearance in ranks	#5 - #8
S1160	Moving or talking during a parade or other public formation	#8 - #10
S1605	Intentional Missing or Falling out of Parade, Formation, or March down	#5 - #8
S1606	Unintentional Missing or Falling out of Parade, Formation, or March down	#9
S1162	Pattern of in-ranks indiscipline	#5 - #7 + Conduct Probation
M1760	Carrying unauthorized items in ranks	5 Demerits
M1761	Laughing, moving, or turning head in ranks	3 Demerits
M1762	Bouncing or out of step	2 Demerits
M1763	Chewing gum/tobacco	5 Demerits
M1764	Trifling	5 Demerits
Tobacco/Tobacco Products		
S1325	Underage possession or use	#7 - #8
S1321	Use in unauthorized area	#9 - #10
S1323	Failure to dispose of properly	#9 - #10
S1324	Second Tobacco / Tobacco Products Offense (any type)	#5 - #7
Values		
S1600	Lacking sound judgment, failure to address an egregious act, & flagrant breach of VMI values	S - #6
S1603	Not being accountable for actions or words	D - #10
S1604	Failure to respect the rights and dignity of others	D - #10
S1607	Intentionally altering another cadet's door card resulting in it displaying false information	#1 - #7
Visiting Without Authority		
S1501	After Taps, in barracks	#8 - #9
S1502	After Taps, on post	#8 - #9
S1503	Room Orderly, allowing congregation in room after Taps	#8 - #9
S1506	Unwanted visitation, failure to leave a room when asked to do so	D - #7
S1507	Entering a locked office/building	S - #7
S1508	Visiting with civilians in wrong uniform	#8 - #9
S1509	Entering or moving on the 4th or 5th stoop without authority	#5 - #9
S1510	Sleeping in Locker Room during Evening CQ or after Taps	#4 - #7
Visitors, Unauthorized, Permitting/Escorting In		
S1520	Barracks	D - #8
S1521	Mess Hall	#7 - #9
S1522	Academic Buildings or "Not All Right" locations	#5 - #9
Selling in Barracks Without the Permission of the Commandant's Office		
S1280	To Cadets	#5 - #8
S1282	Guard Duty position to another cadet	#7 - #10
ACCOUNTABILITY RELATED OFFENSES		
Absence on Post		
S0018	During Taps CCQ & Sunday Status Check	#5 - #9
S0019	During other status checks (Status Checks & Check Formations)	#6 - #8
S0020	Between Taps and Reveille	#5 - #9
S0021	Between Evening CQ and Taps	#5 - #9
S0010	From room unauthorized as per status and limits	#9 - #10

S0023	Formation or military duty; unintentionally missing	#9
S0026	Formation or military duty; intentionally missing	#5 - #9
S0027	Absent from class (entire class period time frame)	#5 - #9
S0100	To keep appointment with faculty/staff, failure to show when requested	#5 - #9
S1565	Failing to fulfill cadet responsibilities (i.e. intentionally missing one or more academic or military formations)	#4 - #7
Absence Off Post		
S0024	Between Taps and Reveille (suspension for second offense)	#6 - #7
S0025	Between Reveille and Taps	#6 - #7
S0038	During Taps CCQ	#5 - #9
S0039	Unintentionally missing formation or Military Duty	#5 - #7
Absent Without Leave (AWOL)		
S0040	24 hours or longer	D - #5
S0041	Less than 24 hours, Unauthorized while on Restrictions	D - #1
Confinement, Barracks, Breach of		
S0380	Barracks, breach of Visiting on post	#6 - #10
S0381	Barracks, breach of Visiting off post	D - #1 + conduct probation
S0031	Failure to sign one or more confinement checks when “all right”	Add 1 Day + 1 demerit
S0370	Failure to sign any or all checks when not "all right"	D - #1 + conduct probation
CCQ (Coming from and "All right" location)		
M0320	On stoop during	5 Demerits
M0321	In concourse, sinks, courtyard during	5 Demerits
M0322	In another cadet’s room during	5 Demerits
Desertion		
S0500	Formation, Class, or Place of Duty	#5 - #8
Late to Formation/Class		
M1360	Less than 5 minutes	2 Demerits
M1365	5-15 Minutes	5 Demerits
Permits/SOPs		
S0980	Late return from furlough or permit	#5 - #10
S1130	Submitting late or frivolous permit	#7 - #10
S1131	Not adhering to SOP by gaining instructor approval	#8 - #10
Signing In or Out		
M2044	Failure to sign in 30 minutes after returning from approved permit or furlough	5 Demerits
M2045	Failure to sign out prior to start of formation	3 Demerits
M2046	Failure to Sign Out properly	3 Demerits
Appearance & Uniform Related Offenses, Arms		
M0040	Bayonet, improperly worn	1 Demerit
M0041	Bayonet, unauthorized use of	5 Demerits
M0043	Improperly maintained – Minor (dusty, excessive oil, lack of oil, lint, paint)	3 Demerits
M0048	Improperly maintained – Major (rust)	5 Demerits
M0044	Failure to know rifle number	2 Demerits
M0046	Improper carriage (example: carrying by sling or over both shoulders)	2 Demerits
M0049	Rifle improperly assembled	3 Demerits
M0050	Improperly displayed in room	3 Demerits

Books/Book Bags/Gym Bags		
M0120	Left in unauthorized place	5 Demerits
M0121	Wearing a backpack over the shoulder while in Class Uniform or better	5 Demerits
M0122	Unauthorized Backpack or Gym Bag	5 Demerits
M0123	Failure to properly label backpack, or gym bag	5 Demerits
Civilian Clothing, wearing unauthorized articles		
S0300	Off post	#5 - #8
S0301	On post	#7 - #10
S0302	In barracks (except for 1st Classmen, stored in garment bag in wall locker)	#8 - #10
S0303	Possession in barracks, academic buildings, locker rooms or other unauthorized locations	#9 - #10
S0321	In front of Barracks or Loitering in (more than 30 minutes), on post	#9 - #10
Improperly Dressed/ Improper Uniform Wear		
S0850	Footgear unserviceable or unauthorized	#9 - #10
S0840	Improper Dress; Gross or inappropriate nature	#5 - #10
S0842	Improper Dress in BSR, Crozet Hall, Lejeune Hall, and academic buildings	#5 - #10
S0843	Non-compliance with jewelry and/or cosmetics standards	#9 - #10
M1158	Failure to wear a reflective belt while running in hours of darkness	5 Demerits
S0855	Non-compliance with body piercing standards	#5 - #9
S0844	Improper Dress Off Post	#4 - #10
S0801	Unauthorized wearing headphones or earbuds outside of barracks or during physical training	#8 - #10
S0780	Hair: Nonregulation (unauthorized style or improper)	#7 - #10
S0782	Giving a haircut to or receiving a haircut from another cadet	#9
M1161	Hair not to standard (length and/or unkept/not combed/brushed)	5 Demerits
M1162	Hands in pockets	5 Demerits
S0787	Gray blouse unzipped above beltline and/or unclipped	#8 - #10
S0849	Wearing unbraced, improperly fitted, unserviceable uniform headgear	#9 - #10
S0852	Wearing unserviceable item	#9 - #10
S0853	Improper wearing of uniform	#9 - #10
M1320	Improper uniform In barracks, minor infractions	2 Demerits
M1321	Improper uniform Outside of barracks, minor infractions	3 Demerits
M2400	Wearing another cadet's uniform item	5 Demerits
M2401	Improper fit of uniform	5 Demerits
M2402	Dirty, wrinkled uniform items	2 Demerits
M2403	Wearing unauthorized item on Uniform (ribbons, pins, etc.)	5 Demerits
M2000	Improperly shaven (major offense)	3 PTs
M2023	Improperly shaven (minor offense)	3 Demerits
M1243	Wearing NCAA, Class, Club, Regimental uniforms, when not prescribed	5 Demerits
M2001	Abusing shaving permit	5 Demerits
M2040	Unserviceable worn shoes / boots	5 Demerits
M2041	Dirty, unshined or improperly shined shoes / boots	3 Demerits
M2200	Rank or Class stripes not sewn on	3 Demerits
M0160	Improperly maintained brass	2 Demerits
M0161	Unauthorized collar or Hat brass	5 Demerits
M0402	Dirty or improperly worn collar (i.e., gap showing in front) and/or Cuffs	5 Demerits
M0403	Failure to wear Collar	5 Demerits

S0786	Dirty, unpressed, or unclean uniform	#8 - #10
M0562	Failure to wear Cuffs	5 Demerits
M1240	Wearing uniform hat improperly outside barracks	5 Demerits
M1241	Wearing headgear indoors when not under arms	5 Demerits
M1242	Wearing civilian clothing with VMI uniform	5 Demerits
M0520	Cross Straps: Wearing improperly, loosely, or dirty	2 Demerits
M0281	Cartridge Box Improperly worn or polished	2 Demerits
M2404	Dirty, wrinkled uniform	2 Demerits
M2405	Rolling winter class dyke sleeves	5 Demerits
M2406	Rolling gym dyke shorts	5 Demerits
S2407	Not wearing the uniform of the day or prescribed uniform	#8 - #10
M2408	Dirty gloves	3 Demerits
M2411	Excessively Dirty / Unserviceable Gloves	3 PTs
M2409	Necktie improper worn	3 Demerits
M2410	Untucked T-Shirt or Gym Dyke Shirt	3 Demerits
Room Standard Violations (* Annotates Room Orderly Penalty)		
M1872	Blue Book improperly maintained*	1 Demerit
S0911	Not prepared for formal room inspection	#8 - #10
S1204	Room not in MI Order during morning room inspection (M-F, 0800-1200)	#9
S1202	Room in gross disorder (anytime)	#8
S0699	Fire code violations (Must be fixed within 24 hours)	#7 - #10
S0742	Removing or stacking furniture from or within room without authorization	#7 - #10
S1201	Excessive/loud noise coming from within	#8 - #10
S1203	Maintaining pet in barracks or anywhere on post	#5 - #8
S1205	Unauthorized item(s) in room	#6 - #10
S1231	Excessive food preparation/cooking in room	#7 - #10
S1854	Unauthorized covering over window or concealing view of room contents	# 9 - #10
M1800	Sink improperly cleaned*	1 Demerit
M1801	Items improperly arranged on glass shelves	1 Demerit
M1802	No towel on hook	1 Demerit
M1803	Towel improperly hung/dirty	1 Demerit
M1804	Mirror improperly cleaned*	1 Demerit
M1806	Wall locker contents improperly arranged	1 Demerit
M1808	Wall locker floor or shelves dirty/dusty	1 Demerit
M1810	Uniforms improperly arranged on wall locker poles	1 Demerit
M1811	Overcoat/coatee/blouse not displayed in wall locker	1 Demerit
M1813	Footgear improperly displayed in wall locker	2 Demerits
M1814	Displayed footgear improperly polished or dirty	2 Demerits
M1815	Shoes on floor, not in wall locker	2 Demerits
M1818	Bookcase: Items not in Misc. boxes*	2 Demerits
M1819	Bookcase shelves dirty/dusty*	1 Demerit
M1867	Door/window shade down, unauthorized	3 PTs
M1821	Unauthorized articles displayed on desk	1 Demerit
M1822	Desk dirty/dusty	1 Demerit
M1823	Desk not in center of room with back against center console	1 Demerit
M1824	Chair not under desk	1 Demerit
M1825	No name/room number on chair	1 Demerit
M1856	Uniform items on chair	1 Demerit

M1831	No name on hayrack	1 Demerit
M1832	Hayrack improperly stacked	1 Demerit
M1835	Hay improperly stacked	1 Demerit
M1836	No name on hay cover and straps	1 Demerit
M1837	Hay not aired/improperly aired on Monday	5 Demerits
M1830	Failure to remove sheet when airing Hay	5 Demerits
M1827	Non-white sheet on Hay	5 Demerits
M1838	Hay improperly displayed, authorized down	1 Demerit
M1839	Unauthorized Items on floor	5 Demerits
M1840	Floor dirty or trash on floor*	3 Demerits
M1841	Dust balls/dirty floor (minor)	1 Demerit
M1842	Electric cord on floor without rubber protector*	1 Demerit
M1844	Unauthorized posters/pictures/decorations on walls*	5 Demerits
M1845	Lights/Wires attached to wall*	1 Demerit
M1847	Dirty stoop wall outside room*	5 Demerits
M1848	Using tape on wall in room or barracks	5 Demerits
M1849	Hanging signs anywhere other than Bulletin Boards	5 Demerits
M1850	No plastic cover over status card*	1 Demerit
M1851	Improperly marked Door Card (except for improperly marked hay down)	5 Demerits
M1846	Door Card improperly marked for hay down	3 PTs
M1852	Unauthorized card or decal on door*	3 Demerits
M1853	Windows improperly cleaned	1 Demerit
M1855	Clothes hanging in window*	5 Demerits
M1857	Transom improperly cleaned / dirty*	1 Demerit
M1834	Unauthorized Haydown	6 PT's
M1861	Item concealed in unauthorized location	3 Demerits
M1862	Unauthorized luggage	3 Demerits
M1864	Unauthorized recreation equipment	2 Demerits
M1866	Radio, fan, or light on – no one home*	1 Demerit
M1868	Trashcan not emptied*	1 Demerit
M1869	Unauthorized items (plants, furniture, cooking items, electrical devices)	5 Demerits
M1870	Broken window, door, furniture not reported*	5 Demerits
M1873	Prescribed furniture not in room*	5 Demerits
M1875	Flammable materials, candles incense, etc.*	5 Demerits
M0360	Authorized civilian clothing, improperly stored	5 Demerits
M2320	Sweeping or throwing trash on stoop*	5 Demerits
M1480	Unauthorized Overhead Lights on between Taps and 0130*	3 Demerits
M1560	Luggage in unauthorized location or improperly stored in trunk room	5 Demerits
M0882	Food/Beverage on window ledge, transom, or stoop*	3 Demerits
M1859	Perishable food stored in room	3 Demerits
M1860	Food not stored in Food/Misc. box	3 Demerits
M1440	Laundry in arch, outside window, or public view*	5 Demerits
M0080	Improperly stored bicycle/skateboard, etc.*	5 Demerits
M1260	Failure to keep area on stoop in front of room clean*	5 Demerits
M2480	Not shutting exterior windows during inspections or parades	5 Demerits

APPENDIX 9

CHAPTER 20 – DRUGS, ALCOHOL & TOBACCO

A. ALCOHOL

1. Cadets will not possess or consume alcohol on Post.
2. Cadets will observe all state and local laws governing the possession, purchase and consumption of alcoholic beverages.
   a. Intoxication does not excuse a Cadet from rendering a correct report to Institute officials.
   b. Having any container with traces of alcohol is considered possession.
   c. Cadets are responsible for their actions and status even if intoxicated.
3. Alcohol related penalties:
   a. Possessing or consuming alcohol on Post or conduct unbecoming a Cadet as the result of drinking alcohol, whether on or off Post, results in a minimum of an Alcohol #1 penalty from the Commandant's office. This penalty consists of:
      (1) Conduct probation for up to one year
      (2) Mandatory Substance Abuse Assessment
      (3) 15 demerits, 4 months of confinement and 60 penalty tours
      (4) Loss of Rank, Class leadership position, and Dyke Privileges review
      (5) Possible deferment to Law Enforcement, especially as it relates to underage infractions
   b. Cadets receiving alcohol related penalties from the Executive or General Committees may be required to undergo professional alcohol assessment at their own expense.
   c. The penalty for a second alcohol related offense during one's Cadetship may be suspension.
   d. The penalty for a third alcohol related offense may be dismissal, regardless of whether an Alcohol #1 is assessed.

B. DRUGS

1. Cadets may not possess, distribute, or use controlled substances as defined by General Order #53.
2. Cadets may not possess or use prescription medications unless prescribed and issued by a competent medical or dental authority. Prescription medication must always be kept secured in an authorized lock box in the Cadet's room or in the VMI Infirmary.
3. Possession of drug paraphernalia including items not exclusively used with illegal drugs such as water pipes and hookahs is prohibited.
4. Drug searches and investigations include:
   a. Physical searches
   b. Room and/or vehicle searches
   c. Mandatory urinalysis
5. Drug Testing
   a. The Commandant directs Cadets to undergo mandatory urinalysis at his discretion.
   b. All Cadets are subject to random urinalysis as directed by General Orders.
   c. The Commandant also directs a Cadet to undergo a test when he or she is reasonably

suspected of possessing or using drugs. Reasonable suspicion is defined as the existence of circumstances, reports, information or direct observation of such nature as to create a reasonable belief that a violation of VMI's drug policy has occurred.

6. Penalties. The penalty for drug related violations is suspension or dismissal.
    a. Use, possession or distribution of unauthorized drugs.
    b. Improper use or distribution of prescription medications
    c. Refusal to report to, undergo, or failing a drug test.

C. SMOKING

1. Smoking is only authorized at the designated smoking post in the vicinity of Burma Road. This includes electronic cigarettes, vaping, or any other form of smoking device.
2. The uniform at the smoking post is gym uniform or better from BRC until evening CQ. Bathrobe may be worn at the smoking post during hours of darkness.
3. 1st and 2nd class Cadets are authorized to be at the smoking post until 0130. 3rd classmen are authorized at the smoking post until 0030. 4th class Cadets are authorized at the smoking post until Taps.

D. TOBACCO, NICOTINE OR ALTERNATIVE PRODUCTS - Purchase, possession, or use of any type/variation of above products or paraphernalia/residue associated with their use is prohibited for any Cadet under the age of 21 and is a punishable offense.

APPENDIX 10

CHAPTER 24 – NEW CADETS (RATS)

Hazing

A. HAZING

"It shall be unlawful to haze, or otherwise mistreat so as to cause bodily injury, any student at any school, college or university. Any person found guilty thereof shall be guilty of a Class 1 misdemeanor, unless the injury would be such as to constitute a felony, and in that event the punishment shall be inflicted as is otherwise provided by law for the punishment of such felony. Any person receiving bodily injury by hazing or mistreatment shall have a right to sue, civilly, the person or persons guilty thereof, whether adults or infants. The president, or other presiding official of any school, college or university, receiving appropriations from the State treasury shall, upon satisfactory proof of guilt of any student found guilty of hazing or mistreating another student so as to cause bodily injury, expel such student so found guilty, and shall make report thereof to the attorney for the Commonwealth of the county or city in which such a school, college or university is who shall present the same to the grand jury or such city or county convened next after such report is made to him." Virginia Law. Section 18.2-56 of the Virginia Code

B. A New Cadet is defined as a cadet in their first year at VMI. New Cadets are referred to as "Rats" until after completion of the Ratline. After the Ratline they are referred to as Fourth Classmen.

C. GENERAL ORDER #52: The hazing policy is further outlined in General Order #52.

D. OFFENSES AGAINST NEW CADETS: Ground Rules are established and adhered to by the Corps of Cadets when managing, interacting with, or engaging Rats. These Ground Rules are to be always complied with during the Rat Line.

1. Encouraging New Cadets (Rats) to break Institute regulations such as encouraging them to cut their own or others hair and inciting them to riot.
2. Stopping New Cadets (Rats) during evening CQ, after Taps CQ, and when enroute to official formations or meetings.
3. Fraternizing with New Cadets (Rats).
   a. Unauthorized visiting in new cadets' barracks.
   b. Having New Cadets (Rats) in room without authority.
   c. Entering unauthorized business transactions with or borrowing money from New Cadets (Rats).
4. Unnecessary or improper physical contact with a New Cadet (Rat).
5. Treating a New Cadet (Rat) in a cruel or abusive manner.
   a. Striking a New Cadet (Rat) with or without an implement.
   b. Requiring a New Cadet (Rat) to binge eat or drink.
   c. Conducting unsanctioned or unauthorized Rat Line activities such as unauthorized workouts,

power straining, etc.

d. Directing unduly harsh, abusive, or profane language towards New Cadets (Rats).

e. Conduct constituting "conduct unbecoming a cadet."

6. Abuse of dyke/mentoring relationship such as requiring New Cadets (Rats) to perform menial services, clean military equipment or run errands not authorized by the dyke SOP.

7. Countenancing offenses against New Cadets (Rats).

8. New Cadets (Rats) serving as members of the guard team are institute officials and are not to be treated as "Rats" while on duty.

E. OFFENSES BY NEW CADETS

1. New Cadets (Rats) are on a probationary period during their entire 4th class year and are expected to demonstrate they have internalized the standards of behavior expected of a cadet.

2. Three documented instances of new cadet impropriety necessitate:

a. A review of the new cadets record by the Commandant's office.

b. Performance counseling by the Deputy Commandant.

c. Possible imposition of conduct probation or suspension.

APPENDIX 11

CHAPTER 25 – MARRIAGE & PARENTHOOD

A. OVERVIEW: No cadet shall be disciplined or separated from the Corps solely for becoming pregnant. However, being pregnant may effectively preclude a cadet (at a medically determined point in the pregnancy) from performing cadet duties and meeting the standards expected of a cadet. Thus, pregnancy shall be addressed in a manner like any other temporary medical conditions under General Order #61, Medical Leave and Medical Furlough Policy.

B. DETERMINATION OF PARENTAL RESPONSIBILITY: A cadet, male or female, shall be deemed not to have incurred the responsibilities of parenthood upon submission to the Superintendent of an order or other legal document entered by a court of any state establishing that an individual other than the cadet has temporary custody and legal guardianship of his or her biological child and the cadet has no child care responsibilities or legal support obligations for such child.

C. DETERMINATION OF RESPONSIBILITIES OF PARENTHOOD FOR FATHER: Upon receiving information that any cadet has fathered a child or caused a female to become pregnant, the Superintendent will conduct an immediate investigation to determine whether or not that cadet, by a preponderance of the evidence, has incurred the responsibilities of parenthood under these regulations.

D. MARRIAGE POLICY: Married cadets are separated from the Corps.

E. ANNUAL ACKNOWLEDGEMENT OF POLICY: Upon matriculation, cadets sign a statement confirming their knowledge and understanding of this policy and that they are neither married nor have incurred the responsibilities of parenthood, as defined by this policy.

1. All returning cadets, at the beginning of each academic year, acknowledge their understanding of this policy and expressly confirm their understanding that violation of this policy may result in dismissal.

F. BOARD OF VISITORS (BOV): This policy was created and approved by the VMI BOV.

G. GENERAL ORDER #7: The marriage and parenthood policy is further outlined in General Order #7.

APPENDIX 12

VIRGINIA MILITARY INSTITUTE

LEXINGTON, VIRGINIA 24450-0304

VMI PHYSICAL PLANT
OFFICE OF FIRE AND SAFETY PROGRAMS
110 Hines Lane
Office 540-464-7040
Cell 540-460-0500

29 September 2026

To: Cadets, Faculty and Staff

Subject: Critical Fire and Safety Awareness for the 2026-2027 Academic Year

As we embark on the new academic year, the preservation of a secure and operational environment for both students and faculty is paramount. Your proactive involvement is indispensable in achieving this imperative mission.

Annually, countless individuals are adversely affected by fire-related incidents, resulting in a staggering number of fatalities and substantial property damage. Furthermore, workplace mishaps remain a persistent threat. By adhering to stringent safety protocols, we can significantly mitigate the risk of these calamitous events.

I implore you to meticulously examine the enclosed fire and safety directives. This invaluable information will equip you with the requisite knowledge and tools to establish a safer environment for yourself and your fellow community members.

Should you have any observations or recommendations for enhancing our safety measures, please do not hesitate to contact the Office of Fire and Safety Programs at extension 7040.

Your steadfast commitment to safety and well-being is appreciated.

SIGNATURE ON FILE

Adam W. Moyer
Chief of Fire and Safety Programs

Enclosure: VMI Fire and Life Safety Program

Revision Date

September 2026

Virginia Military Institute

Fire and Life Safety Program



Table of Contents *Page*

1	Introduction……..…….……	5
1.1	Mission Statement	
1.2	Purpose	
1.3	Application	
1.4	Implementation	
2	Responsibilities…….……..……...	6
2.1	Virginia Military Institute	
2.2	Supervisors	
2.3	Building Coordinator	
2.4	Employees and Cadets	
2.5	Contractors……..	7
3	Emergency Planning and Preparedness…….	8
4	Fire and Other Emergency Drills……..……	10
4.1	Drills	
4.1.1	Procedures for Reporting a Fire……	11
4.1.2	Procedures for Exiting	
4.1.3	Responding to a Fire Emergency Emergency	
4.1.4	Procedures	
4.2	Evacuation Plans……...	12
4.2.1	Non Residential Buildings	
4.2.2	Emergency Evacuation for Persons with Disabilities Evacuation	
4.2.2.1	Options	
4.2.2.2	Disability Guidelines…….	13
5	Public Assembly Occupancies……..	15
5.1	Definition of a Public Assembly	
5.2	Planning and Management Guide	
5.2.1	Information and Assistance	
5.2.2	Fire and Life Safety Planning and Management Information……...	16
6	Means of Egress…….……..	21
6.1	Elements of Egress	
6.2	Egress Policy	

7	Fire Prevention…….……..…	23
7.1	Elements of Fire Prevention Planning	
7.2	Identifying Common Fire Hazards	
7.3	Interior Finishes and Decorations…….	24
7.4	Basic Fire Prevention Strategies……..…….…….	27
7.4.1	Housekeeping	
7.4.2	Fire-Rated Doors and Fire-Resistant Barriers……	28
7.4.3	Electrical & Mechanical Equipment	
7.4.4	Flammable and Combustible Materials…….	29
7.4.4.1	Ventilation……..	30
7.4.4.2	Ignition Sources	
7.4.4.3	Smoking	
7.4.4.4	Warning Signs	

7.4.4.5	Fire Extinguishers	
7.4.4.6	General Storage	
7.4.4.7	Flammable Storage Cabinets Safety	
7.4.4.8	Cans	
7.4.4.9	Refrigerators……...	31
7.4.4.10	Container Size	
7.4.4.11	Inside Storage Rooms	
7.4.4.12	Electrical Grounding	
7.4.4.13	Spills	
7.4.4.14	Transportation	
7.4.5	Compressed Gas Cylinders……	33
7.4.5.1	Identification	
7.4.5.2	Transportation Training	
7.4.5.3	Fire Protection Systems…….	35
7.4.6	Building and Renovating Space……	36
7.4.7	Miscellaneous Requirements…….	37
7.4.8	Hot Work Permits	
7.5	Fire Prevention and Suppression Procedures for Hot Work Operations……...	38
7.5.1	Policy for Work Performed Outside a Designated Area and/or Temporary Operation	
7.5.2	Procedure to Secure a Hot Work Permit	
7.5.3	VMI Safety Office Sprinkler Impairment Procedure	
7.5.4	Supervisor Responsibilities……...	39
7.5.5	Annual Permit……	40
7.5.6	Contractors Conducting Hot Work	
7.5.7	Open Flames and Burning Permits	
7.5.8	Approvals and Permit Application Process	
7.5.8.1	Open Flames and Burning – Indoor	
7.5.8.2	Open Burning – Outdoors	
7.5.8.3	Pyrotechnics / Fireworks Permit……..	41
7.6	Approval Process for Permit Application	
7.6.1	Definitions……..	42
7.6.1.1	Requirements	
7.6.1.2	Tents and Temporary Structures……	43
7.7		

8	Fire Inspections……..	44
8.1	Fire Detection and Warning Equipment	
8.1.2	Fire Alarms Testing	
8.1.2.1	False Alarms……...	
8.1.2.2	Investigations	45
8.1.2.3	Smoke Detectors	
8.1.3	Locations	
8.1.3.1	Inspections	
8.1.3.2	Maintenance	
8.1.3.3	Abuse	
8.1.3.4	Heat Detectors	
8.1.4	Locations……..	46
8.1.4.1	Inspections and Maintenance	
8.1.4.2		
8.2	Fire and Life Safety Training	
8.3	Fire Suppression Equipment	
8.3.1	Portable Fire Extinguishers	
8.3.1.1	Operation	
8.3.1.2	Responsibilities……	47
8.3.1.3	Types of Fire Extinguishers	
8.3.1.4	Location……...	48
8.3.1.5	Access	
8.3.1.6	Inspections	
8.3.1.7	Training	
8.3.1.8	Maintenance	
8.3.1.9	Records	
8.3.1.10	Misuse	
8.3.2	Overhead Fire Extinguishing Equipment	
8.3.2.1	Kitchen Fire Protection Systems	49
8.3.2.2	Standpipes and Hose Systems…….	
8.3.2.3	Automatic Sprinkler Systems	
8.3.2.4	Inspections	
8.3.2.5	Precautions	51
8.4	Emergency Procedures Training…….	
8.5	Public Assembly Emergency Procedure Training for Employees and Volunteers	

Appendices

Appendix A – Fire Drill Report…….....……	53
Appendix B – Classes and Storage of Flammable and Combustible Liquids…….……..	55
Appendix C – Emergency Evacuation Plan Template and Hazard Assessment Checklist..……	58 62
Appendix D – Fire Prevention Plan Template…….....	65
Appendix E – Open Flame and Burn Permit Application…….…….	69
Appendix F – Pyrotechnics/Fireworks Permit Application……..…..	73
Appendix G –Tent and Temporary Structure Fire Inspection Form……..……	76

Appendix H – Public Assembly Self Check List…… 78
Appendix I – Hot Work Permit ……..……... ……

1 Introduction

The potential for injury, loss of life or loss of property from a fire or safety related incident is a daily risk on Post. This plan takes a proactive approach to recognizing and evaluating safety risks and instituting appropriate steps to remove or reduce them.

1.1 Mission Statement

- To provide a safe and healthy living, learning, and working environment for every member on Post by ensuring safe work practices through education and consultation;
- To achieve compliance throughout Post with all safety and health regulations on the local, state and federal level as economically as possible.
- To identify a Fire and Safety Office to act as liaison with external regulatory agencies.
- To monitor Post compliance through audit, program development, education, and consultation.
- To reduce risk from a fire or safety incident through a team approach involving Post employees and departments.

1.2 Purpose

This is an information resource to assist Post employees and departments in creating and maintaining a safe environment. This program will enable employees to take appropriate action to ensure their own safety, the safety of co-workers, Cadets and visitors in the event of an emergency. This program was developed to support The VMI Fire and Safety Office mission: to help individuals and departments prevent incidents and achieve compliance with all Post, state and federal regulations. Finally, this program directly supports the VMI mission to establish and maintain a safe and healthful living, learning and working environment.

1.3 Application

- All employees and departments on Post are responsible to ensure that work is performed safely and work areas are maintained in a safe manner.
- All offices, departments, and individuals must create and ensure a safe environment.
- Each department should assign an individual(s) the duties of “Safety Coordinator”. Existing departmental safety committees should be used to implement this program.

- As “employers,” all responsible parties must ensure compliance with safety and health regulations to the best of their ability, with available resources.

1.4 Implementation

This plan provides guidelines for identifying, monitoring, and addressing fire safety issues at Virginia Military Institute. The plan describes emergency procedures, fire safety equipment, drills and inspections that reduce the possibility of fires. This plan is evaluated annually and revised as needed by the VMI Fire and Safety Office.

The rules, regulations, and recommendations in this manual are in conformity with codes established by the National Fire Prevention Association (NFPA), The current Virginia Statewide Fire Prevention Code (VSFC), the current International Fire Code (IFC), the Uniform Statewide Building Code (USBC), current International Building Code (IBC) and the Occupational Safety and Health Administration (OSHA).

2 Responsibilities

The health and safety of employees, Cadets and visitors is of paramount importance to everyone working and learning at the Post. The concern the Post displays for its employees, Cadets and visitors mirrors the character and strength of Virginia Military Institute commitment to its academic mission. Each employee and department is expected to perform in a safe and healthy manner in compliance with the regulatory requirements.

2.1 Virginia Military Institute (VMI)

The Occupational Safety and Health Administration (OSHA) requires VMI to provide each employee “a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm”. All employees – including managers and supervisors – play a role in helping VMI meet this general obligation. In accordance with VMI’s mission to provide a safe and healthy living, learning, and working environment for employees, Cadets and visitors. The VMI Fire and Safety Office strives to obtain the highest level of safety that can reasonably be achieved. The VMI Fire and Safety Office personnel will assist all VMI departments with the evaluation of their workplace, work processes or with obtaining proper approvals from regulatory authorities when required.

2.2 Supervisors

Departments are expected to maintain safe and healthy living, learning and working environments for faculty, staff, Cadets and visitors. Supervisors must implement the requirements of this program to ensure compliance with applicable codes, regulations and policies. They must also be aware of applicable training requirements necessary under OSHA programs or the fire code. Supervisors should periodically inspect and/or coordinate the inspection of workplaces to identify hazards. The VMI Fire and Safety Office will assist in eliminating identified hazards. This responsibility will fall to the highest supervisory level of each departmental unit unless otherwise specified.

2.3 Building Coordinator

Building coordinators serve an important role in both emergency preparedness and building maintenance. Their duties include serving as primary contact between occupants and support offices (i.e. Physical Plant, VMI Police, Safety Office and others).

Monthly inspections of the building include the following:

- Support all fire drills ○ Exit Lights/Emergency Lights are working correctly ○ Fire Doors remain closed at all times ○ Stairways remain clear ○ Accessible exit ways ○ Electrical devices for appliances are used correctly ○ Electrical panel boxes remain clear and accessible ○ Flammable/Combustible materials stored as required by the Fire and Life Safety Program
- Assist safety officer during building fire inspections/correct violations within time specified by The VMI Fire and Safety Officer

Building Coordinators prepare buildings for safe evacuation before an emergency and assist in the evacuation during an emergency.

2.4 Employees and Cadets

Staff, faculty, Cadets and visitors play an important part in ensuring safety. All must do what they can to protect themselves and others, and respond appropriately during emergencies. Employees must avail themselves to all information pertaining to the safe work conduct, regardless of the setting. Cadets must also participate in fire and life safety programs and respect the safety of others. The VMI Fire and Safety Office offers safety training programs for both employees and Cadets.

2.5 Contractors

Contractors working on Post are expected to observe and abide by all Post, state and federal regulations, policy and codes.

3 Emergency Planning and Preparedness

Emergency Evacuation Planning

No one expects an emergency or disaster to affect them or their work area. However, an emergency or a disaster can strike anyone, anytime and anywhere. A workplace emergency is an unforeseen situation that threatens Cadets, staff, faculty and visitors, disrupts or shuts down part or all of the Post, or causes physical or environmental damage. Emergencies may be natural or manmade and include the following:

- Floods, • Toxic gas releases, • Civil disturbances,
- Hurricanes, • Chemical spills, • Workplace violence
- Tornadoes, • Radiological accidents, resulting in bodily • Fires, • Explosions, harm and trauma

An emergency evacuation plan details the actions one must take to ensure employee safety from fire and other emergencies. A department emergency action plan should be comprehensive. It should address any issue that may arise during an emergency, including those that are worksite specific (e.g., hazardous materials, type of fire alarm system, etc.)

When developing an emergency evacuation plan, look at a wide variety of potential emergencies that could occur in the workplace. Do a hazard assessment to determine what, if any, physical or chemical hazards in the workplace could cause or exacerbate an emergency, or impede emergency response efforts. A Hazard Assessment Checklist is found in Appendix C; the checklist is only a tool to assist identifying hazards in the work area or building. It is not meant to be an Emergency Evacuation Plan. If there is more than one worksite, each site should have an emergency action plan developed that is specific to the conditions at that site.

At a minimum, an emergency evacuation plan must include the following:

- A preferred method for reporting fires and other emergencies;
- An evacuation policy and procedure;
- Emergency escape procedures and route assignments, such as floor plans, workplace maps, and safe areas;
- A contact list within the department responsible for the emergency plan;
- Procedures for assigned employees that perform or shut down critical plant operations, operate fire extinguishers or perform other essential services that cannot be shut down for every emergency alarm before evacuation;
- Rescue and medical duties for assigned employees.

Designate an assembly location and procedures to account for all employees after an evacuation.

Specific elements must be included in an Emergency Evacuation Plan as follows.

1. Written Emergency Evacuation Plan	An Emergency Evacuation Plan program template is available in Appendix C. Use as a guide for developing an Emergency Evacuation Plan.

2. Alarm Systems	Methods should be established for alerting workers in the event of an emergency. If an audible alarm is used, it must be distinctive from any other type of alarm used in the building. In buildings where no fire alarm system is present, a method of verbal communication must be

established to notify building occupants.

3. Training

All employees must be trained to assist in a safe and orderly evacuation in the event of an emergency. All those covered by the plan should be trained at the following times:

- Initially when the plan is developed.
- When responsibilities or designated actions change.
- When the plan is changed.
- At first hired or transferred to the Department.

General training for all employees should address the following:

- Individual roles and responsibilities;
- Threats, hazards and protection from hazards;
- Notification, warning and communications procedures;
- Means for locating family members in an emergency;
- Emergency response procedures;
- Evacuation, shelter and accountability procedures; – Location and use of common emergency equipment; – Emergency shutdown procedures.

Once an emergency evacuation plan is reviewed and all employees have received proper emergency response training as stated in the previous section, practice drills should be held as often as necessary to keep employees prepared. Auxiliary Services can assist building coordinators with fire drills and contact the appropriate outside agencies, such as the fire and police departments.

4 Fire Drills and Evacuations

Fire drills are a vital part of a comprehensive Post fire safety program. Drills should familiarize occupants with procedures and help make those procedures part of an established routine.

If a fire alarm sounds and there has been no prior notification that it is a drill, take immediate action, evacuate the building and find protection.

Providing well-marked exits does not ensure life safety during a fire or emergency. Exit drills are needed so that occupants will know how to make an efficient and orderly escape. Before a fire, occupants should:

- Know the location of the fire alarm pull stations and how to activate them.
- Know the location of two exits.
- Know the location of and how to use fire extinguishers.
- Post the phone numbers of the Post Police near their phone.
- Report any tampering or malfunction of fire protection equipment to the Commandant's Office or The VMI Fire and Safety Office.
- Know the location of the predetermined assembly point.
- Keep fire doors closed.

4.1 Drills

The Office of Fire and Safety Programs conducts fire drills in the Barracks throughout the year. The Office of Fire and Safety Programs coordinates the drills with a representative of the Commandant's Staff. The drills are scheduled to maximize effectiveness and provide real-world metrics while also minimizing negative impact on day-to-day operations. Drills will be conducted at various times under different weather conditions to simulate actual conditions that may be present during a real emergency. Emphasis will be placed upon orderly evacuation with proper discipline rather than speed. Any person who fails to immediately evacuate the Barracks during an alarm will be judicially charged with failure to vacate. Meetings will be scheduled with appropriate staff members when needed to discuss metrics and evaluate procedures for efficiency and usefulness.

IF THERE'S A FIRE

SOUND THE ALARM
If a fire is discovered, sound the building fire alarm.

LEAVE THE BUILDING
Try to assist others ONLY if it can be done safely.
Move at least 50 feet away from the building; remain out of the way of the fire department. Do not go back into the building until the fire department says it is safe to do so.

CALL THE FIRE/POLICE DEPARTMENT – 911
Dial 911 or use an "emergency" phone.
Give as much information as possible to the 911 operator.

4.1.1 Procedures for Reporting a Fire

If you discover or suspect a fire:

- Pull the nearest fire alarm station to alert residents.
- Leave the building.
  (Try to rescue others ONLY is you can do so safely)
- Move away from the building and out of the way of the fire department.
  (Don't go back into the building until the fire department says it is safe to do so)
- Call the Fire/Police Department.
  (From a Post phone dial 911)

4.1.2 Procedures for Exiting

- Exit the building as calmly and quickly as possible using the nearest safe exit. Do not use the elevator.
- Alert all persons in your area.
- Close doors on your way out, leave the door unlocked, wear a coat and shoes, and take a towel to place over your face in case of smoke.
- Proceed to the assigned assembly area. Remain outside until the appropriate signal is given to re-enter.
- If all exits are blocked go back to your room, close the door and call 911 to report your location.
- If your clothing should catch on fire, drop and roll to smother the flames.
- Feel the doorknob with the back of your hand before opening any door. If it is hot do not open the door. Brace yourself behind the door, crouch low, and open the door slightly if it is warm. If heat or heavy smoke is present, close the door and stay in your room. Stay low to the floor.
- If the City Fire Department responds, they will assume control of the building. Cadets and staff must give full cooperation to the Fire Department.

4.1.3 Responding to a Fire Emergency

If a fire emergency occurs, all persons at Virginia Military Institute have the responsibility to take immediate and appropriate action. The Emergency Response Plan will be activated and all personnel must evacuate the building.

There is no expectation for an employee to attempt to extinguish a fire or otherwise remain in their workplace upon being notified of a fire emergency. However, assigned employees may be required to maintain critical equipment or services or to arrange for the orderly shutdown of hazardous processes. Such a requirement should be contained in the employee's job description.

4.1.4 Emergency Procedures

- If you cannot safely leave the room, seal the cracks around the door with wet towels. Call VMI 911 or 463-9177 to report your location.
- Open the window a few inches for fresh air and hang a brightly colored cloth or bed sheet out the window to alert the Fire Department of your location. If you have flashlights use it to signal with at night.
- If smoke gets in your room, keep low and dampen a cloth with water, place it over your nose and breathe lightly through it.

- Stay calm. Do not jump from windows above the second floor. Rescue personnel have the proper equipment to get to you quickly.

4.2 Evacuation Plans

Evacuation plans shall be posted in all rooms and floors of all Academic Buildings. The plans show the locations of fire exits. The plans are conspicuously located and updated as needed by the Physical Plant.

4.2.1 Non Residential Buildings

- *Training*: The Office of Fire and Safety Programs will facilitate all training of VMI community members in fire evacuation procedures for academic buildings.
- *Drills*: Fire drills will be conducted in buildings by a representative of the Office of Fire and Safety Programs.
- *Evacuation Plans:* Evacuation plans for non-residential buildings will be posted at each classroom, elevator bank or in hallways. The plans show the locations of all exits. The plans are conspicuously located and updated as necessary by the Physical Plant. At the beginning of each semester it is the responsibility of the building coordinator to go over the evacuation plan and direct occupants to the nearest safe exit in case of an actual alarm.

4.2.2 Emergency Evacuation for Persons with Disabilities

The following provides a general guideline of the evacuation procedures for persons with disabilities during fire and other building emergencies. Faculty, staff, and Cadets with disabilities must work with their building mangers and the building coordinator to identify their primary and secondary evacuation routes from each building they use. In that regards, individuals with disabilities that may preclude them from quickly existing from a building need to:

- Be familiar with evacuation options.
- Seek evacuation assistants who are willing to assist in case of an emergency.
- Ask supervisors, instructors, Office of Cadet Life, or building coordinators about the evacuation plan

Most VMI buildings have accessible exits at the ground level floor that can be used during an emergency. However, in many buildings people will need to use stairways to reach building exits. Elevators cannot be used because they have been shown to be unsafe to use in an emergency and in some buildings they are automatically recalled to the ground floor.

4.2.2.1 Evacuation Options

Persons without disabilities must evacuate to the nearest exit. Persons with disabilities have four basic evacuation options.

- *Horizontal* evacuation: using building exits to the outside ground level or going into unaffected wings of multi-building complexes.
- *Stairway* evacuation: using steps to reach ground level exits from the building.
- *Stay in Place:* unless danger is imminent, remaining in a room with an exterior window, a telephone, and a solid or fire-resistant door is a viable option. With this approach, the person may keep in contact with emergency services by dialing 911 and reporting his or her location directly. Central Dispatch will immediately relay the individual's location to on-site emergency personnel, who will determine the necessity

for evacuation. Phone lines are expected to remain in service during most building emergencies. If the phone lines fail, the individual can signal from the window by waving a cloth or other visible object.

- The "Stay in Place" approach may be more appropriate for sprinkler protected buildings or buildings where an area of refuge is not nearby or available. It may also be more appropriate for an occupant who is alone when the alarm sounds. A solid or fire-resistant door can be identified by a fire label on the jam and frame. Non-labeled 1 3/4 inch thick solid core wood doors hung on a metal frame also offer good fire resistance.
- *Area of Refuge*: with an evacuation assistant, going to an area of refuge away from obvious danger. The evacuation assistants will then go to the building evacuation assembly point and notify the on-site emergency personnel of the location of the person with a disability. Emergency personnel will determine if further evacuation is necessary.

Usually, the safest areas of refuge are enclosed stairways if unable to go to the outside. Other possible areas of refuge include: fire rated corridors or vestibules adjacent to exit stairs, and pressurized elevator lobbies. Many buildings feature fire rated corridor construction that may offer safe refuge. Taking a position in a rated corridor next to the stair is a good alternative to a small stair landing crowded with the other building occupants using the stairway.

For false or needless alarms or an isolated and contained fire, a person with a disability may not have to evacuate. The decision to evacuate will be made by the responding county or city fire department. The fire department will communicate their decision to the VMI Police in the more expeditious fashion.

4.2.2.2 Disability Guidelines

Prior planning and practicing of emergency evacuation routes are important in ensuring a safe evacuation.

- *Mobility Impaired - Wheelchair*
  Persons using wheelchairs should stay in place, or move to an area of refuge with their assistant when the alarm sounds. The evacuation assistant should then proceed to the evacuation assembly point outside the building and tell the VMI Police or the responding fire officials the location of the person with a disability. If the person with a disability is alone, he/she should phone emergency services at 911 with their present location and the area of refuge they are headed too.

  If the stair landing is chosen as the area of refuge, please note that many buildings have relatively small stair landings, and wheelchair users are advised to wait until the heavy traffic has passed before entering the stairway.

  Stairway evacuation of wheelchair users should be conducted by trained professionals (i.e. the fire department or other trained emergency responders). Only in situations of extreme danger should untrained people attempt to evacuate wheelchair users. Moving a wheelchair down stairs is never safe.

- *Mobility Impaired - Non-Wheelchair*
  Persons with mobility impairments, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the person with a disability may choose to stay in the building, using the other options, until emergency personnel arrive and determine if evacuation is necessary.

- *Hearing Impaired*
  Some buildings on Post are equipped with fire alarm strobe lights; however, many are not. Persons with hearing impairments may not hear audio emergency alarms and will need to be alerted of emergency situations. Emergency instructions can be given by writing a short explicit note to evacuate.

  Reasonable accommodations for persons with hearing impairments may be met by modifying the building fire alarm system, particularly for occupants who spend most of their day in one location.

- *Visually Impaired*
  Most people with a visual impairment will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the commonly traveled route, persons who are visually impaired may need assistance in evacuating. The assistant should offer their elbow to the individual with a visual impairment and guide him or her through the evacuation route. During the evacuation the assistant should communicate as necessary to ensure safe evacuation.

A form for reporting and recording fire drills is included as Appendix A. The VMI Fire and Safety Office will keep a copy of these reports when completed.

5 Public Assembly Occupancies

5.1 Definition of a Public Assembly

Assembly occupancies include, but are not limited to, all buildings or portions of buildings used for gathering together 50 or more persons for such purposes as education, deliberation, worship, entertainment, eating, drinking, amusement, awaiting transportation or similar uses, or that are used as a special amusement building regardless or occupant load. (NFPA Life Safety Code, current edition)

Public assembly events involve various risk factors associated with having large numbers of people in one location. The primary risk factors are high occupant density, occupants that are not familiar with the building, occupants who may be impaired due to consumption of alcohol or drugs, and events held where there is limited lighting. These risks can be managed through proper event planning and management.

All persons planning public assembly events are encouraged to contact The VMI Fire and Safety Office for information and assistance. Consultation is available by telephone, email, and meeting and at the event site.

In order to comply with the requirements of the Virginia State Fire Prevention Code, it may be necessary to contact The VMI Fire and Safety Office to request permits and/or approvals as noted in Appendix H. Required approval and inspections must be requested as far in advance as possible.

Examples of assembly occupancies found both on and off Post include large lecture halls, auditoriums, sports arenas, theaters and restaurants. All assembly areas are required to have signs posted indicating occupancy limit.

The employees or attendants of the area must be trained in emergency evacuation procedures and practice their duties during fire drills. They must also be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment where provided. In “live” theaters, motion picture theaters, auditoriums, and other similar assembly occupancies, an audible announcement must be made not more than ten minutes prior to the start of each program to notify occupants of the location of the exits to be utilized in case of fire or other emergency and any other emergency procedures unique for the assembly area.

5.2 Planning and Management Guide

5.2.1 Information and Assistance

General Information for Event Planning	Planning for all events should begin by contacting The VMI Fire and Safety Office. When fire or life safety is in question.

All persons planning public assembly events are encouraged to contact The VMI Fire and Safety Office. 464-7040

Consultation is available by telephone, email, meeting, and at the event site.

In order to comply with the requirements of the Virginia Statewide Fire Prevention Code, it is necessary for Safety Office personnel and/or the State Fire Marshal's Office (SFMO) to make certain approvals as noted in these guidelines. Required approvals and inspections should be requested as far in advance as possible.

The VMI Fire and Safety Office and/or Lexington Fire Department personnel are required to be present for certain events such as indoor pyrotechnics, outdoor fireworks, and large scale events. The sponsors and/or VMI Police also provide services for events that may have security concerns upon request.

Definition of Public Assembly

Public assembly events involve various risk factors associated with having large numbers of people in one location. The primary risk factors are the high occupant density, occupants that are not familiar with the building, and in some cases reduced lighting levels within the venue. These risks can be managed through proper event planning and management.

The Virginia State Fire Prevention Code defines public assembly occupancy as follows:

Assembly occupancies include but are not limited to, all buildings or portions of buildings, used for gathering together 50 or more persons for such purposes as deliberation, worship, entertainment, eating, drinking, amusement, or awaiting transportation.

Examples of assembly occupancies found on Post include large meeting rooms and classrooms, auditoriums with fixed or loose chair seating, multi-purpose rooms, concert halls, theaters, sports arenas, field houses, restaurants and libraries.

Tents Are Considered Buildings

Tents must meet most of the same requirements as buildings.

Outdoor Spaces

Enclosed open areas must meet the same requirements as buildings. Fenced open areas must have at least two exits—or more, depending upon the number of people within the enclosure. Temporary Stages and/or stands must be installed under a work order/permit.

Large Scale Events

All events intended to, or that have the potential to, attract large crowds must be coordinated through a number of Post departments and divisions. These include but are not limited to: Events Planning, VMI Police, Physical Plant, and The VMI Fire and Safety Office

5.2.2 Fire and Life Safety Planning and Management Information

Room Capacity

Information on Post room capacities may be obtained from The VMI Physical Plant Office. They determine the legal capacities according to Virginia Statewide Fire Prevention Code (SFPC) for existing buildings/areas. Be aware that the occupant load is the maximum capacity based on the net clear floor area. Stages and other obstructions, seating arrangements and the use of tables will decrease the capacity. The type of event is also a determining factor. When planning for an event consider the following:

Use	*Minimum area per person*
Concentrated (concerts, dances, lectures)	7 sq ft per person
Less concentrated (dining room, exhibit room)	
Fixed seats	15 sq ft per person
Stage (persons on stage)	
	# of fixed seats
	15 sq ft per person

Exits

The number of exits required from the room/area is based on the capacity.

Number of person's	*Minimum number of exits*
1 - 500 persons	2 remote exits (minimum)
501 - 1000 persons	3 remote exits (minimum)
More than 1000 persons	4 remote exits

Exits must remain unobstructed and provide clear access to the outside at all times. Wires or cables are not permitted to be placed in front of exits or on steps. All wires or cables on floors must be properly taped down or covered to avoid creating tripping hazards.

Set-up Plans

The placement of stages, seats, equipment (including wiring), and security arrangements affect the exits and access to exits.

Standard set-up plans exist in most buildings. The management of the respective facilities maintains these plans. Set-up plans for other spaces, spaces that are not routinely used for public assembly (including lobbies and atriums), or any plans that are different from existing standard plans must be reviewed in advance by Safety Office and /or Physical Plant Engineering personnel for conformance with the SFPC.

The use of "festival" style seating (e.g., general admission without the use of actual seats) is prohibited for venues that have an occupant load of 1000 or greater.

Tents

Tents over 900 square feet are required to obtain a permit from the VMI Physical Plant.

Tent material must be properly certified as flame retardant. Some tents have attached labels. When labels are not attached, sponsors, promoters, or other production personnel must provide documentation that certifies that the tent material is flame retardant. Certification must be based on NFPA 701, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films. Where such a certification cannot be provided, The VMI Fire and Safety Office and/or the SFMO will request to take a sample of the material to perform a "field flammability test"; if this request is not allowed or the material fails the test, the structure must be removed immediately. Note that the taking of such a sample will damage the structure, and neither The VMI Fire and Safety Office nor the SFMO will assume responsibility for this damage.

Flooring for tents must be non-combustible. Straw, hay, wood chips, mulch, or other similar combustible materials are prohibited from use as flooring in tents.

Use of open flames (including those used for cooking or warming of food) and heaters must be approved in advance by Safety Office personnel.

Tent suppliers must be able to certify that tents have been erected in accordance with the manufacturer recommendations, industry standards, and code requirements.

Special Amusement Buildings

Any building or portion of a building that is permanent, temporary, or mobile that is occupied for amusement, entertainment or educational purposes and is arranged such that the means of egress to an exit is not readily apparent due to visual or audio distractions is a 'special amusement building'. Examples include haunted houses and carnival amusement trailers.

Expositions

Expositions of products or other displays have a number of special requirements. Contact Safety Office personnel for guidance on this issue.

Exit Notices (Announcements)

The person in charge of a theater or place of assembly is required to call the attention of everyone present, immediately before the beginning of an event, to the location of exits and to state that the exits are not locked. The person in charge must also announce the following:

"Notice. For your own safety, look for the nearest exit. In case of emergency, walk; do not run, to that exit."

This requirement can be met by any of the following methods:

1. Notices made orally
2. Notices shown on the cinema screen
3. Notices printed on the back of a program (by itself, in 1/4 inch high letters)
4. Notices displayed on a fixed sign visible from all points in an assembly room.

Decorations and Theatrical Scenery

All materials used for decorations and theatrical scenery, including the drop used behind stages during concerts, must be Class "A" rated for flame spread. Foamed plastics and materials must meet the requirements of the SFPC; if such materials are to be used, please contact The VMI Fire and Safety Office for guidance. Sponsors, promoters, or other production personnel must have documentation that certifies that the material meets this requirement. Safety Office personnel may ask to see these certificates prior to the start of an event. If there is no documentation to certify that the material is acceptable, Decorations must not block exits or fire safety equipment, nor impede the function of the fire curtain if one is present.

Open Flames

Safety Office personnel must approve open flames used during public assembly events for any purposes other than decoration and cooking (unless otherwise noted). This includes, but is not limited to, any open flame used in the course of a performance. (See Open Flames and Burning section in the Fire and Life Safety Program.)

Open flames used for decoration and cooking must comply with the table below. Users are required to have adequate safety precautions and are encouraged to contact Safety Office personnel for consultation.

Candles and Decorative Devices

Class I and Class II liquids and LP gas may not be used, unless authorized by The VMI Fire and Safety Office.

Liquid or solid fueled lighting devices containing more than 8 ounces of fuel must self-extinguish and not leak fuel at more than 0.25 teaspoon per minute if tipped over.

Devices or holders must be constructed to prevent the spillage of liquid fuel or wax at the rate of more than 0.25 teaspoon per minute when the device or holder is in the upright position.

Candles with protected flames may be used on tables used for food service where securely supported on substantial noncombustible bases located to avoid the danger of ignition of combustible materials.

Devices that do not self extinguish must return to the upright position if tilted to an angle of more that 45 degrees from vertical.

Flames must be enclosed. Openings on the side must not be more than 3/8-inch diameter. Openings on the top must be distant enough from the flame so that a piece of tissue paper placed on the top will not ignite in 10 seconds.

Non-combustible chimneys are required to be securely attached to the device. Chimney is not required if the device is self-extinguishing.

Shades, if used, must be non-combustible.

Fuel canisters must be safely sealed for storage.

Cooking

Equipment fueled by small heat sources that can be readily extinguished by water, such as candles or alcohol-burning equipment, including solid alcohol may be used.

Flamed dishes, such as cherries jubilee or crepe suzette, may be used, if a fire extinguisher is located in the area of use.

Small portable LP gas cooking equipment (less than 2 lbs) may be used under the following conditions:

· Equipment must be listed for indoor use in commercial restaurants by an approved listing agency such as Underwriters Laboratories (UL) or Factory Mutual Systems (FM).

· Equipment must be used in strict accordance with the manufacturers and listing agency's instructions including replacement fuel and parts.

· Employees working with portable butane gas stoves must be instructed on the proper use of the stoves. A trained employee must be in attendance at all times that the stoves are used by customers.

· Portable gas stoves, when used, must be placed on noncombustible surfaces and kept clear of surrounding combustibles

Performing Arts

Small open flames used by outdoor performers, such as jugglers, are approved on a case-by-case basis. Contact Safety Office personnel to arrange a review of the proposal. Performers must be prepared to demonstrate their safety procedures and may be required to have certificates of insurance.

Open Fires (outdoors)

Any open fire, with the exception of small-contained cooking fires, requires an Open Fire Permit in accordance with the Virginia Statewide Fire Prevention Code (Sec. F403.4.2) and written permission from The VMI Fire and Safety Office.

Open fires are limited to the dimensions of 5' X 5' X 5' and must be at least 50 feet from buildings and other exposures. Open fires may also need approval by Buildings and Grounds Department and/or the Virginia Department of Environmental Quality. Open fires are limited to the hours between 4:00pm - 12:00 midnight. Other environmental restrictions may also apply. The Open Burn Permit includes directions for obtaining necessary approvals.

Cooking fires, which do not require a permit, must be at least 15 feet from buildings and be located so that smoke does not enter buildings.

Pyrotechnics/ Fireworks

The indoor and outdoor use of pyrotechnics is strictly regulated and requires proper approval and permits.

Indoor pyrotechnics and outdoor fireworks displays require an *Application for the Display of Pyrotechnics/Fireworks at VMI* to be made and approval by both The VMI Fire and Safety Office and the State Fire Marshal's Office must be given. The event sponsor or producer must apply for the approval no less than 15 workdays prior to the event. The VMI Fire and Safety Office will issue site approval for the permit, coordinate the application process, and support the SFMO with the inspection of the pyrotechnics/outdoor fireworks site on the day of the show for conformance with applicable fire codes.

Fog Machines	The use of fog machines during a performance, dance, or other public assembly event may activate smoke detectors and/or obscure exits. Areas where fog machines are going to be used must be evaluated so that accidental activation of the fire alarm system or obscuring of exits is avoided. Contact Safety Office personnel to arrange an evaluation of the proposal.
Event Staff/ Crowd Managers	Crowd Managers are responsible for maintaining clear exits, ensuring that there is no overcrowding, initiating a fire alarm if necessary, directing occupants to exits, and providing general fire and life safety awareness. A minimum of 1 Crowd Manager is required for every 250 occupants. Crowd Managers may be comprised of ushers, house managers, gate personnel, security personnel, police aides, or police officers. Employees or attendees of assembly occupancies must be trained in emergency evacuation procedures and practice this training during drills. They must also be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment, where provided. Safety Office personnel are available to provide training for all persons with this responsibility.
Post Event Procedures	At least one person should be responsible for completing a Post event check. Items to check for include verifying that: all smoking materials (where smoking is allowed) and open flames have been safely extinguished (where open flames are approved); unnecessary electrical equipment has been turned off; and, any obviously hazardous condition has been corrected. This is extremely important in residential facilities.
Generators	Generators must meet all electrical code requirements including proper grounding. All wires that may pose a tripping hazard must be covered or otherwise secured. Generators must be located so that exhaust does not enter buildings or tents.
Insurance	Proof of insurance is required for outside groups/events that come to the Post. Contact the appropriate POC in Smith Hall for more information.
Emergency Medical Services (EMS)	As an organizer of an event on Post, emergency services must be ensured (e.g. police, rescue squad, fire department) can be summoned in the event of an emergency. For events where a public or pay telephone is not immediately accessible, a cell phone or similar means must be available on site to summon emergency services. Organizers of events should consider whether it would be prudent to have emergency medical services on standby at the event. VMI may require that EMS be available for certain size/type events. The number and level of EMS required will determined during pre-event planning. Events of over 2000 or 7000 persons will generally be required to have a minimum of one or two ambulance(s) on-site respectively.

6 Means of Egress (Exiting)

6.1 Elements of Egress

An obvious, adequate, and unobstructed means of egress is the first line of defense for building occupants in any emergency. The "*means of egress*" has three parts:

Exit Access	The exit access (portion of a means of egress that leads to the entrance of an exit),
Exit	The exit (portion of a means of egress that is separated from other areas of the building from which escape is to be made by walls, floors, doors, or other means that provide the path necessary for the occupants to proceed with reasonable safety to the exterior of the building); and
Exit Discharge	The exit discharge (that portion of a means of egress between the termination of the exit and a public way).

6.2 Egress Policy

General	The means of egress from each part of the structure, including exits, stairways, egress doors, and any panic hardware must be maintained in a safe condition and available for immediate use and free of all obstructions. These same obstructions cannot be located in a manner that interferes with fire-fighting access. Combustible materials such as paper signs and posters cannot exceed more than 10% of the total wall area. Items located in stairwells or that block exit doors, restrict corridors, or block access to fire emergency equipment constitute serious fire and life safety hazards and are violations of the State Fire Prevention Code.
Stairwells and Corridors	Stairwells and corridors are intended to provide a safe and adequate means for building occupants to exit the building and for emergency personnel to access the building during an emergency. Tables, showcases, holiday decorations (Christmas trees), vending machines or other obstructions cannot obstruct aisles, passageways or stairways during hours when the building is open to the public. Display boards, signs, coat racks and any other movable equipment that obstructs the path of egress are prohibited. Draperies and similar hangings must be fire retardant and cannot obscure an exit. Any storage in stairwells is prohibited at all times. The State Fire Prevention Code does not permit equipment, such as vending machines, to be placed in any stairwell. This is to ensure safe egress for occupants in the event of an emergency.
Aisles	In each room where chairs and/or tables are utilized, the arrangement needs to provide for ready egress by aisle paths and aisles to each egress door.

The minimum required width is 44 inches where serving an occupant load greater than 50, and 36 inches where serving an occupant load of 50 or less for the entire room.

Chairs, table or other objects cannot obstruct the clear width of aisles.

Posting Egress Routes

Egress routes must be posted, at eye-level, where the exit path is not immediately obvious. Egress routes should be graphically illustrated and posted in:

- remote areas;
- office suites;
- long hallways;
- rooms or areas occupied by more than 49 people;
- laboratories; and,
- Protected corridors.

Egress Awareness

Building occupants should take the time to become more familiar with their building. Occupants should think of an emergency scenario that would require them to evacuate, and then determine a primary and an alternative means of egress for themselves. They should also become more familiar with what is going on above and below the level where they normally work. Employees should walk the halls and notice the placement of portable fire extinguishers. If the building is so equipped, notice the location of other fire protection systems, such as fire alarm system pull stations and sprinkler heads.

Fire Lanes

Designated fire lanes must be maintained free of obstructions and vehicles to allow efficient and effective operation of fire apparatus. Fire lanes are required to have a minimum width of 18 feet. Signs and markings designating the fire lanes must be maintained in a clean and legible condition at all times. Signs must be replaced when necessary to ensure adequate visibility.

Elevator Recall

All modern Post elevators with a travel distance of 25 feet or more above or below the primary level of elevator access for emergency fire fighting or rescue personnel may have elevator recall installed. This means, when a smoke detector is activated the elevator will automatically be recalled to the primary floor. Older elevators that do not have this capability will be upgraded, as funding becomes available.

7 Fire Prevention

Fire prevention starts with identifying fire hazards. All members of the Post, faculty, staff, Cadets and visitors have a personal obligation to be aware of fire hazards and to reduce or eliminate the risk of fire on Post.

7.1 Elements of Fire Prevention Planning

- Develop a list of all major fire hazards

- Ensure proper handling and storage procedures for hazardous materials.
- Identify potential ignition sources and the means used to control them.
- Develop a list of fire protection equipment necessary to control each major hazard.
- Establish procedures to control the accumulation of flammable and combustible waste materials.
- Establish procedures for regular inspection and maintenance of safeguards installed on heat-producing equipment to prevent accidental ignition of combustible materials.
- Identify by name or job title employees responsible for control of fuel source hazards.

In addition, the department must communicate certain information to employees, which includes:

- Informing each employee of the fire hazard(s) to which he or she is exposed.
- Review with employees, when they are initially assigned to a job, those parts of the fire prevention plan that are necessary for employees to protect themselves from potential fire hazards.
- Review the fire prevention plan again with any employee that is reassigned to a new job with different hazards.
- Review the plan with all employees any time a change is made to the plan.
- Review the plan with all new hires.

7.2 Identifying Common Fire Hazards

The following is a list of common fire hazards that may be in the workplace.

Scrap, waste materials, dust and trash	When these items are allowed to accumulate, the risk of fire is increased. Under the right conditions, the buildup of dust from wood, plastic or certain metal operations can lead to a fire or explosion.
Unsafe use, storage, dispensing or disposal of flammable materials	Flammable materials can be a prime source of fire and explosion
Improper storage of combustible materials	Ordinary combustible materials, like paper, cardboard, wood and products made from these materials, can present a fire hazard when they are allowed to accumulate or are stored improperly.
Use of extension cords and multiple plug adapters	Extension cords and multiple plug adapters may only be used for temporary operations. Overloaded circuits damaged wiring and defective switches and outlets can all lead to electrical fires. Power strips with circuit breaker protection and 3 to 20 foot cords may be used in place of residential extension cords and multiple plug adapters. Each power strip must be plugged directly into the wall outlet. The Fire Code prohibits “daisy” chaining power strips into one another.
Hot work hazards	Any operation involving heated materials or open flames presents a fire hazard. *Hot Work Procedures* have been developed. Refer to page 26 for more information.

Inadequate machine and equipment maintenance	Machines that are not lubricated properly can overheat and start a fire. Electrical problems and equipment defects can lead to a fire. Routine inspection and maintenance of all machines and equipment can prevent fire hazards.
Careless smoking	Smoking is prohibited in facilities owned or leased by VMI. Some exceptions are made for certain residential facilities. Outdoors, discarded smoking materials carelessly tossed in waste containers or into landscaping can easily start a fire. Use approved waste containers to discard smoking materials.
Plastic and foam items	Departments using foam or plastic cups, utensils, etc. close to heat sources may not realize that these materials are combustible. Foam cups left next to a coffee maker can quickly start a fire. Plastic and foam burn rapidly and give off dense toxic black smoke.
Electric space heaters	Electric space heaters are prohibited in all buildings and Barracks throughout Post. If space heaters are needed, authorization from the VMI Fire and Safety Office is required.
Portable fans	Small portable fans help improve ventilation in an area. They can also pose a fire hazard if placed near combustible materials or where the blades of the fan can easily catch items. Damaged wiring and mounting portable fans in walls increase the fire risk.
Aerosol spray cans	Read labels of all spray cans to identify those with flammable gaspropellants. Butane and propane is the most common propellant and should never be exposed to heat or flames.
Materials that spontaneously combust	Oily rags or other materials soaked in oil can start a fire by themselves if placed in areas where the air does not circulate.
Non-compliant renovation or maintenance	Renovation or maintenance projects that do not meet the requirements of the Virginia building or fire codes can result in improper egress, improper construction methods or materials, electrical hazards, and so on.

7.3 Interior Finishes and Decorations

Interior decorations are a common factor in the spread of fire. Decorations used during the holiday seasons are always a large concern. It is necessary to ensure that all decorations used meet the requirements of safety and fire resistance.

Interior Finish

The following are requirements to consider when planning a renovation or refinish of walls, ceilings and floors:

- All new finishes must meet the minimum requirements of NFPA standards and the building code.
- The VMI Fire and Safety Office is available to assist in determining the fire rating of a material.
- Finish Materials in corridors, places of public assembly and high hazard areas will be "Class A". This is the highest protection rating dealing with the flame spread and smoke production of a product or material.
- There is no such thing as "Fire Proof".
- Offices, sleeping rooms and less hazardous areas may use a "Class B" finish.
- Materials rated as "Class C" are not permitted in Virginia Military Institute properties. These materials have the lowest rating in safety, can be easily ignited, and may burn rapidly and/or produce excessive smoke.

Approvals

Normally, specific written approvals for holiday decorations will not be required. Written approval will be required if the decorations may interfere with any safety system or may conflict with one or more of the safety requirements in this policy.

Documentation

Any decoration, whether purchased from a store, dealer, catalog or other business or if handmade, will require documentation acceptable to The VMI Fire and Safety Office and/or the SFMO that the materials used meet the fire safety standards of fire resistance and safety.

Materials (fire resistance)

All materials used in decorations must meet the minimum requirements of NFPA 701, Standard Methods of Fire Tests for Flame Resistant Textiles and Films. The VMI Fire and Safety Office will provide the specific requirements upon request. It is recommended that The VMI Fire and Safety Office is contacted for consultation prior to purchasing or installing decorations if the rating is in question.

General requirements include:

Vegetation — Vegetation such as hay stacks, leaves, branches, large amounts of plant cuttings, etc. may not be used in any Virginia Military Institute building.

Live holiday trees — May not be used in any Virginia Military Institute's facilities. Faculty housing may have live trees, but should be watered daily and refer to page 26 electrical.

Locations — Decorations must not be attached to, hung from, or obstruct any emergency device, including sprinkler heads and piping.
Combustible decorations must not be hung from ceilings in such a way that a fire could ignite the decorations and endanger the occupants before evacuation. Unauthorized items found during inspections will be required to be removed.

Electrical

Electrical lights, decorations, and cords must comply with the following conditions:

- The device must be tested and approved by a recognized testing laboratory such as Underwriters' Laboratory (UL) or Factory Mutual (FM). The device must bear the appropriate label, sticker or tag supplied by the manufacturer.
- Do not use electrical decorations or cords on combustible vegetation, dry trees, curtains or any other combustible material that may be ignited by the heat or potential electrical short of the device.
- Extension cords may be used—on a temporary basis only—for decorations. The cord must be plugged directly into a building receptacle, not another extension cord.
- Multiple electrical devices may be plugged into an approved "Power Strip" which incorporates a breaker, on/off switch, is surge protected, and can reach the outlet without connection to another "surge protector" or an extension cord. Each power strip must be plugged directly into a wall outlet. This allowance does not apply to heat producing devices, which must be plugged directly into an outlet.
- Electrical decorations must be turned off and should be unplugged at the end of the day or when the building will be unoccupied for an extended period.
- Electrical decorations or cords must not be laid or taped across floors in such a way that they may cause a tripping hazard or interfere in any way with evacuation.

Any electrical decoration or cord that is damaged, worn, showing signs of overheating, etc. must be taken out of service and repaired or replaced.

Amount of Decorations

This program does not specifically limit the use of decorations; rather, a general rule of thumb by the Life Safety Code limits combustible material to 10% of the existing wall space of an area. The amount of decorations used will be limited by the following criteria:

- Decorations must not obstruct any corridor, exit or safety device.
- Decorations must not exceed the amount of combustibles that could be contained by any existing extinguishing system or quickly brought under control with a fire extinguisher.
- No amount of any combustibles that would aid in the rapid spread of fire such that it could endanger or entrap the occupants.

The amount of decorations may affect the occupant load of the area if such decorations cover any required floor area used in the calculation of the occupant load.

Luminaries

Luminaries are permitted for use both in the electrical and candle versions under the following conditions:

Indoors	- Candle type luminaries will not be used indoors. - Electric luminaries may be used according to the requirements of the electric section on the preceding page.
Outdoors	- Candle and/or electrical luminaries are permitted outdoors. - Candle types must be in an approved luminary's bag with at least 2" of sand (or like non-combustible material) in the bottom of the bag. The candle must be of a size that will allow adequate space between the candles and bag so as not to ignite the bag. - Candle types will not be placed within five (5) feet of combustible material, such as leaves or paper decorations. - An individual will be designated to supervise, control and manage the luminaries, and ensure that they are properly extinguished and properly discarded. - Candles must be extinguished at the end of the night or event unless the area is supervised. - Electrical luminaries must be rated for outdoor use. - Electrical cords and extension cords will not be placed so as to cause a tripping or fire hazard (i.e., frayed or narrated cords running along a path of dry leaves).

7.4 Basic Fire Prevention Strategies

After identifying the hazards in the area, take action to eliminate or control these hazards and prevent fires.

7.4.1 Housekeeping

Accumulation of combustible materials	The accumulation of combustible materials (such as cardboard boxes, magazine/journals and paper products) is prohibited. Combustible material must never be stored any closer than 36" from a heating appliance or electrical light. Properly dispose of those items no longer in use to avoid stacking and accumulation on counters, top of cabinets and desks.
Storage	Store materials in such a way that they will not obstruct the fire suppression sprinkler heads. Make sure items are 18 inches away from the ceiling if the room or area is protected by a fire suppression system (sprinklers) and 24 inches from the ceiling if there is no fire suppression system. Exceptions are allowed for attached wall shelving unless located directly under a sprinkler head. If wall shelving is located directly under sprinkler head a clearance of 18" must be maintained.
Decorations	Decorations, signs and other items cannot be hung on or near the sprinkler head.

Obstructing Portable Fire Extinguishers	Do not obstruct access to portable fire extinguishers. They must be clearly visible at all times.
Blocking Fire Doors	Ensure the fire doors are unobstructed and operate freely. Never block fire doors in the open position with wedges or stoppers. These doors are to remain closed to reduce fire and smoke spread through the rest of the building.
Spills on Floor	Correct any condition causing leaks or drips of flammable or combustible liquids and keep floor area free of spills.
Hoarding	Maintain premises free of unneeded and unnecessary combustible materials. Surplus or properly discard unused items being stockpiled or hoarded. Hoarding increases the risk of fire and possible structural damage due to increased weight loading on floors.
Clear Passage	Keep passageways clear of obstacles, including furniture and equipment.

7.4.2 Fire-Rated Doors and Fire-Resistant Barriers

Fire-rated Doors	Fire-rated doors are generally found at any opening to a corridor, stairwell, storage room, and mechanical and/or electrical equipment room. Blocking doors with wedges or other items allows smoke and fire to spread rapidly through a building, possibly preventing occupants from quickly evacuating during a fire emergency. Items used to illegally prop open fire doors will be confiscated when found.
Magnetic Door Hold Open Devices	Magnetic door hold open device are permitted only if they are tied into the fire alarm system or to single station smoke detector located in front of the door.
Renovation Projects	All building materials used in renovation and building projects must meet the state fire code requirements for fire-resistance, and all work must be performed in accordance with the building code requirements.
Fire stopping	All penetrations of floors, ceilings, and/or walls are avenues for smoke and heat travel. These penetrations must be properly fire stopped where required. This includes the replacing of ceiling tile when disturbed for any reason.

7.4.3 Electrical & Mechanical Equipment

Electrical defects, generally due to poor maintenance, mostly in wiring, motors, switches, lamps and hot elements are the number one cause of fires in industry. Fires in mechanical equipment are usually due to friction and contact with hot surfaces. By adhering to the following guidelines electrical and mechanical fires can be prevented.

- Use only UL or FM approved equipment.
- Install and maintain electrical equipment according to the National Electric Code.

- Establish regular maintenance on equipment.
- Ensure that extension cords are UL listed, suitable for the application, and only used as a temporary measure.
- Use proper size and type of fuses. Do not by-pass fuses.
- Ensure that terminal connections are clean and tight.
- Use only approved equipment in hazardous locations where flammable vapors, liquids, gases, and combustible dust are present.
- Do not store materials within three feet of an electrical panel, clear excess is required at all times.
- Check your work area for frayed wires; ensure that electrical equipment is working properly.
- When an electrical malfunction occurs always have it repaired as soon as possible.
- Do not use temporary or makeshift wiring.
- Properly lubricate machinery.
- Properly adjust and/or align machinery.
- Ensure that hot pipes are clear of combustible materials.
- Provide ample clearance around boilers, furnaces, and heaters.
- Keep soldering irons off combustible surfaces.
- Remove combustible dust and lint from bearings and shafting.
- Keep oil holes for bearings covered.
- Ensure that penetrations through fire walls, floors, or ceilings are fire stopped.
- Do not store combustible materials in mechanical storage rooms.

Wiring, Switches and Plugs	Inspect all wiring, switches and plugs. Report any damage found to Buildings and Grounds or have a qualified electrician make any repairs necessary.
Electrical Outlets	All electrical outlets, junction boxes, and electrical panels are required to have proper cover plates at all times. If a cover plate is found missing, contact the Physical Plant to have the hazard corrected.
Junction Boxes and Electrical Panels	Junction boxes and the breakers/disconnects in electrical circuit panels are required to be properly labeled advising what it controls for emergency response and maintenance personnel.
Wet Electrical Cords	Do not use electric cords or equipment that is damp or wet unless they are approved for such use. Do not connect or disconnect electrical cords or equipment with wet hands.
Overloaded Motors or Circuits	Do not overload motors or circuits; overloaded motors and circuits can easily be a source of ignition.
Lighting Fixtures	Report any problems with lighting fixtures to the Physical Plant immediately.
Faulty Heating Elements	Faulty heating elements can be a source of fire. Report any problem with heating equipment to the Physical Plant immediately.

Extension Cords	The improper use of electrical extension cords is strictly prohibited. Do not use extension cords in place of the permanent wiring in the building or for extended periods of time. If electrical power is needed and there is no outlet available, have additional outlets installed or use a power strip with breaker protection. Each power strip must be plugged directly into a wall outlet. Heavy duty, single appliance extension cords may be used for temporary use only, and must be plugged directly into an outlet.
Multiple Plug Electrical Adapters	The improper use of multiple plug electrical adapters is strictly prohibited. Remove the multiple plug adapters and install permanent electrical wall outlets or replace with power strips with breaker protection. Each power strip must be plugged directly into a wall outlet.
Don't try to fix electrical problems!	Report all electrical problems immediately to the Physical Plant, so that a qualified electrician can make the repairs.

7.4.4 Flammable and Combustible Materials

(See Appendix B for definitions, classifications and guidance on the storage of flammable and combustible materials.)

Flammable liquids are among the most common occupational hazards found in the work place. Flammable liquids can easily vaporize and form flammable and explosive mixtures in air. The flammability properties of a chemical should be checked before it is used. The danger of fire and explosions can be eliminated or reduced by strict handling, dispensing, and storage procedures.

7.4.4.1 Ventilation

Ventilation is essential to prevent a buildup of vapors that could lead to fire and explosion. Vapors must be controlled by confinement, local exhaust, or general room ventilation. Ventilation systems should be designed to keep the vapor concentration below 25% of the lower flammability level. Room ventilation is normally adequate to prevent the accumulation of dangerous concentrations of vapors if only very small quantities are released.

7.4.4.2 Ignition sources

Flammable liquids should never be heated with an open flame. Containers should always be kept closed to reduce the possibility of flammable vapors contacting an ignition source. When flammable liquids are used, all unnecessary ignition sources should be removed. Ignition sources include open flames, electrical equipment, hot surfaces, and static sparks.

7.4.4.3 Smoking

Carelessly discarded smoking materials are a major source of fires. Smoking is absolutely prohibited in woodworking shops, repair garages, and in areas where flammable liquids or combustible materials are used or stored. "No Smoking" and "Smoking" areas should be conspicuously posted. Matches and smoking materials must be discarded in a safe container rather than on the floor. Smoking is prohibited in areas where flammable liquids are used or stored.

7.4.4.4 Warning signs

"No Smoking" and "Flammable Liquids" signs shall be prominently posted in areas where flammable liquids are used or stored.

7.4.4.5 Fire extinguishers

Appropriate fire extinguishers must be located in work areas using flammable liquids

7.4.4.6 General storage

Flammable liquids should not be stored near heat, ignition sources, powerful oxidizing agents, or other reactive chemicals. Flammable liquids should not be stored near an exit, stairway, or any area normally used for the safe egress of people. Storage in glass bottles should be avoided if possible. If glass must be used, the bottle should be protected against breakage. The quantity of flammable liquids should be limited to what is immediately needed. As much as possible, working quantities should be stored in safety cans. Flammable liquids should not be stored above eye level. Store solvent soaked rags in closed metal containers and empty frequently.

7.4.4.7 Flammable Storage Cabinets

Quantities of flammable liquids greater than 10 gallons must be stored in flammable storage cabinets, approved safety cans, or a properly designed flammable storage room. Approved storage cabinets are designed to protect flammable liquids from involvement in an external fire for 10 minutes. All cabinets must comply with OSHA and NFPA requirements. Metal or wooden cabinets may be used if they comply with thickness and construction specifications. Maximum storage limits for flammable liquids in approved storage cabinets are 120 gallons. Of this total, only 60 gallons of Class I and Class II liquids are allowed. No more than three such cabinets may be stored in a fire area. Storage cabinets are not required to be vented. Venting a cabinet may defeat the cabinet's purpose of protecting the contents from involvement in a fire for 10 minutes. Cabinets must be labeled in conspicuous lettering "Flammable-Keep Fire Away."

7.4.4.8 Safety Cans

Portable approved safety cans may be used to safely store, carry, and pour flammable and combustible liquids. The main purpose of the safety can is to prevent an explosion of the container when it is heated. Safety cans must be UL listed and FM approved, and properly labeled to identify contents. All approved cans must have a lid that is spring loaded to close automatically after filling or pouring. The lid also acts as a relief valve when pressure builds up in the can. A flame arrestor screen must be inside the cap spout to prevent fire flashback into the can.

7.4.4.9 Refrigerators

Flammable solvents must not be stored in standard refrigerators; explosions may result from the ignition of confined vapors by sparking electrical contacts. These refrigerators should be posted as unsafe for storage of flammable liquids. Only explosion-safe or explosion-proof refrigerators may be used. Explosion-safe or flammable storage refrigerators have been modified to eliminate the spark producing mechanisms. Explosionproof refrigerators not only protect against flammable vapors inside the unit, but may also be used in rooms that have an explosive atmosphere. These units must be permanently wired to the electrical system.

7.4.4.10 Container size

Flammable and combustible liquids must be stored in appropriate containers according to their classification. Containers of flammable and combustible liquids are limited to the following sizes:

Class	Glass or Plastic	Metal (non DOT)	Metal (DOT)	Safety Cans
Class IA	1 pt	1 gal	60 gal	2 gal
Class IB	1 qt	5 gal	60 gal	5 gal

Class IC	1 gal	5 gal	60 gal	5 gal	
Class II	1 gal	5 gal	60 gal	5 gal	
Class III	1 gal	5 gal	60 gal	5 gal	

7.4.4.11 Inside storage rooms

Bulk quantities of flammable liquids, such as 30 or 55-gallon drums, must be stored in properly designed indoor storage rooms or outside storage areas. Indoor storage rooms containing flammable and combustible liquids must meet the requirements of OSHA Standard 1910-106(d). These standards include spill control measures, spark-proof electrical fixtures, fire suppression equipment, and ventilation requirements.

7.4.4.12 Electrical grounding

Transferring liquids from one metal container to another may produce static electricity sparks capable of igniting the flammable vapors. To discharge the static electricity, dispensing drums should be adequately grounded and bonded to the receiving container before pouring. Bonding between containers may be made by means of a conductive hose or by placing the nozzle of the dispensing container in contact with the mouth of the receiving container. If the container cannot be grounded, then the liquid should be poured slowly to allow the charge time to disperse.

7.4.4.13 Spills

Appropriate spill kits should be available in work areas using flammable liquids. Materials should absorb the solvent and reduce the vapor pressure so that ignition is impossible.

7.4.4.14 Transportation

Flammable solvents should be transported in metal or other protective containers.

Substitution	Where possible, flammable materials should be replaced by safer, less flammable materials to reduce the risk of fires. Any substituted material should be stable, non-toxic and should either be nonflammable or have a high flashpoint.
Storage	The proper storage of flammable liquids in a work area is required to reduce the risk of fire and prevent health hazards. Remember that the

quantities that can be stored in one location are limited (see Appendix B)! Storage areas should be provided with at least fire extinguishers, but a fire protection system should be considered for any large storage area.

Flammable liquids storage cabinets should be used where greater quantities of liquids are needed. Contrary to popular thinking, they are not designed to contain a fire but are designed to prevent a fire outside from reaching the contents of the cabinet for a period of 10 minutes - just enough time to allow escape from the area. Limits for cabinets are:

- No more than 120 gallons (454L) of Classes I, II, and IIIA combined in one cabinet.
- Only three cabinets are allowed in each fire area unless each group of three can be separated by 100 feet.
- If the building is sprinkler protected, the number can be doubled to six cabinets.
- If stored amounts exceed the above limits, a separate inside storage room is required in accordance with the requirements found in NFPA 30, Chapter 4.

Handling

Flammable and combustible liquids require careful handling at all times. Containers should be tightly sealed when not in use, and liquids should be stored in an area where temperature is stable to prevent a buildup of internal pressure due to vaporization. Safety cans are a good risk management tool where smaller quantities of liquids are handled. They prevent spillage and have spring-loaded safety caps that prevent vapors from escaping and act as a pressure vent if the can is engulfed in fire, preventing explosion and rocketing of the can, which could spread the fire.

Users are expected to limit the risk of a fire by reducing the quantities of liquids located outside of storage cabinets/areas. Quantities of flammable and combustible liquids located outside of storage cabinets/areas should be restricted to one day’s supply or to what can be used during a single shift.

Some flammable liquids, such as xylem, toluene, benzene and gasoline have a tendency to accumulate a static electric charge. If the charged is released a spark can be produced and ignition can result. Most no polar solvents—they do no mix with water—have this characteristic. Polar solvent, such as acetone and other ketenes and alcohols, don’t usually present static charges. To prevent the build up of static charge, it is important to bond metal dispensing and receiving containers together before pouring – each container is wired together and one container is connected to a good ground point to allow any charge that may develop to drain away safely.

Because there is no easy way to bond plastic containers, their use should be limited to smaller sizes – no more than 4L.

Ventilation	To prevent the accumulation of vapors inside a flammable or combustible materials storage room or area, a continuous mechanical ventilation system must be in place. Both makeup and exhaust air openings must be arranged to provide air movement directly to the exterior of the building. Any exhaust ventilation ducts must be exclusive to the system and used for no other purposes.
Elimination of Ignition Sources	All nonessential ignition sources must be eliminated where flammable liquids are used or stored. The following is a list of the most common sources of ignition. - Open flames from cutting and welding operations. - Furnaces - Matches - Heater, portable or fixed - Motors, switches, and circuit breakers need to be explosion-proof in areas where flammable liquids are used or stored. - Mechanical sparks from friction. Use non-sparking tools in these areas. - Proper grounding and bonding procedures must be used to eliminate static sparks when transferring flammable liquids to and from containers. - Smoking materials
Removal of Incompatibles	Materials that can contribute to a flammable liquid fire should not be stored with flammable liquids. (Examples: oxidizers and organic peroxides)
Spills	If a spill occurs, employees should take the following actions: - Limit its spread by containing the spill with a suitable absorbent material - Minimize vapors by covering the surface of the spill with the same material. - Notify the supervisor immediately and contact the Post Police and Buildings and Grounds for assistance. - Make sure all sources of ignitions are shut off or controlled. - Begin cleanup right away.

7.4.5 Compressed Gas Cylinders

Compressed gas cylinders are especially dangerous because they possess both mechanical and chemical hazards. Due to the large amount of potential energy resulting from compression of the cylinder, gas cylinders should be handled as high-energy sources and as a potential explosive. In addition, the gases contained in the cylinders are hazardous because of flammable, toxic or corrosive properties. The most common hazard associated with gas cylinders is leakage from regulators that can allow the gas to diffuse throughout the room. Flammable gases can mix with the air and present fire and explosion risks.

7.4.5.1 Identification

The contents of compressed gas cylinders must be clearly identified and bear the appropriate DOT hazard label. Labels should not be removed or defaced. If the labeling on a cylinder becomes defaced, the cylinder should be marked "contents unknown" and returned to the manufacturer.

7.4.5.2 Transportation

Manual transportation of cylinders should always be done with a hand truck. Cylinders should be securely fastened with a strap or rope. The valve cap must be in place. Cylinders should never be lifted by the valve cap or dragged, rolled, dropped, or permitted to strike hard objects or another cylinder.

7.4.5.3 Training

Persons who handle flammable gas cylinders should be adequately trained in the physical and chemical properties of the gas and the proper methods to use the cylinders.

Hazards	Compressed gas cylinder can expose users and building occupants to both chemical and physical hazards. The gases in these cylinders can cause fire or explosion, may be toxic or can displace the oxygen in the area. Damage to cylinders can cause the cylinder to be propelled with great force.
Inspection	Perform a visual inspection before a delivery of the cylinder is accepted from the vendor. If the cylinder appears to be damaged or defective, refuse delivery! Routinely inspect cylinders that are in use for: - leaking regulators, - physical damage to the cylinder or valves, - obvious signs of defects, - deep rusting - pitting Do not use a cylinder that appears to be faulty. Take it immediately out of service and contact the vendor. All gas cylinders must have proper labeling. Labeling must also indicate if the cylinder is full, empty or in-service.
Storage	Gas cylinder must be properly secured at all times to prevent tipping, falling or rolling. They can be secured with straps or chains connected to a wall bracket or other fixed surface, or by use of a cylinder stand or cart. Store cylinders in a cool, dry, well-ventilated, fire-resistant area. Cylinders must be stored in compatible groups, with flammables separated from oxidizers and corrosives.

Keep oxygen cylinders a minimum of twenty (20) feet from flammable and combustible materials.

Cylinders can be separated with a barrier, such as concrete block wall, at least 5 feet high, having a fire rating of at least ½ hour.

A gas cylinder storage area should be located where they cannot be knocked over or damaged by falling objects, and must be protected from vehicular impact.

As with any hazardous material, gas cylinders cannot be stored in public hallways or unprotected areas. Nonflammable cylinders should not be located closer than 5 feet and flammable cylinders no closer than 25 feet from an exit or unprotected opening such as a window.

When a cylinder is not being used, the valve should be closed and the valve protector secured in place. Never store gas cylinders near radiators or other heat sources.

Bulk storage rooms must be specifically designed for this purposes otherwise quantities will be limited.

Handling

Be sure to close all cylinder values when they are empty or not in use. Regulators must be removed and valve protection caps secured in place before moving cylinders.

When transporting cylinders, always use a cylinder truck or cart to avoid

cylinders tipping, falling or rolling. Never roll or drag a gas cylinder. Use appropriate lifting devices, such as cradles or nets when hoisting a cylinder with a crane or derrick for vehicle transport. Lifting a gas cylinder with a magnet, sling or by the valve protection cap can lead to disaster and is prohibited.

When opening a valve on a cylinder, stand to one side of the regulator and open the valve slowly.

Do not attempt or repair a gas cylinder regulator; call the distributor immediately.

Additional information

Additional information can be found in NFPA (National Fire Protection Association) 55, 1998 edition, Standard for the Storage, Use and Handling of Compressed and Liquefied Gases in Portable Cylinders.

7.4.6 Fire Protection Systems

Building Fire Alarms

Not all buildings on Post are equipped with building fire alarms. It is important to know if a building is equipped with an automatic central fire alarm.

If a building is not equipped with a building fire alarm, occupants will need to communicate to others in the building by announcing "FIRE" as they exit the building or by other means as defined in the buildings Emergency Evacuation Plan. Emergency Evacuation planning is critical to all Post buildings, but especially important in those buildings with no fire alarm or detection system.

Automatic Fire Alarm Systems

Automatic fire alarm systems are installed to facilitate notification of building occupants of a fire emergency. Various types of smoke and heat detectors along with manual pull stations are linked to the alarm system; when activated, the fire alarm system calls Central Dispatch and VMI Police.

Manual Fire Alarm Pull Station (Red Boxes)

Manually activated pull stations are located along building exit routes. All buildings equipped with fire alarms will have manual pull stations (red boxes).

Fire Suppression Systems

Fire suppression systems are more commonly known as "sprinkler systems". Several types are present in Post buildings. The most common type uses water and is designed to extinguisher small fires and/or reduces the spread of fire to provide building occupants time to evacuate.

It is a common misconception that if one sprinkler head goes off, they all go off. Fortunately, this is not the case. Automatic fire suppression heads activate at a predetermined temperature (acting as a heat detector) on an individual basis.

Fire suppression systems are interconnected to the building fire alarm. When a sprinkler head is activated, it automatically activates the building fire alarm.

The building fire alarm can also be activated by smoke detectors or manually without the sprinklers going off. This is how a fire drill is conducted.

Other Suppression Systems

Other types of fire suppression systems include dry pipe water and wet chemical systems. These systems are found where hazardous materials are located, in commercial kitchen hood exhaust systems (see next

section), and in areas where freezing is a concern.

Commercial Kitchen Hood Exhaust System

Each existing commercial cooking appliance, such as a grill, deep fryer, or any other appliance that produces grease-laden vapors, is required to have an approved commercial kitchen exhaust hood and duct system that is protected with an automatic fire suppression system.

These systems are required to be appropriate for the hazard. A wet chemical suppression system must be used, for example, over a deep fryer using vegetable oils.

The sprinkler heads within the hoods require regular maintenance and cleaning to remove deposits of residue and grease from the system. The cleaning schedule must comply with the manufacturer's recommendations and the mechanical code.

Portable Fire Extinguishers

Fire extinguishers can play an important role in the fire protection program. How successfully they can function, however, depends upon the following conditions having been met:

(Additional information about selecting and using a portable fire extinguisher can be found in the training section of this program.)

- The fire extinguisher is properly located and in working order.
- The fire extinguisher is of the proper type for the fire that has occurred.
- The fire is discovered while still small enough for the fire extinguisher to be effective.
- A person ready, willing, and able to use the fire extinguisher discovers the fire.

Selection of the best portable fire extinguisher for a given situation depends on the following factors:

- Nature of the combustibles or flammables that might be ignited.
- Potential severity (size, intensity, and speed of travel) of any resulting fire.
- Effectiveness of the fire extinguisher on that hazard.
- Ease of use of the fire extinguisher.
- Personnel available to operate the fire extinguisher and their physical abilities and emotional reactions as influenced by their training.
- Ambient temperature conditions and other special atmospheric considerations (wind, draft, presence of fumes).
- Suitability of the fire extinguisher for its environment.
- Any anticipated adverse chemical reactions between the extinguishing agent and the burning materials.
- Any health and operational safety concerns (exposure of operators during the fire control efforts).
- Upkeep and maintenance requirements for the fire extinguisher.

If assistance is needed to determine the type and distribution of portable fire extinguishers in a work area, contact The VMI Fire and Safety Office.

7.4.7 Building and Renovating Space

The Commonwealth of Virginia Department of General Services, Division of Engineering and Buildings (DEB), recently instituted a new building permit policy that affects all state agencies. Under this policy we are required to issue building permits for all renovations which are minor in nature. Contact the Physical Plant for assistance for local permits.

7.4.8 Miscellaneous Requirements

Landscaping	Landscaping must not: – Impede fire vehicle or emergency responder access to a building. – Obstruct access to fire hydrants, fire department connections or other fire sprinkler test valves or other emergency devices. – Obstruct or cause a tripping hazard for occupants evacuating a building to a public way. – Obstruct exits from doors, windows or other designated evacuation points from a building.
Breaches in fire or smoke rated barriers	– Holes in fire rated walls or smoke barriers will not be permitted unless the condition is allowed by the Virginia building code or has been approved by the Virginia Building Code Official. – Cables, equipment cords, etc. may not be placed in or run through any permitted opening in a rated fire wall or smoke barrier, such as through a door or within ventilation ductwork.
Wood and sheet metal workshops	– All wood and metal shavings produced by the work must be cleaned and removed from the building at the end of the job or the workday as appropriate. – All shops with machinery that produce hazardous shavings or dust must have an approved dust collection system. This system must be in operation at all times the equipment is in use.
Washer/Clothes Dryer operations	– Empty the lint catcher in clothes dryers after each load. – Check the area behind the washer and dryer periodically for lint or trash build-up and clean as necessary. – Dyer vents must exhaust to the exterior of the building.
Automotive and industrial shops	At the end of the work day, or as necessary: – Clean all work areas of oil to prevent a build up. – Return all oils and flammables to their proper storage cabinets/areas. – Turn off all power equipment or unplug as necessary. – Turn off all fuel valves and power to such systems at the end of the workday. All hazardous and flammable materials (paints, thinners, etc.) must be properly stored in a flammable storage cabinet or room when not in use. See Appendix B for guidance on the storage, handling and use of flammable and combustible liquids. Parts washers may use flammable solvents. Check the Material Safety Data Sheet (MSDS) for the product used and follow the instructions on the MSDS and the guidance in Appendix B.

Art departments	– When using flammable liquids (such as gasoline, kerosene, etc.) to create or in a display of artwork, approval is required from The VMI Fire and Safety Office prior to the activity. – Electrical wiring and devices used in art creations or display must meet the requirements of the National Electrical Code for temporary wiring. Approved wiring methods must be used. – All hazardous and flammable materials (paints, thinners, etc.) must be properly stored in a flammable storage cabinet or room when not in use. – Heating devices such as blowtorches, hotplates and other such devices with open flames must be permitted with a Hot Work Permit. See the Hot Work Permit section, below.

7.5 Hot Work Permits

7.5.1 Fire Prevention and Suppression Procedures for Hot Work Operations

If not properly controlled, hot work operations present serious fire hazards that can lead to significant property damage, injury and/or loss of life. To ensure safe hot work activities the following procedures have been established. These procedures apply to all work performed on Post property.

7.5.2 Policy for Work Performed Outside a Designated Area and/or Temporary Operation

A Hot Work Permit must be issued for any temporary operation that may produce high heat, sparks, and/or open flames. These operations include, but are not limited to, the use of open flames, compressed gas or supplied fuel burning, brazing, cutting, grinding, soldering, thawing pipe, torch applied roofing, and welding.

7.5.3 Procedure to secure a Hot Work Permit:

1. Any Post employee performing work requiring a Hot Work Permit (example in Appendix I) must secure the permit BEFORE any work is to begin. This will require advance notice. A Hot Work Permit can be obtained by calling The VMI Fire and Safety Office at 464-7040
2. Hot Work cannot begin until the work site has been inspected for safety.
3. Persons doing Hot Work must indicate on the permit a start time and expiration date. The permit must be posted in plain view at the Hot Work location during the entire operation. The VMI Fire and Safety Office (whoever issued the permit) will ensure the work site is free of any hot spots or potential fire hazards from the work done for up to 3 hours after work is completed.
4. It is important that the permit specifically states the location and start time of the hot work. This will allow The VMI Fire and Safety Office to respond to the permit quickly, so the work process will not be delayed.
5. Long-term jobs (more than one workday) may have a permit issued for the entire work schedule, but for no more than 30 calendar days. The VMI Fire and Safety Office will routinely check the work site to ensure the safety of the Hot Work being performed. If the work extends beyond the initial completion date, another permit must be secured for the additional time period.

7.5.4 VMI Safety Office Sprinkler Impairment Procedure

No fire sprinkler system in any VMI building shall be impaired by unauthorized personnel or without contacting the Office of Fire and Safety Programs for coordination.

Whenever it is necessary to shut off a sprinkler system valve in order to do maintenance or repair work that will be completed in the same day, the person who will shut the valve must first contact the Office of Fire and Safety Programs who will ensure proper restoration practices are followed.

Whenever it is necessary to shut off a sprinkler system valve in order to do maintenance or repair work that will be completed over multiple days, the person who will shut the valve must first contact the Office of Fire and Safety Programs so that proper notification can be made to the SFMO and proper practices can be followed.

Whenever an automatic sprinkler system must be shut down the precautions taken should include the following:

- Notify the Physical Plant, VMI Police and the Building Coordinator that the Sprinkler System will be shut down.
- Notify The VMI Fire and Safety Office of the impairment so they can follow-up to ensure all precautions are taken and the work completed on time.
- Shut down only one system at a time.
- Limit the extent and duration of the shutdown. Where possible provide temporary measures such as back feeding from hydrants still in service, or cross connection with sprinkler systems still in service, to maintain as much protection as possible.
- Work continuously on the impaired system until it is restored to service.
- Eliminate possible ignition sources by shutting down or stopping all hazardous operations in the affected area. This includes welding, flame cutting and other hot work operations, as well as operations that use flammable or combustible liquids.
- Provide a fire watch in the areas where the automatic sprinklers are impaired. Remember that in most facilities the automatic sprinkler system is also part of the fire detection and alarm system. When the sprinklers are shutdown, the alarms may also be out of service.
- Provide additional portable fire extinguishers and hose lines in the affected area. Hose lines will have to be fed from areas were the sprinklers are still in service.
- Expedite all work and work continuously until the impaired system(s) can be restored.

After completion of the work, verify restoration of the system by conducting appropriate tests on the system. For automatic sprinkler systems this should include a main drain test and an alarm test.

7.5.5 Supervisor Responsibilities

Persons that supervise workers conducting hot work in areas not designated or specifically approved for such work must:

- Be responsible for the safe handling and use of heating and use of heating, cutting, welding, or grinding equipment.
- Review the work location to determine if combustible materials, hazardous atmospheres, or hazardous materials are present in the work area.
- Protect combustibles from ignition by performing one or more of the following:
  - Move the work to a location free from dangerous combustibles. If the work cannot be moved, move the combustibles to a safe distance from the work area or properly shield the combustibles from ignition.

  - Ensure that hot work is not scheduled when operations that might expose combustibles to a source of ignition are being performed. Do not, for example, schedule hot work in an area when flammable liquids are being dispensed nearby.
- Ensure that equipment used is in proper working condition.
- Ensure that workers performing hot work are trained and know the procedures that apply to the specific work or task being performed.
- Ensure that fire protection and extinguishing equipment is available at the site.
- Ensure that a fire watch is present and in clear view of the job site for the duration of the work and for no less than 1 hour after the job has been completed.
- Where a fire watch is not required, the supervisor must ensure that a final check is made at the completion of work and ½ hour afterward to detect and extinguish smoldering fires and other sources of ignition.
- Each work crew performing hot work under a hot work permit must have a cell phone available onsite that can be used to establish immediate contact with the Lexington City Emergency Response in the event of an emergency. # 540-463-9177

7.5.6 Annual Permit

Work areas where hot work is performed on a continual or on-going basis may be permitted for this work on a yearly basis. These designated hot work areas must be maintained free of combustible materials at all times, a must be inspected frequently to ensure that the area is safe for hot work to continue.

Policy for Work Performed in Shops and Other Designated Hot Work Areas

Post departments that perform hot work on a routine basis in a permanent shop or other designated work site will be exempt from the above permit requirements only if the area is inspected, approved and issued a permit by the hot work coordinator. These permits must be renewed on a yearly basis or when changes in the shop warrant a repeat inspection. When approved by The VMI Fire and Safety Officer, a sign will be posted at the work site that reads “Hot Work Approved Area”. The Inspector will reinsert these areas during his or her annual fire and/or shop inspection of the approved area. Any deficiencies to the designated hot work area or shop must be corrected to continue the designation of “Hot Work Approved Area”.

7.5.7 Contractors Conducting Hot Work

Contractors conducting hot work may use their own permit, but must provide a copy to the Office of Fire and Safety Programs.

7.5.8 Open Flames and Burning Permits

(Bonfires, Campfires, Candles, Incense, etc.)

Open burning is defined as any open/exposed flame, whether indoors or outdoors, that could cause a fire. Examples are candles, incense, bonfires, campfires, leaf burning, artwork involving flames, and pyrotechnics of any kind. Pyrotechnics are not covered in this section but can be found in the following section.

7.5.8.1 Approvals and Permit Application Process

Open burning on any VMI property must be approved by the VMI Safety Office and may also require approval by the Virginia State Fire Marshal’s office.

7.5.8.2 Open Flames and Burning – Indoor

An open flame indoors, particularly when such burning will activate any type of fire alarm detection/suppression system, is normally prohibited.

7.5.8.3 Open burning – Outdoors

Open burning outdoors may be authorized under the following conditions:

1. A written request is sent to The VMI Fire and Safety Office using the "Open Burning Permit Application" found in Appendix E, at least ten (10) working days in advance of the event or operation.

2. The proposed burning will not endanger any adjacent buildings, vehicles or vegetation.

3. The burn location will not block access by emergency vehicles to any building, street or emergency equipment.

4. Open flame fires will not be within 50 feet of any flammable storage area (the distance may be increased according to the size of the event) or 25 feet of any building, vehicle or vegetation.

5. The host will be responsible for providing *portable fire extinguishers* and *emergency procedures* trained personnel in the area of the open burn.

6. The host will contact The VMI Fire and Safety Office, VMI Police and occupants of adjacent buildings 24 hours in advance of the event or operation for final coordination.

7. The host of the open burning will be responsible for complete extinguishment and removal of all materials used in the open burning activity.

8. A 5 to 30 minute fire watch will be made (as determined by The VMI Fire and Safety Office) to ensure there is no residual heat left in the material.

7.6 Pyrotechnics/Fireworks Permits

Approval for the display of fireworks on state property, including VMI property, must be obtained from the State Fire Marshal's Office (SMFO). The VMI Fire and Safety Office will help facilitate the approval process for sponsors of such events.

It is important to note that the SFMO is not obligated to issue its approval if they do not receive all the necessary information 30 work days prior to the requested display date.

In addition, the SFMO approval may stipulate certain conditions and approval for a specific date and time that is not transferable to any other date, time or activity.

7.6.1 Approval Process for Permit Application

The following information must be assembled and forwarded to The VMI Fire and Safety Office so that the application can be submitted for approval to the SFMO. The contractor can supply much of this information. A copy of this application and checklist approval form can be found in Appendix F.

The contents of the application are as follows:

1. Confirmation that the provisions in the following will be strictly adhered to:
   - Virginia Fire Prevention Code, ICC Fire Code (current edition), Chapter 33,
   - NPFA 1123, current ed. "Fireworks Display"
   - NPFA 1124, current ed., "Manufacture, Transportation, and Storage of Fireworks".
   - NFPA 1126, current ed., "Standard for the Use of Pyrotechnics before a Proximate Audience".
2. A statement and/or copies demonstrating competence on the part of the pyrotechnic IAN(S) – experience training, certifications, licensure, etc.
3. A detailed description of the fireworks/pyrotechnics to be displayed.
4. A copy of an approved application for the use of the indoor/outdoor space.
5. A representative drawing of the entire area of display, with safe zones, location, and layout of the shells or pyrotechnics.
6. A plan for recovery and disposal of any unexploded shells, pyrotechnics and refuse.
7. An insurance bond for the payment of potential damage caused either to a person or property due to the permitted display and arising from acts of the permit holder or the agent of the permit holder. A Certificate of Insurance issued by the fireworks display contractor, naming the Commonwealth of Virginia, Virginia Military Institute and the sponsoring group as additionally ensured is required.
8. Confirmation that the VMI Police have been notified of the event's scope, date, and time. A time will also be confirmed with The VMI Fire and Safety Office and the State Fire Marshal's Office for a safety demonstration at least 2 hours prior to the fireworks display.
9. Confirmation that safety precautions for the launching area, crowd control, pedestrian and vehicle traffic and parking areas have been established. The setup and fallout areas must all be within a secured area, marked with caution tape around the entire parameter. The fireworks contractor must supply and install the tape. (Fireworks outdoors)
10. Information on the sponsor that includes a contact name, address, phones and email address. Assemble and forward this information – as a package – to The VMI Fire and Safety Office. Should there be any questions, please call or email for assistance. The contact listed will receive notice of the SFMO approval and conditions, if granted.

7.6.1.1 Definitions

- Discharge Site – the area immediately surrounding the fireworks mortars used for an outdoor fireworks display.
- Display Site – the immediate area where a fireworks display is conducted. This includes the discharge site, fallout area, and the required separation distance from mortars to spectator viewing areas. The display site does not include spectator viewing areas or vehicle parking areas.
- Fallout Area – the area over which aerial shells are fired. The shells burst over the area and unsafe debris and malfunctioning shells fall into this area.

7.6.1.2 Requirements

All aerial fireworks displays are subject to the requirements of the Virginia State Fire Prevention Code. Specific requirements include:

- The areas for the discharge site, display site, spectator viewing area, and the fallout area shall be inspected and approved by the authority having jurisdiction (Virginia State Fire Marshal) and The VMI Fire and Safety Office.
- The minimum separation distances from discharge site to spectators, unprotected buildings or vehicle parking shall be no less than:
  - <3" Shells (<76mm) 140 ft. - 3" Shells (76mm) 210 ft.
- No spectators or vehicle parking shall be allowed within the designated display site.
- During the period before the display, where pyrotechnic materials are present, unescorted public access to the site shall not be permitted.
- Wherever, in the opinion of the authority having jurisdiction, any hazardous condition exists, the display shall be postponed until the condition is corrected. This includes a lack of effective crowd control and winds higher than 15 mph.
- Following the display, the firing crew shall conduct an inspection of the fallout area for the purpose of locating any unexploded aerial shells or live components prior to allowing public access.
- Mortar sizes above 3" are prohibited.
- A permit for fireworks displays must be made to the Virginia State Fire Marshal. Applications may be made through The VMI Fire and Safety Office.
- Since any aerial fireworks display will require road closures, approval for the event is also required by the VMI Police Department.

7.7 Tents and Temporary Structures

Tents and similar structures present a very high potential for accidents and injuries in the case of fire or collapse. Stages and platforms also present a similar potential from collapse and falls. In an effort to ensure the safety of occupants, and to comply with the Virginia Uniform Statewide Building Code, a permitting procedure has been established that applies to all tents and temporary structures erected on Virginia Military Institute property. This procedure requires that a Tent/Temporary Structure Permit Application found in Appendix G and referenced supporting documentation be completed and submitted to Buildings and Grounds Building Code Compliance Office at least two (2) weeks prior to erection of the tent or other temporary structure.

Use of a stage or platform, regardless of size or height, requires approval and a permit from the Division of Engineering and Buildings (DEB) in Richmond. Request for approval must be made by using the Tent/Temporary Structure Permit Application in Appendix G.

For tents 400 square feet and smaller a permit is not required. However, requirements noted on the VMI Tent Check List, found in Appendix G, must be followed.

For tents larger than 400 square feet but less than 900 square feet the Building Code Compliance Office, in coordination with the State Fire Marshall's Office, will review the request to erect the structure. Request for approval must be made by using the Tent/Temporary Structure Permit Application in Appendix G. After review and approval the applicant will be issued a permit which must be posted in open view near the tent or structure for the duration of use.

For tents 900 square feet and larger, OR any tent with more than 50 occupants, the application package will be processed by the Building Code Compliance Office and must be transmitted to the Division of Engineering and Buildings (DEB) for approval. Request for approval must be made by using the Tent/Temporary Structure Permit Application in Appendix G. Upon approval DEB will issue a permit which must be posted in open view near the tent or structure for the duration of use. The applicant is reminded that DEB must receive the application package at least two weeks before the event.

Methods of tent anchorage vary. Typically concrete blocks or barrels filled with water are used. If stakes are to be used Miss Utility and the Customer Service Center must be contacted at least five (5) business days prior to the

erection. No stakes shall be driven until all public and VMI underground utilities are marked. Miss Utility can be reached by calling 1-800-552-7001. The Customer Service Center can be reached at 464-7357.
The VMI Fire and Safety Office and/or the Regional State Fire Marshal will inspect all tents erected on VMI. Any hazards identified during the inspection must be immediately abated or the tent or temporary structure must be removed and the permit shall be revoked.

All temporary facilities including tents, stages, and similar structures, which are erected on Virginia Military Institute property shall be designed, constructed, erected, and used in accordance with the Virginia Uniform Statewide Building Code and Fire Prevention Code.

8 Fire Inspections

Buildings	A comprehensive fire and life safety inspection of all Post buildings is conducted annually by the VMI Safety Office to ensure compliance with fire codes. Reports are sent to the building coordinators of affected departments for action. Identified hazards must be corrected in a timely manner. The SFMO conducts acceptance-testing inspections and issues occupancy permits for all construction and renovation projects. This is coordinated through the VMI Physical Plant.
Equipment	All building service equipment inspections are administrated through the VMI Physical Plant.
Fire Protection and Suppression Systems	All fire suppression and detection equipment is inspected by outside contractors.
Barracks	Code compliance inspections are conducted in the Barracks and the VMI Health Center, every year by the State Fire Marshal's Office. At least 80% of all student rooms will be randomly inspected for fire code compliance. Personnel from the Barracks and The VMI Fire and Safety Office will accompany the SFMO on these inspections. When violations are observed: - The SFMO will record the violation - The Barracks and/or the Physical Plant will correct all violations or cause them to be corrected. The Commandant's Office will perform a monthly fire safety inspection. This will include an inspection of all fire extinguishers, storage rooms for combustible materials, hallways for obstructions, exit lights, fire doors, and to ensure that fire evacuation procedures are conspicuously posted. The Physical Plant will be notified if fire protection equipment is not in compliance.
Building Plan Review for Construction and Renovation Projects	Building plans for new and renovated Post construction projects are reviewed The VMI Fire and Safety Office and the Physical Plant Engineering Office, for compliance with life safety codes and applicable fire safety standards.

8.1 Fire Detection and Warning Equipment

8.1.2 Fire Alarms

Manual pull-stations are located along the means of egress, usually at exit doors, to provide a means to alert occupants to a hazardous condition. All alarms in academic buildings and auxiliary buildings are connected to the VMI Police Department. To reduce malicious alarms, stations may be equipped with covers (STOPPERS) that sound an internal alarm when the cover is removed.

8.1.2.1 Testing

Fire alarm systems are installed, repaired, and tested by outside contractors and The VMI Fire and Safety Office. All horns are checked for operation. In accordance with NFPA regulations an outside contractor tests the alarms in all buildings on an annual basis. Problems are corrected as quickly as possible. Records are maintained in The VMI Fire and Safety Office concerning all tests and inspections.

8.1.2.2 False Alarms

Persons who knowingly turn in a false fire alarm endanger the lives of others and may cause damage to the persons and equipment responding to the false alarm. This is a violation of the Code of the State of Virginia and may result in jail terms and/or fines. Persons maliciously activating fire alarms or fire detection equipment will be severely disciplined which may include dismissal from student residence, expulsion from school, and/or criminal prosecution.

8.1.2.3 Investigations

The VMI Fire and Safety Officer and VMI Police or the State Fire Marshal's Office will investigate all fire alarms to determine the cause and to prevent recurrence. An incidence report should also be completed by the Commandant's Office in the Barracks and in other buildings the building coordinator and forward the report to The VMI Fire and Safety Office.

8.1.3 Smoke Detectors

Smoke detectors respond to both visible and invisible products of combustion and sense fire at the earliest practical detection stage. Smoke detectors are used for numerous fire alarm functions ranging from warning occupants to automatically closing doors.

8.1.3.1 Locations

Residential buildings have single station smoke detectors in sleeping rooms or quick response sprinkler heads as in liberty square. Detectors located in the halls and other public areas are connected to the building alarm system. Smoke detectors are also located in academic buildings and off-Post buildings. Some smoke detectors are connected to the fire alarm system and provide many functions such as shutting down air handler units, elevator recall, and release of magnetic door holders. These detectors are powered by the building fire alarm power source.

8.1.3.2 Inspections

Battery powered smoke detectors are inspected by the VMI Physical Plant weekly. Hardwired smoke detectors are inspected annually by an outside contractor.

8.1.3.3 Maintenance

In order for smoke detectors to function properly they must be periodically cleaned and tested. The HMT/WP Shop routinely changes batteries before the start of the fall semester, each year. Dust accumulates in detectors over time and reduces the ability of the detector to detect smoke. Simple vacuuming on a regular cycle increases life expectancy and reliability. Hardwired smoke detectors are cleaned and tested by an outside contractor on an annual basis, to ensure the sensing chamber and alarm circuits function properly.

8.1.3.4 Abuse

Misuse, deactivation or tampering with smoke or heat detectors is prohibited. Smoke detectors must not be covered or blocked. Nothing may be attached to the wiring of hardwired detectors.

8.1.4 Heat Detectors

Heat detectors typically operate when a preset temperature has been reached or a rapid temperature change occurs. Heat detectors are the least expensive fire detectors and have the lowest false alarm rate. They are also the slowest in detecting fires.

8.1.4.1 Locations

Heat detectors are frequently found in mechanical rooms, storage rooms, attics, and other normally unoccupied areas.

8.1.4.2 Inspection and Maintenance

An outside contractor tests heat detectors annually.

8.2 Fire and Life Safety Training

The best way to avoid a fire is to be knowledgeable of fire hazards and how to prevent them. The VMI Fire and Safety Office will provide training to any Virginia Military Institute employee, staff, faculty, and student organization upon request.

New Employees	All new employees of Virginia Military Institute attend orientation training, as part of this training, information about safety is supplied and reviewed. Supervisors are required to review the fire hazards and emergency procedures for the new employee's workplace during the first few days of employment.
Employees	A variety of fire and life safety training programs are available to all Virginia Military employees. Training for targeted audiences on fire and life safety, emergency planning, emergency evacuation and portable fire extinguisher use can be arranged on request through The VMI Fire and Safety Office
Cadets	Each year the Commandant's Office is required to provide fire and life safety training during their orientation in August.

8.3 Fire Suppression Equipment

The Post maintains appropriate fire suppression systems in each building to include: fire extinguishers, sprinkler systems, standpipes. The various fire suppression systems are inspected on a routine basis by representatives from the Physical Plant and by external contractors. Deficiencies noted during the inspections are reported to The VMI Fire and Safety Office.

8.3.1 Portable Fire Extinguishers

Portable fire extinguishers are the first line of defense against a fire. They are designed to extinguish or contain a small fire or open an escape route. Portable fire extinguishers are not designed to fight a large or spreading fire. Fire extinguishers may be used after the evacuation plan has started but only by trained staff.

8.3.1.1 Operation

Fire extinguishers must only be used by persons trained in their proper use. If you have the slightest doubt, get out and call the fire department.

- Never fight a fire if:
  The fire could block your escape route.
  You are unsure of the proper operation of the extinguisher.
  You are in doubt that the extinguisher is designed for the type of fire or are large enough.

- Fight the fire only if all of the following are true:
  The fire department has been notified.
  The area has been evacuated.
  The fire is small and confined to its immediate area of origin (wastebasket, sofa, small appliance).
  You have a way out and can fight the fire with your back to an exit.
  You have the proper extinguisher and know how to use it.
  You use careful judgment and get out fast if the fire starts to spread.

- To operate a fire extinguisher, recall the word PASS:
  PULL the pin by grasping the extinguisher neck in one hand and removing the pin with the other. AIM the nozzle, hose, or horn at the base of the fire.
  SQUEEZE the handle to release the extinguishing agent.
  SWEEP from side to side at the base of the fire until it is out.

8.3.1.2 Responsibilities

Approximately 750 portable fire extinguishers are located throughout the Post. Safety Office Personnel are responsible for training staff to use fire extinguishers. No one is expected to put themselves in harms way during a fire emergency.

8.3.1.3 Types of fire extinguishers

Fire extinguishers vary in type based upon the extinguishing agent they contain. Every extinguisher must be clearly labeled to show the classification of the fires it is effective against. Water fire extinguishers must be labeled to indicate that they cannot be used on electrical fires. Pictograms show in blue the type of fire the extinguisher should be use against. Fires on which the extinguisher should not be used are shown in black with a red slash through the pictogram. Extinguishers may carry labels, pictograms or both.

Class A. Class A fire extinguishers are used to extinguish fires in ordinary combustibles such as wood, paper, cloth, rubber, and plastics. These extinguishers should not be used on electrical, flammable liquid or combustible metal fires. Extinguishers effective against this type of fire contain water or a special chemical agent.

Class B. Class B fire extinguishers are effective against flammable liquids and gas fires such as solvents, oil, gasoline, and grease. Dry chemical agents, wet chemical agents, carbon dioxide, and other agents are typically used. Water will only spread a flammable liquid fire and should not be used as an extinguishing agent for Class B fires.

Class C: Class C fire extinguishers are used to extinguish fires involving energized electrical equipment. Nonconducting agents such as dry chemical, carbon dioxide, or other compounds are used. Water should never be used to extinguish an electrical fire.

Class D: Class D fire extinguishers contain a special granular formulation that is effective against combustible metal fires such as sodium, potassium, magnesium, and lithium. Normal extinguishing agents must not be used against combustible metal fires because they may increase the intensity of the fire.

Class ABC. Class ABC fire extinguishers will put out most types of fires that could start on Post- wood, paper, flammable liquids, and electrical fire. These extinguishers are also known as multi-purpose extinguishers. Most extinguishers on Post are classified as ABC.

8.3.1.4 Location

Fire extinguishers are installed according to guidelines established by ICC and NFPA. Laboratories, workshops and other areas in which flammable solvents are used must have an appropriate fire extinguisher. Travel distances should normally be less than 75 feet for ordinary combustibles and 50 feet for flammable liquids.

8.3.1.5 Access

Fire extinguishers should be readily accessible and the location of the extinguisher should be clearly identified. Fire extinguishers must be mounted off the floor and no higher than five feet. Extinguishers weighing more than 40 lbs. should be mounted no higher than 3 ft.

8.3.1.6 Inspections

All portable fire extinguishers should be visually inspected each month. The VMI Physical Plant inspects, replaces missing, discharged or damaged fire extinguishers immediately.

8.3.1.7 Training

The VMI Fire and Safety Office offers training on the proper use of portable fire extinguishers for faculty, and staff. Training for Cadets will be conducted by the Commandant's Office. Cadets are not encouraged to use fire extinguisher they are for use by trained staff only. Classes can be scheduled by calling The VMI Fire and Safety Office at 464-7040

8.3.1.8 Maintenance

Every fire extinguisher has a record attached to the extinguisher showing the inspection date, maintenance date, type of extinguisher, and name of the person performing the maintenance which is attached upon completion of the routine yearly maintenance. The fire extinguisher tag is initialed each month by the VMI Physical Plant. Maintenance procedures include a thorough examination of mechanical parts, extinguishing agent and expelling

means. Hydrostatic testing is performed within the time specified by the manufacturer according to NFPA 10. An outside contractor does hydrostatic testing.

8.3.1.9 Records

The VMI Physical Plant is responsible for the inspection of all fire extinguishers, and maintaining an inventory of all fire extinguishers.

8.3.1.10 Misuse

Misuse of fire extinguishers is prohibited. Fire extinguishers are not to be removed from their proper locations or discharged unless there is a true fire emergency. Anyone found tampering with a fire extinguisher will be subject to disciplinary action. Report vandalism and/or discharged fire extinguishers to Buildings and Grounds.

8.3.2 Overhead Fire Extinguishing Equipment

8.3.2.1 Kitchen Fire Protection Systems

Kitchen systems consist of cylinders of dry or wet extinguishing agent connected by piping to discharge nozzles. The nozzles are located in the kitchen hoods over cooking appliances such as grills and deep fat fryers. The extinguishing agent is activated by manual activation of a pull station or discharge button, or automatic activation of heat activated fusible links in the hood. Wet chemical systems use a foamy material similar to soap that smothers and cools the fire. The wet extinguishing agent stays in the hood area and does not spread throughout the room.

Fire suppression systems in the kitchens are inspected and cleaned by an outside contractor. Hoods and ducts are cleaned quarterly. Filters are inspected and cleaned quarterly or as needed. Fusible links are replaced every six months. Each Building Coordinator conducts periodic inspections to oversee the work of the contractors.

8.3.2.2 Standpipes and Hose Systems

The purpose of a standpipe system is to provide hose connections inside the building, usually located in or near stairwells. .

Use: All Standpipe outlets are for Fire Department use only. Hose connections should be in readily accessible locations, clearly visible, and in good working order.

Inspections: Standpipes are inspected every fives year for water flow by an outside contractor. Inspection records are kept on file in The VMI Fire and Safety Office.

8.3.2.3 Automatic Sprinkler Systems

Automatic sprinkler systems are located in over half of the Post buildings.
Automatic sprinkler systems consist of a series of pipes and nozzles that distribute water when heat activates the sprinkler heads. Most sprinkler heads activate at 165 F. Only the heads exposed to this heat will discharge. They are connected to the building fire alarm systems. Automatic sprinkler systems are extremely effective at preventing fire spread. In terms of life safety there have been no reported cases of multiple deaths occurring in fully sprinkled buildings where the system was operating properly.

8.3.2.4 Inspections

All automatic sprinkler systems are inspected quarterly by an outside contractor. Documentation is maintained in The VMI Fire and Safety Office.

8.3.2.5 Precautions

Storage shall be maintained at least 18 inches below the sprinkler head. Sprinkler heads must be kept clean and not painted. Ensure that all heads are pointed down. Do not block sprinkler heads. Sprinkler piping shall not be used to support ladders, equipment or other materials. Portable Fire Extinguishers Training

Portable fire extinguishers are found in most buildings on Post. When used properly, they can save lives and property by putting out a small fire or containing it until the fire department arrives. They however, are not designed to fight a large or spreading fire. Extinguishers can be used to allow a safe exit from a burning building.

As an employee, am I expected to use these extinguishers to put out a fire before evacuating the area?	No. Employees are expected to evacuate the building, *unless* it is specifically part of a job description that an attempt will be made to control a fire. However, if you are properly trained to use a fire extinguisher and can evaluate the situation and extinguish a fire safely with no personal risk, then you may do so. The choice is yours.
Are certain employees required to be trained in the safe use of Fire Extinguishers?	Yes. Certain employees are required to attend portable fire extinguisher safety training: - Those who have specific duties as first responders as part of an Emergency Evacuation Plan; - Ushers and attendants at large public gatherings; - Those who work in laboratories; - Those involved in construction and renovation work, especially those performing utility and "hot work" (e.g., welding, cutting, brazing, and grinding). - Powered industrial truck operators.
Where can I get Portable Fire Extinguisher training?	This training is offered through The VMI Fire and Safety Office upon request. All VMI employees who are required to use a fire extinguisher, must have fire extinguisher training are required to attend a training session annually. Call The VMI Fire and Safety Office to arrange for training.
Fire is fire, right? Aren't all fires the same?	Not at all. There are four main classifications of fire: Class "A" or ordinary combustibles, such as wood, paper, plastic, rubber, and clothe. Class "B" or flammable and combustible liquids, such as gasoline, oil, grease, tar, oil-based paint, lacquer and flammable gases. Class "C" Energized electrical equipment, including wiring, fuses boxes, circuit breakers, machinery and appliances. Class "D" or combustible metals, such as zirconium, titanium, potassium, and magnesium. Class "K" Wet chemical extinguishers designed specifically for kitchen fires involving high temperature cooking oils used for deep frying, grilling and other types of cooking.

Fire extinguishers all look the same to me ...are they?

No. Fire Extinguishers come in many types, sizes, shapes, and colors. The two most common types are:

ABC Multi-Purpose Dry Chemical, Stored Pressure Type - These are the most commonly found extinguishers on Post and can be used on all classes of fire except combustible metals. They range in size from 2 ½ to 20 lbs., and have an effective range of 5 to 20 feet.

Carbon Dioxide (CO2) Extinguisher - These are for small Class B or C fires only. They range in size from 5 to 20 lbs., and their effective range is 3 to 8 feet.

How do I use one of these things, anyway?

If you do fight the fire, remember the word PASS

PULL the pin.

*A*IM the hose or nozzle at the base of the fire

*S*QUEEZE the handle to release the extinguishing agent.

*S*WEEP from side to side.

Keep the extinguisher aimed at the base of the fire and sweep back and forth until it appears to be out. Watch the fire area. If fire breaks out again, repeat the process.

Should you fight a fire?

Before you begin to fight a small fire:

- Make sure everyone has left, or is leaving, the building.
- Make sure the fire department has been called.
- Be certain that the fire is confined to a small area, such as a wastebasket, and that it is not spreading beyond the immediate area.
- Be sure that your back is to a safe and unobstructed exit to which the fire will not spread.
- Be sure that your extinguisher is the proper size and type for the fire at hand and that you have been trained in how to use it.

It is reckless to fight a fire with an extinguisher in any other circumstances. Instead, leave the area immediately, close off the area and leave the fire for the fire department.

8.4 Emergency Procedures Training

As each department develops and maintains their Emergency Evacuation Plan, employees must receive training on all elements of this plan upon its initiation. Thereafter, new employees must receive training when first assigned to the Department. Additional training is necessary only when an employee's required actions under the plan change, or when there are changes to the plan.

8.5 Public Assembly Emergency Procedures Training for Employees and Volunteers

Employees or attendees of assembly occupancies must be trained in emergency evacuation procedures and practice this training during drills. They must also be instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment, where provided. Safety Office personnel are available to provide training for all persons with this responsibility.

Appendix A
Fire Drill Report Form

Fire Drill Reporting Form

Administered by the VMI Fire and Safety Office
This form must be kept to comply with OSHA regulations and the fire code.
Please send a copy to The VMI Fire and Safety Office (464-7040)

Date of Drill	
Time of Drill	
Location of Drill	
Building Coordinator (Print Name)	
Weather Conditions	
Number of Occupants	
Total Time to Evacuate (minutes)	
Other Information or Concerns	

Signature _____ _____
Date

Appendix B
Classes and Storage
Of
Flammable and Combustible Liquids

Classes and Storage for Flammable and Combustible Liquids

Flammable liquid means any liquid having a flashpoint below 100 deg. F. (37.8 deg. C.), except any mixture having components with flashpoints of 100 deg. F. (37.8 deg. C.) or higher, the total of which make up 99 percent or more of the total volume of the mixture. Check the Material Safety Data Sheet (MSDS) for characteristics or classification of a particular liquid.

Class me flammable liquids are divided into three classes as follows:

Class IA	Liquids having flashpoints below 73 deg. F. (22.8 deg. C.) and having a boiling point below 100 deg. F. (37.8 deg. C.).
Class IB	Liquids having flashpoints below 73 deg. F. (22.8 deg. C.) and having a boiling point at or above 100 deg. F. (37.8 deg. C.).
Class IC	Liquids having flashpoints at or above 73 deg. F. (22.8 deg. C.) and below 100 deg. F. (37.8 deg. C.).

Combustible liquid means any liquid having a flashpoint at or above 100 deg. F. (37.8 deg. C.) Combustible liquids are divided into two classes as follows:

Class II liquids	Liquids with flashpoints at or above 100 deg. F. (37.8 deg. C.) and below 140 deg. F. (60 deg. C.).	
Class III liquids	Liquids with flashpoints at or above 140 deg. F. (60 deg. C.) Class III liquids are subdivided into two subclasses:	
	Class IIIA liquids	Those with flashpoints at or above 140 deg. F. (60 deg. C.) and below 200 deg. F. (93.3 deg. C.).
	Class IIIB liquids	Those with flashpoints at or above 200 deg. F. (93.3 deg. C.).

When a combustible liquid is heated for use to within 30 deg. F. (16.7 deg. C.) of its flashpoint, it must be handled in accordance with the requirements for the next lower class of liquids, with Class I liquids being the most volatile. Check the MSDS sheets for characteristics or classification of a particular liquid.

Exempt Amounts

There are certain amounts of flammable and combustible liquids stored in each *control area* that are considered *exempt*. These amounts are significant in that if these amounts are exceeded, then the area or building may have to be reclassified as a *Hazardous Use Group* under the building code. Excessive storage also constitutes a violation of the fire code. If storage exceeds these amounts, contact The VMI Fire and Safety Office.

Exempt amounts of flammable and combustible liquids per control area:

Condition	Flammable Liquids (US gallons)			Combustible liquids (US gallons)		
	IA	IB	IC	II	IIIA	IIIB
Inside; unprotected by sprinklers or cabinet.	30	60	90	120	330	13,200
Within approved cabinet; a non sprinkler protected structure.	60	120	180	240	660	26,400
In sprinkler protected structure; not in approved cabinet	60	120	180	240	660	unlimited
In sprinkler protected structure; in approved cabinet.	120	240	360	480	1,320	unlimited
Outside storage.	60	120	180	240	660	unlimited

There are also limitations on quantities stored in individual containers:

Container	Flammable Liquids (US gallons)		Combustible Liquids (US gallons)		
	IA	IB	IC	II	III
Glass or approved plastic.	1pt.	1qt.	1	1	1
Metal (other than DOT drum)	1	5	5	5	5
Safety cans	2	5	5	5	5
Metal drums (DOT specifications)	60	60	60	60	60

Approved portable tanks	660	660	660	660	660
Note: Nearest metric size is also acceptable.					

Appendix C
Emergency Evacuation Plan Template and Hazard Assessment Checklist

Virginia Military Institute

(DRAFT) EMERGENCY EVACUATION PLAN (DRAFT)

(DRAFT)

Policy Statement

According to "Virginia Military Fire & Life Safety Program", employees are not required to fight fires and should evacuate the building immediately in the event of a fire. The VMI Police has primary responsibility for managing fire emergencies and must be notified immediately of such situations at their emergency number by calling 911. Employees may use fire extinguishers to fight small; incipient stage fires (no larger than a waste paper basket) only if they have been trained in the proper use of a fire extinguisher and are confident in their ability to cope with the hazards of a fire. In such cases, fire-fighting efforts must be terminated when it becomes obvious that there is danger of harm from smoke, heat, or flames.

Emergency Coordinator

Building Coordinator is:

Emergency Coordinator is:

This person should be contacted with any questions about this Emergency Evacuation Plan.

Reporting an Emergency:

IF THERE'S A FIRE

SOUND THE ALARM

If a fire is suspected or discovered, sound the building fire alarm.

LEAVE THE BUILDING

Try to rescue others ONLY if it can be done safely.
Move away from the building and out of the way of the fire department.
Do not go back into the building until the fire department says it is safe to do so.

CALL THE FIRE/POLICE DEPARTMENT – 911

Dial 911 or use an "emergency" phone.
Give as much information as to the 911 operator.

Assist anyone who may be in danger, if it can be done without endangering anyone. Exit the building in a calm manner using the stairs - never use elevators. Maintain a safe distance from the building, about 50 feet, to allow

ample room for emergency personel and equipment to access the building. Remain outside the building, even if the alarm is silenced, until the fire department has given the "all clear".
An attempt may be made to put out the fire if the individual has been trained in and are comfortable with using a fire extinguisher. Otherwise, immediately evacuate. Hazardous equipment or processes should be shut down before leaving unless doing so presents a greater hazard. Remember to close all doors.

Evacuation Procedures

Evacuate via the nearest stairwell or street/grade level exit. After exiting the building, go to your pre-signated assembly point and remain there. At the assembly point, supervisors account for personnel and report any that are unaccounted for to the Post Police and/or the fire department.

The pre-designated assembly point for this building:

During an emergency, Cadets and visitors who may not be familiar with this plan must be informed of the requirement to evacuate.
Special attention should also be given to any persons with mobility impairments, especially those who are visitors or unfamiliar with the building.

Training

Employees must receive training on all elements of this plan upon its initiation. Thereafter, new employees must receive training when first assigned to the Department. Additional training is necessary only when an employee's required actions under the plan change, or when there are changes to the plan.

Identified Hazard in this Workplace

Below list any special hazards and any required special knowledge and/or training for occupants working in this building (for example, presence of a halon fire suppression system or hazardous materials used or stored in the building):

Additional Duties

Certain persons may have additional duties under this plan. These duties may include assisting others during the evacuation, performing head counts at the assembly point, or shutting down hazardous equipment or operations. Below is a list detailing any additional duties and the person(s) responsible for performing them?

The preferred method of reporting fires and other emergencies;

Call 911 on Post telephone.

Emergency escape procedure;
Go to the nearest stairway or exterior exit, if safe to do so, use alternative exits, if the nearest exit is blocked. Use emergency floor plans to determine alternative exits. Areas of refuge would be enclosed stairways.

Contact The VMI Fire and Safety Officer, at 7040 or by e-mail at jenningsmw@vmi.edu for questions concerning this plan.

Appendix D
Fire Prevention Plan Template

FIRE PREVENTION PLAN
DEPARTMENT OF _____

Policy Statement:" - Fire prevention starts with identifying fire hazards. All members of the Post community – faculty, staff, Cadets and visitors – have a personal obligation to be aware of fire hazards and to reduce or eliminate the risk of fire on Post.

Fire Prevention Plan Coordinator: The Department of _____ Fire Prevention Plan Coordinator is _____ (name and/or job title). This person should be contacted with any questions about this Fire Prevention Plan.

List of Workplace Fire Hazards and Prevention Strategies

Work Area	Fire Hazards	Prevention Strategy

Names and Job Titles of key personnel:

Name	Name
Title	Title
Address	Address
Email	Email
Phone	Phone

Housekeeping

The accumulation of flammable and combustible materials including cardboard boxes, magazine/journals and paper products, flammable liquids and any other materials that will contribute the ignition or spread of a fire must be controlled. This department's housekeeping policy includes:

Training

All employees will review, upon initial assignment, those parts of the fire prevention plan that they must know to protect themselves in the event of a fire emergency. The written plan must be kept in the workplace and made available for employee review.

The Fire Prevention Plan will be located _____

The training plan for Department _____will is:

Appendix E
Open Flame and Burn Permit Application

Date of

Activity_____ Approved

Open Burning Permit Application

Approval in accordance with the requirements of the Statewide Fire Prevention Code and written permission from The VMI Fire and Safety Office is required before the ignition of any open burning upon state owned property. The following are a list of those types of activities requiring an Open Burn Permit:

- recognized range or wildlife management practices
- prevention to control disease or pests
- providing heat for outdoor workers
- bonfires
- Indoor religious ceremonies and/or activities involving open flames and/or candles/incense.

Application must be made in writing at least ten (10) days prior to the request of this permit. The following information is required:

Activity: _____

Nature and quantity of material to be burned: _____

Date of activity: _____

Scheduled time of activity_____

Location of activity: _____

On-site fire-extinguishing equipment to be provided: _____

Are personnel adequately trained to use fire-extinguishing equipment? _____

If yes, describe training: _____

If required, (see second page) written permission has been obtained from the local EPA: _____

How will the waste be disposed of after the burn (especially bonfires)? _____

Prohibited: Offensive or objectionable burning, due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous. The Safety Official reserves the right to order the extinguishments of any open burning that creates or adds to a hazardous or objectionable situation.

Name of Sponsoring Organization: _____

Contact person (print):_____Email and/or phone: _____

Applicant_____
_____
(Signature) (Date)

Safety Office Representative_____
(Approval signature) (Date)

Additional comments or requirements:
_____

Procedure - Complete side one, then read and sign side two of this form, and submit it to the Post Safety Office.

Restrictions

Location - The location for any open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure. Fires in approved containers shall be permitted, provided that such fires are not less than 15 feet from any structure.

Extreme caution should be used to prevent the ignition of any nearby trees, foliage, or grassland, vehicles or equipment, or any other object adjacent, above, or below the area of the fire.

Materials - Open burning shall not be utilized for waste disposal purposes, and it shall be minimized in size for the intended purpose, and the fuel shall be chosen to minimize the generation and emission of air contaminants.

Fuel for a bonfire shall consist only of seasoned dry firewood and shall be ignited with a small quantity of paper. Do not use flammable or combustible liquids or gases, reactive chemicals, rubber, plastics, or other unapproved methods of ignition.

Attendance - Any open burning shall be constantly attended until the fire is extinguished.

Fire suppression - One of the following, or the equivalent, shall be immediately available and ready for use in the area of the fire:

1) At least one portable fire extinguisher with a minimum 4-A rating (10-lb. ABC multi-purpose dry chemical);
2) Two portable fire extinguishers with a minimum 2-A rating (5-lb. ABC dry chemical or 2 1/2 gal. pressurized water);

3) Some other approved on-site fire extinguishing equipment, such as dirt, sand, Or water barrel, garden hose or water truck.

Training: Portable fire extinguisher training is required for those supervising the activity.

Bonfire size and duration - A bonfire shall not be more than 5 feet by 5 feet by 5 feet in dimension and shall not burn longer than 3 hours. The size and duration of the bonfire shall not be increased, except by special approval from the Fire Official.

I have read these restrictions. I understand them and agree to abide by them to the best of my ability.

Applicant:

_____
_____

(Signature) (Date)

(Revised 04-03)

Appendix F
Pyrotechnics/Fireworks Permit Application

Approved

Disapproved

APPLICATION FOR THE DISPLAY OF FIREWORKS OR PYROTECHNICS

Approval for the display of fireworks on state property, including Virginia Military Institute, must be obtained from the State Fire Marshal's Office (SMFO). VMI Auxiliary Services will facilitate the approval process for sponsors of such events. It is important to note: the SFMO is not obligated to issue its approval if they do not receive all the necessary information 15 days prior to the requested display date. In addition, the SFMO approval may stipulate certain conditions and approval for a specific date and time that is not transferable to any other date, time or activity. The following information must be assembled and forwarded to The VMI Fire and Safety Office no later than 30 days prior to the activity, so that the application can be submitted for approval to the SFMO 15 days prior to the event. The pyrotechnician or contractor can supply much of this information.

1. Confirmation that the provisions in the following will be strictly adhered to:
- Virginia Fire Prevention Code, Chapter 33,
- NPFA 1123, 1995 ed. "Fireworks Display"
- NPFA 1124, 1998 ed., "Manufacture, Transportation, and Storage of Fireworks".
- NFPA 1126, 1996 ed., "Standard for the Use of Pyrotechnics before a Proximate Audience">

2. A statement and/or copies demonstrating competence on the part of the pyrotechnician(s) – experience training, certifications, licensure, etc.

3. A detailed description of the fireworks to be displayed.

4. A copy of an approved application for the use of the indoor or outdoor space.

5. A representative drawing the entire area of display, with safe zones, location, and layout of the shells or pyrotechnics.

6. A plan for recovery and disposal of any unexploded shells or pyrotechnics and refuse.

7. An insurance bond for the payment of potential damage, caused either to the person or property due to the permitted display and arising from acts of the permit holder or the agent of the permit holder. A Certificate of Insurance issued by the fireworks display contractor, naming Virginia Military Institute, and the sponsoring group as additionally insured.

8. Confirmation that the Lexington City Fire Department, the State Fire Marshal's Office, The VMI Fire and Safety Office and VMI Post Police have been notified for a demonstration at least 2 hours prior to the fireworks or pyrotechnics exhibit.

9. Confirmation that safety precautions for the launching area, crowd control, pedestrian and vehicle traffic and parking areas have been established. The setup and fallout areas must all be within a secured marked area, this means area will have caution tape around the entire parameter. Fireworks contractor must supply the tape. (Fireworks outdoor)

10. Information on the sponsor that includes a contact name, address, phone, and email address. Assemble and forward this information – as a package – to the Post Safety Office. If there are any questions, please call or email for assistance. The contact listed will receive notice of the SFMO approval and conditions, if granted.

Display of Fireworks Permit and Checklist

All items on this checklist are required before submission to the State Fire Marshall's office for approval.

☐ Confirmation that the provisions in the following will be strictly adhered to: Virginia Fire Prevention Code, Chapter 33, • NPFA 1123, 1995 ed. "Fireworks Display" • NPFA 1124, 1998 ed., "Manufacture, Transportation, and Storage of Fireworks". • NFPA 1126, 1996 ed., "Standard for the Use of Pyrotechnics before a Proximate Audience".
☐ A copy of the signed agreement between the sponsor and the contractor or pyrotechnician.
☐ A statement of competence and/or copies of certificates and licenses for the pyrotechnician or Contractor.
☐ A detailed description or inventory of the fireworks shells or pyrotechnics that will be used in the display and the type of ignition (battery, flare, computer generated).
☐ A copy of the approval to use the space on Post.
☐ A representative drawing of the entire area of display with marked safe zones, the location and layout of shells or pyrotechnics. Contractor will supply caution safety tape to be use area these zones.
☐ A plan for recovery and disposal of unexploded shells or pyrotechnics and refuse in writing.
☐ Copies of the insurance bond and Certificate of Insurance with required additionally named insured.
☐ All emergency response services have been notified.
☐ A confirmed time for a safety demonstration at least 2 hours prior to the fireworks or pyrotechnic display has been arranged with The VMI Fire and Safety Office, State Fire Marshal's Office, and the contractor. The Post Police and the Lexington City Fire Department have been notified. The *Scheduled time for safety demonstration will be* _____
☐ Plan for providing scene safety and security in writing from jurisdictions.
☐ Submit contact information for sponsor.
☐ Package of information was submitted on _____ (date no less than 30 days prior to event)

Name of Activity: _____ Contact person: _____
Phone or email _____

Location, date and exact time of Activity: _____

Firework's Contractor: _____
(Print) (Phone)

Offensive or objectionable activity, unsuitable weather conditions, and/or lack of safety precautions that creates an unsafe condition are prohibited. The VMI Fire and Safety Office reserves the right to order the activity to cease in the event it creates or adds to a hazardous or objectionable situation.

Safety Office Representative: _____

(Approval signature) (Date)

SFMO: _____

(Approval signature) (Date)

Safety Office
March 4, 2024

Appendix G
Tent and Temporary Structure Fire Inspection Form

FIRE AND LIFE SAFETY PROGRAM

Date of Activity_____
Approved
Disapproved

TENT / TEMPORARY STRUCTURE
FIRE SAFETY INSPECTION

Activity: _____

Date of activity: _____

Scheduled time of activity: _____

Location of activity: _____

Name of Sponsoring Organization: _____

Name of Tent Rental Company and onsite supervisor:

_____

• Tents over 900 sq feet or more than 50 occupants, approved by The VMI Fire and Safety Office and/or the State Fire Marshall's office:
❑ Tent application (G.S. Form E&B CO-13.3 Tent/Stage) has been submitted and approved by Virginia Department of General Services, Division of Engineering and Buildings (DEB). This includes Miss Utility contacted and location of utilities marked.
❑ Detailed site plan.
❑ Certificate of flame resistance,
❑ Detailed floor plan, including furniture and equipment arrangement within the tent or structure indicating egress paths and exits.
❑ VMI map annotating where site is in reference to the Post as a whole.
On-site Requirements:
❑ At least one multi-purpose (ABC) fire extinguisher for each tent with minimum 4-A rating, or two with minimum 2-A rating each.
❑ Tent is placed away from all buildings minimum 20 feet. (*The State Code Officials will determine all exception.* If problems are foreseen further explanation may be required, such as: structure of building posing the problem, tent not for assembly purpose, indicate that if tent is moved will obstruct egress or emergency fire lanes, and distance of cooking surfaces from building posing the problem).
❑ Tent is not blocking any means of egress from other structures, sidewalks or emergency fire lanes.
❑ If an air supported tent, all items in the tent are a minimum of 3 feet from the walls of the tent.
❑ Cooking with open flames and all other unprotected open flames are not permitted. State Code Official's required 20 feet distance between the electrical cooking device and cooking activity away from tent area. Electric warming trays and other warming devices are permitted.
❑ All tents anchors and structural supports are properly secured.
❑ Comments:

Offensive or objectionable activity that creates an unsafe condition is prohibited. The VMI Fire and Safety Office reserves the right to order the activity to cease in the event that it creates or adds to a hazardous or objectionable situation.

Representative_____
(Approval signature) (Date)

VMI Tent/Temporary Structure
Event Fire Safety Inspection
(Under 900sq feet)

ACTIVITY:_____
Date of Activity:_____ Time of Activity:_____
Location of Activity:_____
Sponsoring Organization:_____ Tent
Rental Company:_____

Flame Resistant (circle one):
Label Certification:_____ Test:_____

Occupant Load:_____
Standing 5 sq ft per person
With Chairs 7 sq ft per person
With Tables and Chairs 15 sq ft per person

[ ] No Combustible Materials (hay, straw, shavings, sawdust, vegetation, waste)

[ ] *No Smoking* Sign Displayed

[ ] No Open or Exposed Flames

[ ] No Fireworks within 100ft of Tent

[ ] Minimum Clearance of at least 3 ft from Contents and Tent Fabric

[ ] Portable Fire Extinguisher of 4A20BC Size

[ ] Security Personnel Present if Necessary

Proper Installation of Spot Lighting
[ ] Not Applicable [ ] Description:_____

_____
Event Inspector Representative

Keep one copy on file.
Forward one copy to the VMI Fire and Safety Office

Appendix H
Public Assembly Self Check List

Public Assembly Event
Self-Check Form
Fire and Life Safety

Fire - Police – Rescue 911
Police Non-emergency (540) 464-7017
Safety Office– (540) 464-7040

DATE:_____ TIME: _____ LOCATION:_____

EVENT: _____ PERSON DOING CHECK:_____

Exit announcement read, displayed or Posted? __ Yes __No *(If "no", arrange to provide the required announcement.)*

Exit doors clear and unobstructed (on both sides)? __ Yes __ No *(If "no", remove the obstructions.)*

Exit paths clear and unobstructed all the way to outside? __ Yes __ No *(If "no", remove the obstructions.)*

Wires taped down or otherwise secured? __ Yes __ No __ n/a *(If "no", tape down or otherwise cover the wires.)*

Aisles clear and unobstructed? __ Yes __ No *(If "no", remove the obstructions.)*

Exit lights on and unobstructed? __ Yes __ No *(If "no", remove the obstructions.)*

Emergency lights unobstructed? __ Yes __ No *(If "no", remove the obstructions.)*

Floor set-up approved? __ Yes __ No __ n/a *(If "no", contact Safety Office immediately.)*

- Fire protection equipment unobstructed? __ Yes __ No *(If "no", remove the obstructions* from:
- *fire alarm pull stations;*
- *fire alarm horns, bells or speakers, and strobe lights; – Fire extinguishers.)*

Decorations non-flammable? __ Yes __ No __ n/a *(If "no", remove the materials.)*

Use of open flames approved? __ Yes __ No __ n/a *(If "no", extinguish and do not use.)*

Use of pyrotechnics approved? __ Yes __ No *(If "no" - contact The VMI Fire and Safety Office immediately)*

Crowd managers in place? __Yes__ No *(If "no", contact The VMI Fire and Safety Office.)*
- 1 crowd manager for every 250 occupants

Tents have proper certification and permits if required? __ Yes __ No __ n/a

- contact The VMI Fire and Safety Office for fire inspection prior to occupancy
- flame retardant certification required at site – structural integrity

Emergency Medical Services in place? __ Yes __ No

Post-event check completed? __ Yes __ No *(If "no", perform Post event check.)*

- smoking materials safely extinguished (where smoking is allowed)
- approved open flames safely extinguished
- unnecessary electrical equipment turned off
- no obvious hazards

Appendix I
Hot Work Permit

Example of Hot Work Permit: This permit is Appendix I, copy must be either e-mailed to moyeraw@vmi.edu or faxed to 464-7682.

HOT WORK PERMIT

BEFORE INITIATING HOT WORK, ENSURE PRECAUTIONS ARE IN PLACE!
MAKE SURE AN APPROPRIATE FIRE EXTINGUISHER IS READILY AVAILABLE!

This Hot Work Permit is required for any operation involving open flames or producing heat and/or sparks. This includes, but is not limited to: Brazing, Cutting, Grinding, Soldering, Thawing Pipe, Torch-Applied Roofing, and Cadwelding.

INSTRUCTIONS

A. Verify precautions listed at right (or do not proceed with the work).
B. Complete and retain this permit.

HOT WORK BEING DONE BY
☐ EMPLOYEE
☐ CONTRACTOR _____

DATE	JOB NO.

LOCATION/BUILDING & FLOOR

NATURE OF JOB/OBJECT

NAME OF PERSON DOING HOT WORK

I verify the above location has been examined, the precautions checked on the Required Precautions Checklist have been taken to prevent fire, and permission is authorized for work.

SIGNED:

PERMIT EXPIRES:	DATE	TIME	AM PM

NOTE EMERGENCY NOTIFICATION ON BACK OF FORM.
USE AS APPROPRIATE FOR YOUR FACILITY.

THIS PERMIT IS GOOD FOR ONE DAY ONLY!

Required Precautions Checklist

- ❑ Available sprinklers, hose streams, and extinguishers are in service/operable.
- ❑ Hot work equipment in good repair.

Requirements within 10 m (35 ft) of work

- ❑ Flammable liquids, dust, lint, and oil deposits removed.
- ❑ Explosive atmosphere in area eliminated.
- ❑ Floors swept clean.
- ❑ Combustible floors wet down, covered with damp sand or fire-resistant sheets.
- ❑ Remove other combustibles where possible. Otherwise protect with fire-resistant tarpaulins or metal shields.
- ❑ All wall and floor openings covered.
- ❑ Fire-resistant tarpaulins suspended beneath work.

Work on walls or ceilings/enclosed equipment

- ❑ Construction is noncombustible and without combustible covering or insulation.
- ❑ Combustibles on other side of walls moved away.
- ❑ Danger exist by conduction of heat into another area.
- ❑ Enclosed equipment cleaned of all combustibles.
- ❑ Containers purged of flammable liquids/vapors.

Fire watch/hot work area monitoring

- ❑ Fire watch will be provided during and for 30 minutes after work, including any coffee or lunch breaks.
- ❑ Fire watch is supplied with suitable extinguishers.
- ❑ Fire watch is trained in use of this equipment and in sounding alarm.
- ❑ Fire watch may be required for adjoining areas, above, and below.
- ❑ Monitor hot work area for 30 minutes after job is completed.

Other precautions taken

- ❑ Confined space entry permit required.
- ❑ Area protected with smoke or heat detection.
- ❑ Ample ventilation to remove smoke/vapor from work area.
- ❑ Lockout/tagout required.

Note: When used in accordance with NFPA 51B, this permit is to be used for, but not limited to, the following: welding, cutting, grinding, open-flame soldering, thawing pipe, and torch-applied roofing.