

MISSISSIPPI STATE UNIVERSITY

ANNUAL SECURITY REPORT

2016

CORRECTED



MISSISSIPPI STATE
UNIVERSITY™

This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned and controlled by MSU; and on public property within, or immediately adjacent to and accessible from, the campus. This report also includes institutional policies concerning campus security, such as alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

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A black and white photograph of a large, light-colored sign for Mississippi State University. The sign features the university's name in a large, bold, serif font, with 'MISSISSIPPI STATE' on the top line and 'UNIVERSITY' on the bottom line. Below the name, it says 'FOUNDED 1878' in a smaller, bold, serif font. The sign is mounted on a brick wall. In the foreground, there are several iris plants with long, narrow leaves and some flowers in bloom. The overall tone is formal and institutional.

MISSISSIPPI STATE UNIVERSITY

FOUNDED 1878

2016 ANNUAL CAMPUS SECURITY REPORT

Statistics and information of the previous three years

A MESSAGE FROM THE CHIEF

The Mississippi State University Police Department (MSUPD) is dedicated to providing the highest quality law enforcement and crime prevention services to our campus community. Our department is empowered as a law enforcement agency by virtue of 37-101-15 (c) of the Mississippi Code of 1972 Annotated. Officers are vested with the authority of a constable that includes the power to make arrests and carry firearms. Our sworn and academy-trained officers and our support staff work as partners with many university departments, offices, and student and civic organizations in promoting a safe and secure campus. The police department understands the overall academic mission of the university and strives to play a vital role in enhancing that mission through crime prevention, education, inspection, and enforcement. Although the campus consistently has a low crime rate, this is not possible without all members of the campus community working in partnership and exercising their shared responsibility for safety and security. Our department shares your concern for your safety and welfare, and we are ready to serve you 24 hours a day throughout the year.

Vance Rice
Chief of Police

MISSISSIPPI STATE UNIVERSITY POLICE DEPARTMENT

The MSUPD is part of the Division of Student Affairs and reports to the Dean of Students' Office. The Chief of Police is responsible for the management of the MSUPD. All other public safety services are coordinated with key university and local officials.

The MSUPD consists of 32 sworn officers who are certified through the Mississippi Law Enforcement Officers Training Academy and have constable powers under authority of state statute. They are responsible for enforcement of university rules and regulations and the laws of the state of Mississippi on the Mississippi State University campus. Police jurisdiction includes all university-owned, rented, or leased property. The MSUPD stresses staff education in the form of in-service training and participation in local and state training seminars.

MSUPD radio dispatchers operate the department's telephones and two-way radios on a 24-hour basis to provide information and respond to emergencies. All emergency calls should be made to the campus 911 system. Dispatchers can contact the fire department, other area law enforcement agencies, or emergency medical services by direct phone line or radio. Personnel also monitor the National Weather Service radio network. A county-wide alerting system warns of threatening weather conditions.

The Mississippi State University Police Department is comprised of professionally commissioned police officers and support staff. MSUPD officers receive the same level of training as municipal and county law enforcement officers. Officers are required to complete a minimum of 400 hours of training at a regional police academy to become certified as a police officer in the state of Mississippi. Additionally, new officers are required to complete a twelve-week field-training program in which they learn to apply their law enforcement academy training to a university environment.

MSUPD officers are authorized to carry firearms, enforce laws, and make arrests on University property and adjacent roadways. MSUPD works closely with the Starkville Police Department, Oktibbeha County Sheriff's Office, and the Mississippi Highway Patrol to enhance the safety and security of members of the university community and the surrounding area. The Department also works closely with the Dean of Students and the Housing Department in enforcing the Student Code of Conduct.

The MSU Police Department is a full-service agency that is available 24 hours a day throughout the year. The

department works towards building partnerships with the university community to provide a safer environment with such programs and services as Operation Identification, community police officers, bully patrol, and library patrol. The Police Department may be contacted at 662-325-2121 for information or requests for services. The Police Station is located in the Williams building next to Hull Residence Hall.

EMERGENCY TELEPHONE NUMBERS

Emergency: 911

MSU Police: 325-2121

Crime Prevention: 325-2121

MSU Investigations: 325-1811

Law Enforcement Administration: 325-6731

JURISDICTION AREAS AND IMPORTANT FACTS ABOUT MISSISSIPPI STATE UNIVERSITY

This map represents the university, city, and county jurisdictions. The areas on the left in gray represent the city of Starkville, the blue area in the middle signifies Mississippi State University land, and the areas in white are the county lines. As one can see, many of the jurisdictions overlap one another, and therefore, the Starkville, University, and County police departments patrol all the areas surrounding the University and Starkville.

Mississippi State University has over 20,000 students enrolled at the main campus in Starkville; therefore, Mississippi State can see anywhere from 30,000-40,000 people daily on its campus.

Pedestrian safety is of utmost importance, and we encourage students to pay close attention when crossing streets across campus. Drivers should abide by the 20 mph speed limit in addition to yielding at cross walks.

Bikers should ride on bike paths whenever they are available. If there is no path, ride your bike on the right-hand side of the street. Bikes must be pushed, not ridden, on sidewalks and through crosswalks. Remember that your bike should have a light shining forward and a reflector on the rear. Don't forget to wear a helmet!

PREVENTING CAMPUS CRIME

A summary of policies and procedures prepared for the students, faculty, and staff of Mississippi State University, published in compliance with the Crime Awareness and Campus Security Act of 1990 (Clery Act), Higher Education Amendments of 1998, and the Drug-Free Schools and Communities Act Amendments of 1989.

CRIME PREVENTION

Crime prevention at Mississippi State University is a community-based program. Its main goal is to improve the quality of life for members of the campus community, and involvement by all members of the campus community is essential to its success. The MSUPD provides leadership and direction for this effort.

A community often evaluates police performance on factors such as response time to calls for service, interactions with individual officers, and satisfaction with the handling of calls for service. Overall police performance, however, is more appropriately measured in terms of increased or decreased crime. Often overlooked are the efforts of police to prevent crime by taking a proactive stance.

At Mississippi State University, positive changes and state-of-the-art crime prevention efforts complement reactive measures. A variety of proactive crime prevention efforts are in use by the MSUPD. Visible patrol units either walk the campus or patrol on bicycles or in marked vehicles. "Operation Identification" is a program of identifying personal property that is stored on campus. MSUPD are available to provide walking escorts across campus.

Mississippi State's crime prevention program stresses community awareness and interaction. The MSUPD disseminates materials and makes presentations to acquaint students, faculty, and staff with their responsibility to help reduce the potential for a crime to occur. Programs range from crime prevention presentations to on-site inspections. MSUPD officers give presentations throughout the university community, including late night talks in residence halls and specially designed programs for interested campus groups. Topics range from personal safety and residence hall security to date rape and vehicle protection. The importance of citizen involvement in crime reporting is emphasized.

Students, faculty, and staff members receive information that encourage crime reporting. Crime prevention information is provided to all new students, faculty, and staff members at orientation programs. Information also is presented to the campus through the media.

For more info concerning crime prevention programs or reporting procedures for crime, please contact MSUPD Crime Prevention at 325-2121.

CAMPUS SECURITY AND ACCESS TO CAMPUS FACILITIES

Although the Mississippi State campus is open to the public, its facilities are limited to university, academic, and administrative activities and programs sponsored by university groups. Anyone requesting after-hours access to facilities must have the approval of the appropriate authority prior to allowing access.

University facilities and landscaping are maintained to minimize hazardous conditions. Malfunctioning lights and other unsafe conditions should be reported immediately to the Physical Plant Department by calling 325-2052 or, after business hours, by calling the MSUPD, 325-2121.

Residence halls are a special concern. The on-campus residence halls and apartments currently house over 4,000 men and women, both undergraduate and graduate students, mostly in double accommodations. Some buildings are open year-round; most other facilities close during university holidays. Each resident is provided with a key to his or her room. Main entrances of the residence halls automatically lock each night. After closing time, students may enter their residence hall by using an ID card in the card access reader system installed in main doors. All other doors are marked "Exit Only" or "Emergency Exit Only" and should be locked to prevent entry from outside the building at all times. These doors are to be used only for their designated purposes. Windows are equipped with locks operable by the room occupants.

RESIDENCE HALL DOOR SECURITY

1. A student who enters or leaves the residence hall after closing hours is responsible for securing the outside door.
2. A student may not prop open or alter a door so that it will not properly close and lock.
3. A student may not admit unauthorized or uninvited persons into the hall after it has been closed.

4. Any maintenance deficiencies that may compromise building security should be reported immediately to a residence hall staff member or the Housing Facilities Office (325-2190). When the Housing Facilities Office is closed (after 4:30 p.m. on weekdays and during weekends and holiday periods), potential security problems should be reported to the MSUPD.

Security systems and security procedures are provided for your protection. You should follow these procedures at all times.

Card access security systems are monitored 24 hours a day. Hall desks operate 24 hours a day to provide additional security. The first floor meeting of each semester in the residence halls is designated as a time to review specific rule enforcement. This is also a time to discuss fire safety and security. Other topics related to safety and security issues are discussed with residents as needed.

STUDENT SAFETY AND ESCORT SERVICE

The Mississippi State University Police Department operates an escort service at night to escort people to their cars or buildings. They provide an extra set of eyes and ears for the Police Department and report any activities to which the Police need to respond. For assistance, call 662-325-2121, and one of the student employees will be sent to walk you to your destination. Hours of operation vary, but begin at dark and last until the early morning hours.

BLUE LIGHTS

Throughout campus, emergency contact sites are placed in high pedestrian traffic areas to provide a direct contact line to University Police if an emergency arises. For more information, contact the University Police Department at 662-325-2121.





HELPING STUDENTS IN DISTRESS

EMERGENCY CONTACTS:

Emergency 911
MSU Police Department 325-2121
Dean of Students' Office 325-3611
Counseling Center 325-2091
Longest Student Health Center 325-2431
Housing and Residence Life 325-3555
All area codes are 662.

If you are dealing with a student in distress:

- Be aware of the location of the nearest telephone, whether it is within the building or a personal cell phone.
- If you are concerned for your safety or that of others, call 911 immediately.
- If the student is causing a disruption to the classroom or office environment, but does not pose a threat:
- Attempt to discuss the situation with the student to address the inappropriate behavior.
- Ask the student to leave the office or classroom.
- Document the incident by submitting a behavioral incident report on the Dean of Students' Web site at: www.students.msstate.edu.
- Or, at any time, call the Dean of Students' Office for assistance.

How to report a student in distress:

Go to the Dean of Students' Web site at www.students.msstate.edu and click "REPORT AN INCIDENT".

IF IN DOUBT, CALL THE MSU POLICE DEPARTMENT!

How should disruptive behavior in the classroom be defined?

MSU defines "classroom disruption" as behavior a reasonable person would view as being likely to substantially or repeatedly interfere with the conduct of a class. Examples include repeated, unauthorized use of cell phones in the classroom; persistent speaking without being recognized; or making physical threats.

Examples of behaviors that should be reported:

- Violations of the Code of Student Conduct
- Drunkenness in the classroom
- Threatening words or actions
- Writings that convey clear intentions to harm self or others
- Observed self-injurious behavior (cutting, burning, etc.)
- Threatening online postings
- Dramatic change in class attendance, resulting in excessive absenteeism
- Suicidal tendencies, including :
 - threats (e.g., "I'm going to kill myself")
 - gestures (e.g., erasing one's hard drive)
 - ideation (e.g., "I've always thought about killing myself.")
- actual suicide attempts
- Paranoia — student groundlessly believes he or she is being stalked
- Stalking
- Relationship violence
- Hazing/bullying
- Flat affect or extreme lack of responsiveness

- "Accidental" overdose
- Harassment

BEHAVIORAL INTERVENTION TEAM (BIT):

Coordinated by the Dean of Students' Office, the BIT is a group of university administrators and faculty assembled from academic and student affairs to provide support and behavioral responses to students displaying varying levels of distress. Mississippi State's goal is to successfully engage, support, and minimize the concerns associated with students in distress. Accomplishing these goals requires a coordinated institutional response that includes all members of the MSU community.

AGGRESSION:

If you see or are dealing with aggressive behavior or other potentially threatening situations, contact the MSU Police Department. This could be a person who makes aggressive or threatening statements toward the instructor or other people in the university setting or behaves in a way that you believe is not safe.

EMOTIONAL/TROUBLING BEHAVIOR:

If you are dealing with a student who needs to talk with someone about personal concerns or is experiencing an emotional or psychological crisis, contact the Student Counseling Center at 325-2091. This could include a student who tells you about a personal issue or reveals something to you in written form that you believe is significant enough to require additional help or support. Examples might include alcohol and drug abuse, eating disorders, sexual assault, suicidal tendencies, etc. MSU faculty and staff cannot grant confidentiality to a student who discusses any violation of state law or MSU policies.

DISRUPTIVE BEHAVIOR:

If you are dealing with a student who is disruptive or who has violated the Code of Student Conduct, contact the Dean of Students' Office at 325-3611. An example of this might be a student who comes to class under the influence of alcohol or drugs, or who will not behave in an appropriate manner in spite of intervention from the instructor.

IMPORTANT WEB SITES:

Dean of Students' Office:
www.students.msstate.edu
Behavioral Intervention Team:
www.students.msstate.edu/bit
MSU Police Department:
www.police.msstate.edu
Student Counseling Center:
www.health.msstate.edu/scs
MSU Emergency Web site:
www.emergency.msstate.edu

We strongly encourage the MSU community to contact the Dean of Students' Office regarding any concerns about a student.

PROCEDURES FOR REPORTING CAMPUS CRIME AND OTHER EMERGENCIES

Campus crime is a reality and preventing it is a responsibility shared by all members of the campus community. Public apathy is a criminal's greatest ally. If you see or suspect criminal activity, you cannot assume that someone else has reported it. Whether you are a victim or an observer, you should report any crime, suspicious activity, or emergency on campus to the MSUPD. Remember, you don't need proof that a crime has occurred. If you are suspicious, call the MSU Police Department at 325-2121. In case of emergency, simply dial 911. The police department is located in the Williams Building on Walker Road, adjacent to the football stadium and Hull residence hall.

Students, faculty, and staff should report all crimes and medical or fire emergencies to the MSUPD. When a report is received, a police officer will go to the caller's location for investigation. When necessary, a follow-up investigation will be conducted by the department and coordinated with the local police agencies. In the case of a medical or fire emergency, the MSUPD will notify the appropriate emergency personnel. When you call the MSUPD, please provide the following information:

- your name
- the location of the incident you are reporting
- a description of the scene and suspects
- a description of any vehicles involved in the incident,

- especially a license plate number
- the nature of the incident

IF YOU ARE ASSAULTED

If you are assaulted, call the MSUPD as soon as possible. Try to remember as much about the assailant as possible. Characteristics important in locating and identifying suspects include sex; race; hair color, length and texture; body size; clothing; scars and other noticeable markings; mode of travel; and vehicle color, type, and license plate number. In some incidents, the victim may already know the name of the person committing the assault. If you report an assault, the campus will be searched immediately for suspects, and neighboring police agencies will be notified.

IF YOU SEE A SUSPICIOUS PERSON

If you see anyone acting suspiciously, call the MSUPD at once. Do not approach the person yourself. Report the type of activity you observed and describe the person or persons involved. Provide as much information as you can, such as the person's sex, race, location, type of clothing, and type of

vehicle. MSUPD will investigate your report immediately. If all members of the campus community become security conscious and report suspicious activity, thefts, and related incidents can be reduced. Remember, preventing crime is your responsibility, too!

IF YOU RECEIVE A BOMB THREAT

If you receive a bomb threat by telephone, obtain as much information from the caller as possible. Ask for (1) the location of the bomb, (2) the expected time of explosion, and (3) the type of bomb. Listen carefully to the caller's voice and any background noises. Such information may assist in identifying the caller. Call the MSUPD immediately. MSUPD will search the area involved and notify trained bomb squad personnel if a device is found. MSUPD, together with building officials, will determine whether evacuation is required.

The most important thing to remember about preventing crime is that you should call police whenever you suspect that a crime has been or may be committed. You do not need proof in order to call. If you suspect a crime, call the MSUPD immediately.

RESPONSE TO REPORTS OF CRIME

All crimes reported to the MSUPD are considered serious and are treated with the appropriate concern and attention toward solving the crime. Each officer is trained to perform investigations, and two officers are designated as full-time investigators. All reasonable avenues of investigations will be pursued concerning a complaint. The complainant will be notified in a timely manner of the results of the investigation.

A log of reported crimes is maintained by the department and shared with interested people or organizations on a daily basis. Additionally, the campus community will be notified immediately about any crimes or incidents that seriously threaten campus safety. Individuals who regularly receive information concerning reported crimes include:

- MSU Police Dept. (325-2121)
- Director of Housing (325-3555)
- Dean of Students (325-3611)

Individuals who become aware of incidents or individuals that threaten the safety of the campus community should immediately contact the MSUPD or one of the individuals listed above. Additionally, information regarding reported crimes or incidents that occur on campus is shared with the following student organizations:

- The Reflector (325-2374)
- Student Association (325-3917)

Individuals who wish to report incidents of inappropriate behavior by students but who do not want the incident investigated as a criminal offense should make such report to the Dean of Students (325-3611).

Individuals who wish to report incidents of inappropriate behavior by staff or faculty, but who do not want the incident investigated as a criminal offense, should make such report to the appropriate department head or director, or the Employee Relations and Development section of the Department of Human Resources Management (325-3713).



MONITORING AND RECORDING CRIME AT OFF-CAMPUS STUDENT LOCATIONS THROUGH LOCAL POLICE AGENCIES

PURPOSE

The educational process is a dynamic process that involves learning, living, and socializing at on- and off-campus locations for our students. Additionally, there are many privately owned apartment complexes in the community in which many of our students reside. Because of this relationship with the community, Mississippi State University endeavors to obtain, to the extent possible, reports of crimes at off-campus fraternities recognized by the university or other off-campus locations frequented by students.

IMPLEMENTATION

The Mississippi State University Police Department works closely with the Starkville Police Department and Oktibbeha County Sheriff's Office to address issues of crime, safety, and security at both on- and off-campus locations. While the Starkville Police Department and the Oktibbeha County Sheriff's Department cannot isolate the crime statistics for each off-campus location in which students reside or frequent, they do provide the crime statistics for the community as a whole. Additionally, these agencies share with the Mississippi State University Police Department information about all criminal incidents that are reported at off-campus locations.

STUDENT HEALTH SERVICES

University Health Services approaches healthcare from a team-based holistic viewpoint. By integrating counseling, medical therapeutics, and healthy lifestyles, we encourage our students and patients to forestall those behaviors which lead to many of the chronic medical problems of society. By promptly addressing substance use and abuse, inactivity, poor dietary habits, poor social choices, as well as treating those acute problems that young adults face, we feel we are modeling a form of medical care that will become the standard of the future. Departments and services include an on-campus pharmacy, X-ray, physical therapy, lab, allergy clinic, and nutritionist. More information can be found at <http://www.health.msstate.edu/>.

THE DEPARTMENT OF HEALTH PROMOTION AND WELLNESS

The Department of Health Promotion and Wellness supports and promotes the healing, renewal, safety, and justice for survivors while working towards the elimination of sexual violence through proactive initiatives, education, and interventions. Our vision is to create learning experiences and opportunities that instill in our students the concept of taking care of self by taking care of their community. <http://www.health.msstate.edu/sas/>

PREVENTING SEXUAL ASSAULT

Mississippi State University is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free of the threat of sexual assault. Every member of the university community should be aware that the University considers personal physical safety of students and employees to be a minimal prerequisite for the establishment of a learning environment.

Mississippi State views any form of sexual assault (as defined in the following paragraph) as a serious offense, and such behavior is prohibited by state law and by university policy. It is the intention of the university to take whatever action is needed to prevent, correct, and if necessary, discipline behavior that violates this policy. Prosecution of students for crimes they commit, whether by state or federal prosecutors, is independent

of and in addition to the charges or disciplinary proceedings instituted by the university. This report summarizes the university policy and procedures on sexual assault. A copy of the complete policy may be obtained from: <http://students.msstate.edu/sexualmisconduct/>

CONTINUED ON NEXT PAGE >

Some notable programs that Mississippi State University provides to students, faculty, and staff members to promote awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses include:

- Haven: Online training on sexual violence and misconduct; mandated for all incoming students
- Haven for Faculty and Staff: Online training on sexual violence and misconduct; mandated for all new employees
- Group Training by Office of Compliance & Integrity: OCI offers group training sessions on sexual violence and misconduct, which are available to all university departments and organizations. In 2016, OCI completed approximately 25 training sessions.
- The Clothesline Project: On-campus visual display project to raise awareness of sexual violence, sponsored by Health Promotion & Wellness
- Go Paint Starkville: A “color run” awareness project for students and community members focused on relationship violence, sponsored by Health Promotion & Wellness
- Safe Zone Training: Voluntary training on LGBTQ issues, including sexual violence and misconduct

SEXUAL ASSAULT SERVICES

Sexual Assault Services is dedicated to providing advocacy and services for victims of sexual violence and to providing information and education to the Mississippi State University community for prevention of sexual assault and violence. For more information, visit <http://www.health.msstate.edu/sas>.

Policy and Procedure:

I. Overview

Mississippi State University (“the University” or “MSU”) does not permit discrimination on the basis of sex in its educational programs or activities. In order to foster an environment of respect for the dignity and worth of all members of the University community, the University is committed to maintaining an educational environment free from sex discrimination, which includes sexual misconduct of any type, including sexual assault, sexual harassment, sexual exploitation, stalking or domestic violence.

It is the policy of the University that no member of its community, including students, employees, contractors, and visitors on its campuses, shall engage in sexual misconduct of any kind toward any other member of the University community or in connection with any University program. Reporting of sexual misconduct to the authorities listed in this policy is strongly encouraged and, in some circumstances, is required. Any person who violates this policy is subject to disciplinary action, which may include expulsion from the University or its programs, or termination of employment.

The University’s policy is to investigate reports of sexual misconduct promptly, fairly, and thoroughly, in order to

ensure the safety of all members of the community. To that end, retaliation of any kind against any person who brings a complaint under this policy will not be tolerated and will be independent grounds for disciplinary action.

II. Application of this Policy

This policy applies to all members of the University community, including without limitation students, faculty, staff, independent contractors and their employees, visitors on campus, and those participating in University programs. It applies regardless of a person’s sex, sexual orientation, or gender identity. Application of this policy is not limited to sexual misconduct that occurs on an MSU campus. It may also include sexual misconduct that occurs off-campus if it involves a University program or members of the University community.

III. Sex Discrimination Prohibited

The University does not permit discrimination on the basis of sex in its educational programs or activities. Specifically, University policy is to comply fully with the requirements of Title IX of the Education Amendments of 1972, as well as other applicable laws and their implementing regulations.

The focus of this policy is sex discrimination in the form of sexual harassment, sexual assault, and other forms of sexual misconduct as defined below. The University’s Non-Discrimination and Anti-Harassment Policy (OP 3.03) addresses sex discrimination generally, as well as other forms of prohibited discrimination that do not involve sexual misconduct.

IV. Definition of Sexual Misconduct

As used in this policy, the term “sexual misconduct” refers broadly to unwelcome behavior of a sexual nature committed without effective consent. Sexual misconduct can vary in its nature and severity. For purposes of this policy, sexual misconduct includes but is not limited to sexual harassment, sexual assault, sexual exploitation, stalking and domestic or dating violence.

- Sexual Harassment is unwelcome conduct of a sexual nature. It can include verbal or non-verbal communication or physical conduct. It is prohibited by this policy when it is sufficiently severe, pervasive or persistent that it denies or limits or is likely to deny or limit a reasonable person’s ability to participate in or benefit from University programs, services, opportunities or activities. Examples of prohibited sexual harassment include, but are not limited to (a) repeated sexual solicitations toward a person who has indicated they are unwelcome; (b) conditioning favorable treatment in connection with any University program upon sexual favors; (c) threats of a sexual nature that do not rise to the level of sexual assault or domestic violence; and (d) severe, pervasive, or persistent insults or derisive comments related to sex, gender, or sexual orientation directed at a specific individual.

Whether sexual harassment is sufficiently severe, pervasive or persistent to violate this policy may depend on multiple factors. Thus, a person should not be deterred from reporting unwelcome sexual conduct simply because they are not certain whether it is severe, pervasive or persistent enough to constitute a policy violation. That is a determination for the University to make, and a person reporting harassment will never be penalized or retaliated against for any report made in good faith.

- Sexual Assault refers to rape or other physical sexual acts perpetrated against a person without their consent. Sexual assault includes sexual penetration or intercourse or any other physical contact of a sexual nature that occurs without consent. This includes but is not limited to deliberate physical touching as well as contact of a sexual nature with an object. Sexual assault also includes attempted physical sexual contact without consent, as well as attempts to induce sexual activity via direct threats of physical violence, even where no physical contact ultimately occurs.

- Sexual Exploitation is taking sexual advantage of another person in a way that deliberately infringes on his or her reasonable expectation of privacy and/or security, but does not involve actual or attempted physical contact. Examples of sexual exploitation include, but are not limited to
 - (a) recording images, video or audio of another person engaged in sexual activity or in a state of undress without that person's consent, even if the sexual activity itself is consensual;
 - (b) distributing images, video or audio of another person engaged in sexual activity or in a state of undress—or threatening to distribute the same—if the person distributing knew or reasonably should have known that the person depicted did not consent to the recording or the distribution;
 - (c) viewing another person engaged in sexual activity or in a state of undress in a place where that person would have a reasonable expectation of privacy, without that person's consent and for the purpose of gratifying sexual desire; (d) failing to notify a person with whom one is engaged in a sexual activity that another person is observing.

- Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or suffer substantial emotional distress. Examples of stalking include but are not limited to physically pursuing a person against their wishes, or sending repeated unwanted messages by electronic or other means. Stalking violates this policy when it is undertaken, at least in part, for a sexual purpose.

- Domestic/Dating Violence refers to acts of physical violence, or threats of physical violence, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The violent act itself may or may not be sexual in nature.

These definitions and all other parts of this policy shall be interpreted in accordance with the rights to free expression held by members of the University community. Consequently,

the mere expression of opinions, ideas, words or symbols that another person finds objectionable will not, without more, constitute a violation of this policy.

V. Definition of Consent

Consent refers to words or actions that clearly show an active, knowing and voluntary agreement to engage in a particular sexual activity. Consent is determined objectively. This means that an individual is deemed to have given consent when a reasonable person, under the particular circumstances of the encounter, would understand the individual's words and/or actions as indicating the required agreement.

Consent may be withdrawn at any time by words and/or actions that clearly show the individual no longer wishes to participate. Silence and/or the absence of resistance by themselves are not consent. Consent to engage in sexual activity in the past by itself is not consent to future sexual activity. Consent to engage in sexual activity with one person is not consent to engage in sexual activity with another person.

- Force or coercion. There is no consent when a person submits to sexual activity due to physical force or the threat of physical force. Likewise, there is no consent when a person intentionally uses coercion to cause another person to agree to sexual activity. Coercion is threatening an adverse consequence that is sufficiently severe as to prevent a reasonable person from exercising free will in the decision whether to consent. Examples of coercion may include but are not limited to threatening self-harm if a person does not agree to sexual activity, threatening to “out” another person's sexual orientation, or threatening an adverse employment action. Coercion is not merely words of persuasion one might reasonably use to seek voluntary consent to sexual activity.

- Incapacity or impairment. There is no consent if a person is mentally or physically incapacitated or impaired such that they cannot understand the fact, nature, or extent of the sexual situation. This includes impairment or incapacitation due to alcohol or drug consumption if it prevents the person from having such an understanding, as well as being asleep or unconscious. It also includes instances in which a person lacks the required understanding due to medical conditions, or cognitive or other disabilities.

In some instances, a person may give what appears to be consent, despite being incapacitated. For example, a person may speak despite having “blacked out.” In such cases, the objective standard for consent applies, meaning that a policy violation occurs unless a reasonable individual under the particular circumstances would have believed that the incapacitated person's actions signaled active, knowing and voluntary agreement to sexual activity. Even if this objective standard is satisfied, if the other individual was actually aware of the person's incapacity, there is no consent.



- Age. There is no consent for purposes of this policy where a person is too young to give effective consent under applicable law. Under Mississippi law, persons under fourteen cannot give effective consent to sexual activity with any older person, where the age difference is greater than twentyfour months. Persons between the ages of fourteen and sixteen cannot give consent to sexual activity with any older person where the age difference is greater than thirty-six months.

VI. Reporting Sexual Misconduct

The University strongly encourages anyone who has experienced sexual misconduct to report the incident through the procedures in this policy. Properly reporting the incident allows the University to take steps to ensure the safety of the complainant and others and to provide support services. Any person may submit a report against any other person for sexual misconduct on a MSU campus, in connection with any MSU program or activity, and/or involving a member of the University community.

There are alternatives to reporting sexual misconduct to

the University. For example, a person may choose to speak confidentially to a counselor, a victim advocate, a health care professional, or certain others on campus. Likewise, a person always retains the right and is encouraged to report misconduct to any law enforcement agency, regardless of whether they have reported to the University or not. In short, it is important for all members of the University community to familiarize themselves with all their options for seeking assistance.

1. Emergency Assistance

If you are in immediate physical danger or need emergency medical care, CALL 911.

Your safety is the first priority. The options for assistance listed below can provide a quick response, but they cannot provide the immediate physical presence necessary to assist you if you are in danger. If you believe you are in immediate physical danger or if you need immediate medical assistance, call 911. Police and/or an ambulance will be dispatched to assist you as necessary. University officials, if not alerted by your 911 call, can be alerted once you are safe.



If you are not in immediate physical danger, call the MSU Safeline at 662-325-3333.

If there is no immediate threat and you do not need immediate medical care, the MSU Safeline is the quickest, most direct way of reporting sexual misconduct and getting help. Calling the Safeline will notify one of MSU's Sexual Assault Advocates, who are trained to help you obtain support, which may include, as necessary, medical care, housing accommodations, academic accommodations, or counseling.

2. Reporting to the University

Whom should I contact?

The University's Title IX Coordinator is responsible for overseeing compliance with Title IX and other laws that address sexual misconduct and discrimination. The Coordinator oversees investigations and disciplinary proceedings in cases of sexual misconduct, as well as the interim accommodations and assistance for those who report such misconduct. The simplest and most direct route to submit a formal report to the University is to contact the Title IX Coordinator:

- Brett Harvey, Title IX Coordinator. Email: titleix@msstate.edu; Phone: 662-325-8124.

If a person does not wish to report directly to the Title IX Coordinator, they are encouraged to contact one of the following officials, who also can provide prompt assistance:

- Thomas Bourgeois, Dean of Students. Allen Hall Room 608. Email: thomasb@saffairs.msstate.edu; Phone: 662-325-3611.

- Ann Carr, Senior Associate Athletic Director. Email: acarr@athletics.msstate.edu; Phone: 662-325-0977.

- Jackie Mullen, Director of Student Activities, Office of Fraternity and Sorority Life. Email: jmullen@saffairs.msstate.edu; Phone: 662-325-3917.

- Joy Graves, University Compliance Officer. Email: jgraves@legal.msstate.edu; Phone: 662-325-8131.

- Judy Spencer, Chief Human Resources Officer. 222 McArthur Hall; Email: jspencer@hrm.msstate.edu; Phone: 662-325-3717.

- Stephen Green, Senior Human Resources Generalist. 226 McArthur Hall; Email: sgreen@hrm.msstate.edu; Phone: 662-325-3717.

- Juli Rester, Senior Human Resources Generalist. 226 McArthur Hall; Email: ruster@hrm.msstate.edu; Phone: 662-325-3717.

In addition to these officials, many MSU personnel are trained to convey reports of sexual misconduct to the proper authorities on campus. These personnel are called “Responsible Employees” and their duties are discussed below. Whenever possible, however, incidents of sexual misconduct should be reported to one of the individuals listed above to provide the most prompt and direct response.

What should I do with any evidence of sexual assault?

A person who experiences sexual assault should take steps to preserve evidence as soon as possible after the incident, even if he or she is unsure about reporting it. To better preserve evidence:

- Do not shower or douche.
- Try not to urinate. Urinating may reduce the ability to detect “date rape” drugs.
- If there was oral contact, do not smoke, eat, or brush your teeth.
- Do not change clothes. If you have already changed your clothes, place them in a paper bag, as plastic may destroy evidence. If you haven’t changed, keep the original clothes on and bring an extra set to wear home.
- A Physical Evidence Recovery Kit (PERK) will preserve help preserve forensic evidence of an assault. Inform your medical care provider that you wish to have a PERK performed as soon as possible.

What if I am reporting workplace sexual harassment?

Sexual harassment or other misconduct against University employees in the workplace may violate both this policy and/or the University’s Anti-Harassment and Non-Discrimination Policy (Operating Policy 03.03). When reporting workplace sexual harassment that does not involve sexual assault or other violence, employees are encouraged to follow the reporting procedures contained in Operating Policy 03.03.

If workplace misconduct does involve sexual assault or other violence, employees should never attempt to resolve the matter directly with the accused person. In such cases, employees should report the matter directly to the Title IX Coordinator or the Chief Human Resources Officer.

What if I report sexual misconduct to someone else at MSU?

If a report is made to an employee of the University other than those listed above, that employee may or may not have a duty to report the complaint to the Title IX Coordinator, depending on

the employee’s position and job duties.

Certain University employees are deemed “Responsible Employees” for purposes of Title IX and this policy. When a Responsible Employee receives a report of sexual misconduct, he or she has a mandatory duty to report that allegation to the Title IX Coordinator. As discussed below, there is a single, narrow exception to this mandatory reporting requirement where the alleged misconduct involves nonviolent employee-on-employee workplace harassment.

Who are MSU’s Responsible Employees?

A Responsible Employee is any MSU employee (a) who has actual authority to redress sexual misconduct; (b) who has been given the duty of reporting incidents of sexual misconduct or any other misconduct to appropriate University authorities; or (c) who a student would reasonably but mistakenly believe has this authority or duty.

The Responsible Employee designation applies to professors and other faculty, deans and department heads, athletic coaches and administrators, personnel in the Dean of Students’ Office, University Police Department personnel, resident assistants and directors, and any other employee who meets any of the three elements above. If you are uncertain whether you or someone else is a Responsible Employee, the Title IX Coordinator can help you make that determination.

Confidential Employees. Certain employees are specifically exempted from Responsible Employee status. These include (1) licensed counselors, such as those at Student Counseling Services, and their staff members; (2) health care providers and staff, such as those at the Longest Student Health Center; and (3) pastoral counselors. These employees are not required to relay any information about reported sexual misconduct to the University. Faculty members with duties that meet the above descriptions are exempted from mandatory reporting for information received when acting in their counseling or clinical capacity, but not for information received in other settings, such as office hours with students.

Other Exempted Employees. The University may determine that other personnel, such as trained sexual assault advocates, should be exempted from mandatory reporting requirements, consistent with applicable law and legal guidance. Such a determination must be made in writing and approved by the Title IX Coordinator, University Counsel, and the Vice President for Student Affairs. Any employees so designated are not required to report identifying information about alleged sexual misconduct, but are required to report non-identifying information including the nature, date, time, and general location of the incident for purposes of record keeping under the Clery Act.

What happens when I inform a Responsible Employee of sexual misconduct?

When a Responsible Employee receives a report of sexual misconduct, he or she has a mandatory duty to report that allegation to the Title IX Coordinator. This means that the Responsible Employee must inform the Title IX Coordinator, even if the person who experienced the alleged misconduct asks the employee not to do so.

University personnel who are not Responsible Employees are encouraged to report incidents of sexual misconduct to the University, but are not required to do so. Consequently, individuals who experience sexual misconduct should not presume that informing these employees will result in any remedial action by the University. They should instead report the matter to the Title IX Director or other personnel listed above.

Statements concerning sexual misconduct that are directed to groups generally do not constitute reporting for purposes of this policy, even if a Responsible Employee is present or learns of the statement. This includes without limitation statements made in the course of public events such as rallies, vigils or speeches. If a person wishes to seek assistance from the University, they should speak directly to a Responsible Employee in a one-on-one setting.

Are there any exceptions to a Responsible Employee's duty to report?

There is one narrow exception to the mandatory reporting requirement for Responsible Employees. If the alleged sexual misconduct is harassment of one employee by another employee and there is no allegation of sexual assault or other violence and no student or minor allegedly was involved, then a Responsible Employee may, in his or her discretion, decide not to report the incident to the Title IX Coordinator.

This exception recognizes that employees may wish to confer with co-workers about incidents of nonviolent harassment without immediately triggering a university investigation. It applies solely to the reporting obligation addressed in this policy. It does not relieve any employee of any other reporting obligation he or she may have under any other policy or law. In all cases, all employees are strongly encouraged to inform their co-workers of their options for reporting workplace harassment or other sexual misconduct to the University.

What are my duties as a Responsible Employee?

Responsible Employees are required to notify the University's Title IX Coordinator when they learn of sexual misconduct against any member of the University community, guest on campus, or participant in any University program.

- Reporting should be prompt. A Responsible Employee should report an incident of sexual misconduct to the Title IX

Coordinator as soon as is practical under the circumstances.

- Reporting is not discretionary. To be clear, aside from the single exception described above, the obligation to report sexual misconduct is not discretionary. A Responsible Employee may not, for example, decide not to report alleged misconduct because he or she believes it is not sufficiently serious, or because he or she does not believe it happened. These are decisions for the Title IX Coordinator and appropriate University officials to make.

- Independent responses are prohibited. Under no circumstances may any employee, department, organization, or division of the University attempt to resolve unilaterally any complaint of sexual misconduct that is required to be reported under this policy. In these cases, the Responsible Employee must always notify the Title IX Coordinator first, who will determine the appropriate response after consultation with appropriate officials.

- Inform students of your obligations. Many Responsible Employees can reasonably anticipate the possibility that students may report sexual misconduct to them. The University encourages these employees to inform students of their reporting obligations in advance. When sexual misconduct is actually reported, the employee should tell the reporting person as early in the conversation as possible that any information provided will have to be relayed to the Title IX Coordinator, and that if the reporting person prefers to keep the information confidential, the University has resources such as the Student Counseling Center and Longest Health Center that can provide confidential assistance.

- Tell the reporting person what will happen next. A Responsible Employee should tell the person reporting sexual misconduct (1) that they will be informing the Title IX Coordinator of the incident; (2) why they are sharing this information—i.e., their obligation to inform those on campus in a position to respond; and (3) that the University will contact them to provide additional information and support.

- Do not share the information with others. Once you have informed the Title IX Coordinator, your reporting duties are complete. You may not share the information with anyone else. If your supervisor or someone you report to expects to be notified of such reports, you may inform them that you have relayed a complaint to the Title IX Coordinator, and that they may contact the coordinator directly with questions or concerns.

After I report misconduct, will the information be kept confidential?

The University will endeavor to keep reported information about sexual misconduct private to the greatest extent possible, but cannot guarantee that all information it receives will be kept confidential. Once a report is submitted to a Responsible Employee, the University has a duty to investigate the matter and endeavor to protect the safety of members of the community.

In some instances, this means that certain information must be provided to individuals involved in an investigation.

Upon receiving a report of sexual misconduct, the Title IX Coordinator will attempt to contact the person who made it (the “complainant”) to determine his or her wishes with respect to privacy. If the complainant requests that their identity or other information be kept private, or that no disciplinary action be pursued, the University will give careful consideration to that request. However, there may be instances in which such requests cannot be honored, as they would impair the University’s ability to ensure a safe and nondiscriminatory environment for all students. Factors considered include, but are not limited to:

- The risk of the accused committing other acts of sexual misconduct, such as where other complaints have been made against the same person.
- The risk of sexual misconduct of a similar nature, such as where multiple assaults occurred at the same location or involving the same group.
- The use of physical violence and/or weapons.
- The involvement of multiple alleged perpetrators.
- Allegations of threats or retaliation by the accused against the complainant or others.
- The reporting party’s age.
- The parties’ rights and/or the University’s obligations under the Family Educational Rights and Privacy Act (FERPA) and other applicable privacy laws.

If the University determines it can honor a request to keep information private, it will take steps consistent with that request to ensure the safety of the complainant and others. However, complainants should understand that honoring a request for privacy necessarily will impair the University’s ability to investigate and normally will prevent any disciplinary action from being taken against the accused. If someone who initially requested privacy later requests an investigation, the University will honor that request. However, delays may impair the University’s ability to conduct a thorough investigation or take appropriate remedial action.

If the University determines it cannot honor a request for privacy, it will inform the complainant before any disclosure is made. The University will take whatever steps it deems necessary to protect the complainant and to ensure that information is available only to those who have a legitimate need to know. The University will make it clear to the accused party and others receiving information that any act of retaliation against the complainant will not be tolerated.

If my report of sexual misconduct involves alcohol use, will I be punished?

While the University does not condone violations of its policies, reporting incidents of sexual misconduct is of paramount importance. Thus, the University will not pursue disciplinary action against any person for possession or consumption of alcohol or drugs, when that possession or consumption is revealed in the course of a good faith report of sexual misconduct or other good faith statements made in connection with an investigation under this policy.

3. Confidential Assistance

Certain University personnel are able to provide assistance to victims of sexual misconduct on a confidential basis. These individuals are not required to convey information regarding sexual misconduct to the Title IX Coordinator or anyone else. Consequently, communications with these individuals do not put the University on notice of sexual misconduct. While these individuals may be able to provide assistance such as counseling or health care, notifying them will not trigger an investigation by the University or any disciplinary proceedings. Sources of confidential assistance include:

- Student Counseling Services (662-325-2091) allows students to meet confidentially with mental health counselors. Additionally, Counseling Services can provide a Sexual Assault Advocate, who can offer confidential assistance, including (1) explaining reporting options; (2) providing accompaniment and assistance in seeking medical care or police assistance; and (3) seeking other assistance without disclosing the victim’s identity.
- The Longest Student Health Center (662-325-2431) provides medical care, including emergency care, to members of the University community. Information shared with Health Center staff, including information pertaining to sexual assault or other misconduct, is confidential.
- The Employee Assistance Program (1-866-219-1232) provides confidential assistance to employees covering a wide range of family, marital, and other issues. The EAP offers telephone counseling and can refer employees for in-person counseling sessions.

As discussed above, the University may elect to confer confidential status to other employees consistent with applicable laws and regulations. If you are not certain whether an employee is required to report sexual misconduct to the University, please inquire with the Title IX Coordinator.

4. Anonymous Disclosure

Anonymous complaints of sexual misconduct or other unethical or unlawful behavior can be made through the MSU Ethics Line, a comprehensive and confidential online reporting tool. An

online report can be completed via the Ethics Line web page, a link to which is located on the University's main home page. To submit a report by telephone, dial 877-310-0424.

The MSU Ethics Line is not a 911 or emergency service. If your situation involves any immediate threat, call 911 or the MSU Police Department, not the Ethics Line. Further, the Ethics Line is not a substitute for reporting under this policy. While the University will take appropriate steps to address threats to safety or other ongoing problems identified by anonymous disclosures, its ability to respond, impose discipline, and/or accommodate the complainant normally will be significantly limited. Members of the community are therefore strongly encouraged to consider the other options for reporting listed in this policy.

5. Reporting to Law Enforcement Agencies

The reporting procedures in this policy are not intended as a substitute for reporting sexual misconduct to law enforcement agencies. Sexual misconduct may involve violations of the law. Members of the University community always retain the right to report sexual misconduct to the police. However, reporting to law enforcement is never required under this policy.

In an emergency, the MSU and Starkville Police Departments can be reached by calling 911. No non-emergency contact information for these agencies is as follows:

MSU Police Department - 662-325-2121

Starkville Police Department - 662-323-4131

Oktibbeha County Sheriff's Office - 662-323-2421

U.S. Department of Justice - Office of Civil Rights - 404-562-7886

Reporting to the MSU Police Department will trigger the responses outlined in this policy. Reporting to other law enforcement agencies will not trigger these responses unless and until that agency elects to share the information with University officials or until you make a report as outlined in this policy.

Making a report under this policy is independent of any criminal investigation or proceedings. Thus, you may report to the University, a law enforcement agency, or both. The University, in its discretion, may not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation or disciplinary proceedings. The University may take interim measures, if necessary, for the safety and security of the University community.

Individuals who bring reports of sexual misconduct to the University will be informed of their options for reporting to law enforcement agencies. If requested, the University will take reasonable steps to assist the individual in reporting to law enforcement.

While requests by reporting parties for non-disclosure of information to law enforcement will be carefully considered, there may be circumstances under which University officials

must provide law enforcement with information, such as where disclosure is required by law or is necessary to ensure campus safety.

VII. Prohibition on Retaliation

Retaliation against individuals who report sexual misconduct, or who cooperate with an investigation of alleged misconduct, whether conducted by the University or any law enforcement agency, is strictly prohibited. Retaliation is an independent basis for disciplinary action, regardless of the outcome of the underlying complaint. For purposes of this policy, retaliation includes any adverse action that would deter a reasonable person from reporting, testifying, or otherwise cooperating with an investigation or proceeding. Any such retaliation should be reported immediately to the Title IX Coordinator.

VIII. False Reporting

While the University recognizes the rarity of intentionally false reports of sexual misconduct, submitting a deliberately false report or providing false information in bad faith is prohibited under this policy and is grounds for disciplinary action. A report is made in bad faith when the person making it actually knew it was false or made it with reckless disregard for the truth. A report is not made in bad faith merely because an adjudicator finds an accused party not responsible.

Where a false report or statement has been made in bad faith, disciplinary action by the University against the person making it is not retaliation within the meaning of this policy. This exception applies solely to official disciplinary action by the University. It does not authorize other retaliation of any kind by any individual, department or organization, even where bad faith is found.

IX. Investigation and Adjudication

All investigations and disciplinary proceedings concerning alleged sexual misconduct will be conducted in a prompt, fair, and impartial manner by individuals who have received appropriate training.

1. Initial Investigation

The Timeframe. Absent extenuating circumstances, the University will strive to conduct a full investigation of a complaint of sexual misconduct and adjudicate the complaint within sixty calendar days after receiving consent to proceed with an investigation from the complainant or within sixty calendar days of deciding to proceed with an investigation absent the complainant's agreement.

Interim Assistance. While an investigation is pending, the University will take reasonable interim steps to protect complainants. These steps may include, but are not limited to:

- Modifying class or work schedules as necessary;

- Making alternate housing or workplace arrangements;
- Addressing other academic or workplace concerns (e.g. assignments, leaves of absence, or withdrawal); and
- Providing additional and/or targeted educational programming and training.

The University may also issue orders prohibiting contact between the complainant, the accused, and/or any other member of the University community. While these accommodations are most commonly provided to complainants, the University may also make accommodations for the accused or any other person, where it deems them necessary for a prompt, fair, and impartial resolution. A written description of available accommodations and assistance will be made available upon request.

The Investigator. The Title IX Coordinator will select an appropriate person or persons to conduct the investigation. In exceptional cases, an external investigator may be used. In all cases, the investigator will have received proper training on issues relating sexual misconduct and Title IX. The investigator may regularly consult with the Title IX Coordinator on the progress of the investigation and potential issues that require additional follow-up.

Initial Contact with the Parties. When an investigation begins, the Title IX Coordinator or a designee will schedule a meeting with the complainant. The complainant will be informed about the relevant provisions of this policy, the nature of the investigation, the availability of interim accommodations and assistance, the prohibition on retaliation, the right to report to law enforcement agencies, and the possibility of informal resolution where appropriate. The Title IX Coordinator or a designee also will communicate to the accused party the relevant provisions of this policy, the nature of the investigation, and forms of support or assistance available to him or her.

2. Procedures for Adjudication

The procedures for investigating and adjudicating complaints of sexual misconduct vary depending on the identity of the accused party. Where the accused party is a student, the procedures described below in part (b) will be used. Where the accused party is an employee, the procedures described below in part (c) will be used. In all cases where a student or employee is charged with sexual misconduct in violation of this policy, however, the following general rules in part (a) apply.

a. General Rules for Investigation and Adjudication

- i. All parties to a sexual misconduct investigation will have equal rights throughout the resolution process and will have an equal opportunity to present relevant witnesses and other evidence if a hearing is necessary.
- ii. Both the complainant and accused have the right to have a non-participating advisor present at any

hearing or any meeting related to the investigation or adjudication. If this advisor is an attorney, please see the procedure located in OP 91.100.

- iii. The complainant and accused will be advised of the charges, their rights and the hearing procedure at a pre-hearing conference.
 - iv. Both parties will be given reasonable advance notice as to who will hear and adjudicate the matter, as well as the identity of any witnesses, and any other evidence to be presented at any hearing.
 - v. The complainant has the right be present during the entirety of any hearing or can choose to participate by remote means at an off-site location.
 - vi. The standard of proof for adjudicating any sexual misconduct charge is a preponderance of the evidence standard. In other words, the evidence must show that it is more likely than not that the alleged sexual misconduct occurred.
 - vii. The complainant and the accused in a sexual misconduct complaint hearing will be allowed to question or provide information responding to any witness's testimony or other evidence presented during any hearing. However, the complainant and the accused in a sexual misconduct complaint hearing should not directly question or cross-examine each other during the hearing.
 - viii. The complainant and the accused will be simultaneously informed, in writing, of the outcome of any disciplinary proceeding, the procedures to appeal the results, any change in the results that occurs prior to the results becoming final, and the time at which the results become final.
 - ix. The Title IX Coordinator will oversee all investigations, hearings and disciplinary proceedings under this policy to ensure such proceedings comply with University policy and applicable law. All persons assigned to investigate sexual misconduct charges will have received proper training on issues related to sexual assault, sexual harassment, domestic violence, and stalking as well as proper methods for ensuring a prompt, thorough and fair investigation. All persons responsible for final adjudication of charges of sexual misconduct will have received proper annual training on the same issues, as well as proper methods of conducting hearings.
 - x. If any party to a disciplinary hearing under this policy believes that any adjudicator or investigator has a conflict of interest that would prevent him or her from handling the matter fairly and impartially, they should communicate that belief to the Title IX Coordinator as early as possible, and in all events prior to any hearing. The Coordinator will review the matter and take remedial action where appropriate, which may including assigning an alternate investigator or adjudicator. In rare cases, the Coordinator may determine that potential conflicts of interest or other factors warrant the appointment of individuals from outside the University community to investigate and/or adjudicate a charge of sexual misconduct.
- b. Where the Accused Person is a Student
- i. Where the accused person is a student, adjudication proceedings will be conducted according to the general rules of the Code of Student Conduct, as set forth in Operating

Policy 91.100. Where this policy contains additional requirements or conflicts with the Code of Student Conduct, this policy will control.

ii. Cases involving alleged student-on-student sexual misconduct will be assigned to the Student Conduct Board, and where necessary, to an Empaneled Appeals Board. They will not be referred to organization-specific disciplinary bodies.

iii. No student shall sit on any Student Conduct Board or other board assigned to hear any charge of sexual misconduct.

iv. In cases of alleged sexual misconduct, the right of appeal described in the Code of Student Conduct shall apply to both the complainant and the accused. Petitions for appeal will be reviewed by the Dean of Students Office in consultation with the Title IX Coordinator.

c. Where the Accused Person is an Employee

i. Where the accused person is an employee, proceedings will be conducted according to the general rules of the Complaint Resolution Procedure set forth in the University's Non Discrimination and Anti-Harassment Policy (OP 03.03).

ii. In cases where the accused person is an employee and the complainant is a student and/or a minor, review by the President or his designee of the outcome and any disciplinary or other remedial action, as described in Paragraph 5 of Operating Policy 03.03, shall be automatic and mandatory.

d. Where the Accused Person is neither a Student nor an Employee

i. In some cases, a person accused of sexual misconduct may be someone other than a University student or employee. In these cases, the University normally will not have the ability to impose discipline directly under this policy. However, the University will take appropriate steps to ensure the safety of the complainant and others, which may include without limitation steps to bar the accused person from campus, exclusion from university programs or activities, and/or referral to appropriate law enforcement agencies.

ii. Nothing in this policy shall be construed as granting any accused person who is not a University student or employee any procedural or substantive rights in relation to the University's response to alleged sexual misconduct.

3. Possible Sanctions

Sanctions for violations of this policy must be determined based on the facts of each individual case. Sanctions are distinct from non-punitive interventions—such as no-contact orders or changes in housing assignments—which the University may impose to insure the safety of community members. Sanctions may include, but are not limited to, one or more of the following:

- Expulsion: Separation of the student from the University whereby the student is never eligible for readmission to this university.

- Termination of Employment: Removal of an employee from his or her position with the University whereby the employee is not eligible for re-employment.

- Suspension: Separation of the student from the University, or temporary removal of an employee with or without pay, for a period of time.

- Conduct Probation: An official warning that the student's conduct is in violation of the Code of Student Conduct, but is not sufficiently serious to warrant expulsion or suspension. A student on conduct probation may face expulsion or suspension if found responsible for another violation. A student may also be ineligible to represent the university, and additional restrictions or conditions may be imposed depending on the nature and seriousness of the misconduct as specified in the sanction.

- Loss of campus housing: Removal from University housing for disciplinary reasons.

- Community service: An individual may have to complete a specified number of community service hours.

- Restrictions: The withdrawal of specified privileges for a defined period of time.

- Reassignment: Alteration of an employee's duties, work schedule, work location, or other terms of employment, which may or may not involve demotion or reduction of compensation.

- Restitution: A payment for financial reimbursement in cases involving loss of or destruction of property or deception.

- Warning: Formal reprimand of a student for actions violating the Code of Student Conduct, or a formal warning of an employee to be maintained in his or her employee records.

- Educational Requirements: A stipulation to complete a specific educational or training requirement related to the specific infraction. The provision will be clearly defined. Educational requirements may include, but are not limited to, completion of an alcohol or drug education course, an integrity course, remedial training on sexual misconduct issues, essays, reports, etc.

4. Informal Resolution

In some instances, a complainant may prefer to address sexual misconduct through informal means, such as mediation. Persons interested in informal resolution should communicate that request to the Title IX Coordinator.

If the complainant requests informal resolution, the University will make reasonable efforts to facilitate it. Informal resolution is strictly voluntary. No one, whether complainant or accused, will be compelled to participate in any mediation or other informal resolution. Further, informal resolution efforts always will be supervised by a properly-trained person, such as an administrator or counselor.

Informal resolution is never appropriate in cases of alleged sexual assault or physical violence. In addition, the University

may determine that other claims are sufficiently serious that informal resolution would be inappropriate. In such cases, the matter will be resolved through formal adjudication. If at any point either party wishes to end informal resolution efforts, they should communicate that fact to the Title IX Coordinator and formal adjudication proceedings will begin. If after informal efforts have concluded, either party is not satisfied with the result, they should promptly communicate the same to the Title IX Coordinator and formal adjudication proceedings will begin.

X. Assistance and Support

The University is committed to ensuring that those who report sexual misconduct receive appropriate assistance. The Title IX Coordinator or a designee will inform complainants of their options during the initial investigation of a report, as outlined earlier in this policy, and will work with complainants to identify appropriate assistance and contact persons.

Additionally, to the extent feasible, the University will endeavor to provide reasonable accommodations to those who seek confidential assistance through the resources outlined in this policy. Options for assistance and support include:

Student Counseling Services

Students who have experienced sexual assault or other misconduct can receive both immediate assistance and longer-term counseling through Student Counseling Services. Information shared with Student Counseling Services staff is confidential, and will be relayed to University officials only with the express permission of the student. Counselors are trained to help students experiencing trauma related to sexual assault, domestic violence, harassment, and other misconduct.

To contact Student Counseling Services between 8:00 a.m. and 5:00 p.m., Monday through Friday, call 662-325-2091 or come by in person to 115C Hathorn Hall. After hours or on weekends, call the Campus Safe Line at 662-325-3333.

Sexual Assault Advocate

Student Counseling Services employs Sexual Assault Advocates (SAAs) to guide victims through the process of receiving assistance following sexual misconduct. When a person reports sexual assault or other sexual violence to the University via this policy, the SAA will be alerted promptly and placed in contact. The SAA can provide assistance on a wide range of issues, from seeking immediate medical attention and/or a Physical Evidence Recovery Kit (PERK) to seeking housing or academic accommodations.

University Health Services

The Longest Student Health Center provides medical care,

including emergency care, to members of the University community. Information shared with Health Center staff, including information pertaining to sexual assault or other misconduct, is confidential. To contact the Student Health Center between 8:00 a.m. and 5:00 p.m. on Monday through Friday, call 662-325-2431. For after-hours medical advice, contact Nurselink at 800-882-6274. For medical emergencies, call 911.

Sexual Assault Response Team (SART)

Mississippi State University's Sexual Assault Response Team (SART) is a team of university professionals who provide support to students who have experienced sexual violence. The SART's mission is to activate a comprehensive response to empower individuals impacted by sexual violence.

SART's members come from a range of departments and offices of the University to ensure that the victim's needs can be met, whatever they may be. These include Student Counseling Services, University Health Services, Housing & Residence Life, the Dean of Students Office, and the University Police Department.

Where a person reports sexual misconduct under this policy, the Title IX Coordinator or a designee can contact the members of SART to formulate an appropriate plan for interim assistance.

XI. Training, Education and Awareness

The University's policy is to provide ongoing training and education to all students and employees on the provisions of this policy and their duties under it. Training and education programs will include, without limitation:

- A clear statement of the University's prohibition of sexual misconduct, including sexual assault, dating violence, and stalking.
- Information designed to enhance awareness of rape, acquaintance rape, domestic violence, dating violence, and stalking.
- Information on the definition of consent.
- Information on bystander intervention strategies to safely prevent harm where a threat of sexual misconduct exists.
- Information on risk reduction, recognizing signs of abusive behavior, and avoiding potential attacks.

The Title IX Coordinator will oversee and monitor the University's training and education efforts to ensure their adequacy for these purposes and their compliance with applicable laws. For information on training, education, and

awareness programs available at MSU, please contact the Title IX Coordinator.

XII. Recordkeeping, Disclosures and Confidentiality

No information derived from proceedings under this policy shall be released except as permitted or required by law and University policy. As discussed above, in the context of an investigation under this policy, information will be disclosed only to those individuals with a genuine need to know.

Clery Act Records and Notifications

Under the Clery Act, the University is required to maintain records and report annually on certain offenses occurring on campus. Clery reports do not, however, include the names or any other identifying information about the persons involved in any incident.

If a report of sexual misconduct discloses an immediate threat, the University may issue a notification to protect the health or safety of the community. The University may also share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions. At no time will the University release the name of the complainant to the general public without the express consent of the complainant or as otherwise permitted or required by law.

FERPA Privacy Protections

Under the Family Educational Rights and Privacy Act (FERPA), identifying information about a complainant, respondent, or reporter who is a student will not be disclosed to third parties unaffiliated with the University, except in response to a lawfully issued subpoena or court order, or as otherwise required or allowed by law.

However, if in connection with a University investigation of alleged sexual misconduct, an accused party requests to view records relating specifically to the accused party, the University may be required to grant the request. In such cases, the University will redact all personally identifying information to the extent permitted or required by law.

Mississippi Public Records Act

Incident reports prepared by the University Police Department may be considered public records under the Mississippi Public Records Act (MPRA) and may not be protected by FERPA. This means the University may be required to make them available for inspection upon request. All such requests must be made pursuant to the University's Public Records Request Procedure (OP 6.04) and reviewed by the Office of General Counsel. To the extent any incident report is subject to disclosure, the University will redact the victim's personally identifying information to the extent permitted by law.

XIII. Coordination with Other Policies

Amorous Relationships (OP 01.28)

- University policy prohibits employees and students from entering into any amorous and/or sexual relationship in which one person is in a position of power over the other, as this creates an inherent conflict of interest. If such a relationship develops, the participant in the position of authority is required to inform his or her immediate supervisor or Human Resources Management of the relationship, so that the positional conflict can be eliminated.

- The University's amorous relationship policy is violated even if an unreported power differential relationship and any accompanying sexual activity are consensual. Conversely, a person's authority over another in an employment, academic, or other setting may be relevant to whether sexual activity involved coercion, which would render any consent ineffective.

Non-Discrimination and Anti-Harassment (OP 03.03)

- As discussed above in Part VI, harassing conduct in the workplace may violate both this policy and the Non-Discrimination and Anti-Harassment Policy.

- When reporting workplace harassment that does not involve sexual assault or other violence, employees should follow the reporting procedures contained in Operating Policy 03.03. Alternatively, if workplace conduct does involve sexual assault or other violence, employees should follow the procedures in this policy. To simplify matters, in either case, reporting to the Title IX Coordinator or the Chief Human Resources Officer is both sufficient and recommended.

- Where this policy differs from Operating Policy 3.03, or imposes additional requirements, this policy will control.

Termination of Employment (OP 60.113)

- Where termination proceedings are based on a violation of this policy, both the procedures herein and in Operating Policy 60.113 will apply. Where the two policies differ, this policy will control.

- Nothing in this policy limits the grounds upon which a person's employment with the University may be terminated. Under certain circumstances, sexual behavior that does not meet the definition of sexual misconduct under this policy may nonetheless provide cause for termination or other discipline. The procedural steps outlined herein apply only where an employee is charged with a violation of this policy.

Code of Student Conduct (91.100)

- To the extent the provisions of this policy differ from those of the Code of Student Conduct, this policy will control in cases of alleged sexual misconduct.

The state of Mississippi maintains a statewide sex offenders registry. This web address allows you to search by county for sex offenders in the MSU and surrounding area. Mississippi's sex offender registry statute requires all sex offenders to register. The sheriff of each county maintains sex offender registration information for that county and forwards it to the Department of Public Safety. To obtain Mississippi Sex Offender info, go to the following web address: <http://www.sor.mdps.state.ms.us/>

XIV. Questions About This Policy

Anyone with questions about the provisions of this policy should contact the University's Title IX Coordinator, Brett Harvey, at titleix@msstate.edu or 662-325-8124.

XV. Review

This policy will be reviewed by the Provost and Executive Vice President every two years or whenever circumstances require immediate review.



TIMELY WARNING POLICY

Timely warnings are provided to give students, faculty, and staff timely notification of crimes that may present a threat to the campus community and to heighten safety awareness.

Criminal suspects are often unknown to the victims. However, in the instance of a violent crime occurring between two individuals who know each other, the Mississippi State University Police will look at each instance to determine if the suspect poses a continued threat to the campus community and issue a warning when necessary. The Maroon Alert may also seek information that may lead to the arrest and conviction of the offender when violent crimes against persons or major crimes against property have been reported to the police.

The MSU Crisis Action Team is responsible for preparing a timely warning when a crime is reported to or brought to the attention of the Police and that crime represents a threat to the safety of members of the campus community. The MSU Crisis Action team includes university representatives from the President's Office, Provost Office, Vice President of Student Affairs Office, Dean of Students' Office, MSU Police Department, Department of Housing and Residence Life, University Relations and Information Technology Services. Information for alerts also comes from other law enforcement agencies or other officers. Every attempt will be made to distribute the alert within 12 hours of the time the incident is reported; however, the release is subject to the availability of accurate facts concerning the incident. Crime Alerts are distributed to on-campus offices, residence halls and

libraries, on campus postings, via MSU e-mail, Maroon alerts and the MSU homepage.

TIMELY WARNING PROCEDURE

The MSU Crisis Action Team will prepare a timely warning whenever a report is received of a violent crime against a person or a particularly threatening crime against property on campus that represents an ongoing danger to the safety of students, faculty, and staff. Timely warnings provide details of the crime, a description of the suspect if known, information on whom to contact about the investigation, and often crime prevention tips. Timely warnings will be e-mailed as quickly as possible to other select university offices, posted on the Mississippi State website, www.msstate.edu, widely distributed throughout campus, and, to the extent possible, posted in off-campus areas frequented by students.

Whenever the City of Starkville Police issue a news release about an off-campus crime that represents an ongoing threat to the safety of students, faculty, and staff, the university will assist in publicizing the crime on campus.

Information included in Crime Alerts:

1. A succinct statement of the incident.
2. Possible connection to previous incidents, if applicable.

EMERGENCY NOTIFICATION (MAROON ALERTS)

In the event of an emergency, the Crisis Action Team will determine the appropriate emergency notification systems to be used to deliver the emergency notification message to the campus community. MSU may use any or all communication resources to disseminate information depending on the nature of the emergency and the surrounding circumstances. The process of issuing an emergency notification begins by confirming there is a significant emergency or dangerous situation. University personnel verify information and the existence of a significant emergency or dangerous situation. This occurs by collecting and assimilating information from firsthand accounts, from uniformed officers in the field, and through the use of surveillance technologies such as alarm systems. Alarm systems are monitored by the MSU Police Department 24 hours a day, 7 days a week. In some locations, cameras can be reviewed in the event of an emergency.

Upon verification, dispatch personnel contact leadership within the Crisis Action Team to pass along specific information about the emergency or dangerous situation. Once the Crisis Action Team determines the event's significance and the populations it may impact, leadership begins the process of issuing emergency notifications.

Upon determination of the notifications content, systems utilized to transmit emergency notifications are selected and activated to deliver the desired content relating to the emergency on to the end user within the MSU community. These systems are described beginning in the next section.

Mississippi State University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system or systems, unless issuing a notification will, in the professional judgment of responsible authorities, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.



www.maroonalert.msstate.edu

Information pertaining to incidents and emergencies on campus will be disseminated to the larger public via media organizations through University Relations or individuals involved in emergency response on campus as designated by the Crisis Action Incident Commander.

HOW TO SIGN UP FOR MAROON ALERT

Mississippi State University encourages all students, faculty, and staff to sign up for the Maroon Alert System. To receive Maroon Alert text messages on your cell phone, you must provide your cell phone number to the MyBanner system.

The procedure is as follows:

- Log in to MyState.
- Click on Personal Information.
- Click on Update Maroon Alert Information.
- Select “I want to receive Maroon Alert text messages.”
- Enter your cell phone number in the Maroon Alert cell phone number field.
- Click on Update/Verify Maroon Alert Information to save this information.

The cell phone number that you entered will be used for text message notifications in the event of a campus emergency, as well as periodic tests of the Maroon Alert system. It will not be published in the campus directory. Notification will be based upon best effort. Successful delivery of all messages cannot be guaranteed.

WHAT TO DO IN AN EMERGENCY:

Mississippi State University’s main campus is located in a rural, low-crime area. Although serious emergencies can happen, they are usually weather related—ice storms, wind events, and tornado activity. However, a catastrophic emergency could happen

anywhere, any time, and Mississippi State has an emergency management plan to address such cases.

In case of a campus emergency, administration will activate the Maroon Alert system and begin to communicate with the university community using appropriate media including:

- The Web page at emergency.msstate.edu (yellow banner on the home page)
- Text messaging on participating cell phones
- Instant Messenger
- E-mail using the student’s or employee’s official e-mail address
- Campus radio station WMSV 91.1-FM
- campus loudspeaker announcements and weather sirens
- The HOT LINE 325-5555 (activated only during emergency)
- @maroonalert on Twitter

MSU has its own nationally accredited police department. Fire/rescue service to the campus is provided through contract with the Starkville Fire Department. Ambulance and emergency medical service is provided throughout the county by OCH Regional Medical Center. The Starkville Police Department and the Oktibbeha County Sheriff’s Office will support our police department with assistance, as needed. The Oktibbeha County Chapter of the American Red Cross stands ready to assist with disaster relief.

SEVERE WEATHER PROCEDURES

The Oktibbeha County Emergency Management sounds the tornado sirens during tornado warnings and as a test on the first Tuesday of each month at noon. The tests last for 30 seconds. In the event that the sirens sound for longer than 30 seconds, you should initiate tornado protection procedures.

- A **tornado watch** is issued to alert the public that conditions are favorable for the development of tornadoes in and close to the watch area. These watches are issued with information concerning the watch area and the length of time they are in effect.

- A **tornado warning** means that a tornado actually has been sighted by spotters, is indicated on radar and is occurring, or is imminent in the warning area.

- Sirens will be activated if a tornado actually has been sighted in the surrounding area.
- Building personnel should listen for the emergency siren. Radios should be monitored in administrative offices.

Tornado Protection Procedures:

- When you hear a siren, it is imperative to seek shelter in the nearest building.
- Keep away from doors and windows.
- Stay calm.
- When a tornado approaches, you should assume a kneeling position facing the wall and cover your head with your arms.
- Clear all classrooms and residential rooms. Secure all laboratories to include shutting off gas burners and equipment that could cause additional health and safety concerns.
- DO NOT GO TO YOUR VEHICLE during a tornado siren. Vehicles do not provide adequate shelter, and roadways need to be kept clear for use by police and emergency responders. Seek shelter on the bottom floor of a building. If possible, choose a basement or interior hallway.
- The MSU Crisis Action Team will monitor the situation and give the “all clear” as soon as conditions are safe. Do not leave the shelter until the “all clear” has been given.

A **yellow band** will appear on the Mississippi State University home page to alert the MSU community of emergencies, such as a tornado. Emergency information also will be provided by the Maroon Alert system via e-mail, text message and the campus public address system.

A **blue band** on the Mississippi State University home page to alert the MSU community of advisories. Emergency information also will be provided by the Maroon Alert system via e-mail, text message and the campus public address system.

Additional emergency information is available at the University Emergency Information Web site: www.emergency.msstate.edu.

SEEK SAFETY

In a weather-related emergency this typically means to find an indoor space, preferably an interior room or hallway away from windows, or the lowest interior level of a building and seek shelter there. In the event of a shooter on campus or a gas or chemical leak, this typically means to seek a safe location as far away as possible from the danger or to exit campus on foot if possible.

In the event of the death or serious injury of a currently enrolled student, an official notification will be issued by the Dean of Students' Office. Records pertaining to this student will be restricted by the Office of the Registrar, and no grade will be submitted for the student. Faculty or staff members receiving information that a currently enrolled student has died or been seriously injured are asked to contact the Dean of Students' Office (662-325-3611). The Dean of Students' Office will verify such reports with appropriate officials and issue official notifications to the campus community.

STUDENT DEATH AND SERIOUS INJURY NOTIFICATION:

If a member of the MSU community has reason to believe that an MSU student who resides in on-campus housing has been missing for at least 24 hours, he or she should promptly contact the Department of Housing and Residence Life at (662) 325-3555 and/or the MSU Police at (662) 325-2121. Each MSU student who resides in on-campus housing, offered through the Department of Housing and Residence Life, has the option to

identify an individual to be contacted by MSU within 24 hours after the student is determined to be missing in accordance with this policy.

Each student who resides in on-campus housing may register contact information to be notified in the event the student is determined to be missing. Student contact information will

MISSING STUDENT NOTIFICATION

be registered confidentially, and will be accessible only to authorized university officials and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation. Information may be amended or supplemented by contacting the Department of Housing and Residence Life. For more information, please visit (<http://www.housing.msstate.edu/>) or call Department of Housing and Residence Life at (662) 325-3555. The Department of Housing and Residence Life will immediately notify the Dean of Students Office, the MSU Police Department, and/or other appropriate law enforcement agencies upon receipt of a missing student report. If the Dean of Students Office and/or the Mississippi State University Police Department (or applicable law enforcement agency) makes a determination that a student

is missing, emergency contact procedures will be initiated within 24 hours in accordance with the student's designation. In addition, the following university officials or their designees will be notified:

- Dean of Students
- Director of Housing and Residence Life

If a missing student is under 18 years of age and is not emancipated, MSU is required to notify his or her custodial parent or guardian within 24 hours after the student is determined to be missing, in addition to notifying any additional contact person designated by the student.

CAMPUS EMERGENCY EVACUATION

To protect our campus population from the effects of emergencies, protective action recommendations or evacuation instructions may be issued by the Crisis Action Team and other emergency response authorities (e.g., Starkville Fire Department). These instructions may order evacuations for individual buildings or regions of campus, or they could be campus-wide. If an evacuation of the entire MSU campus is ordered by the Crisis Action Team, it is important to follow evacuation instructions disseminated through the communication systems used to inform the campus of an emergency. It is likely that traffic routes may be altered, some areas of campus may already be inaccessible, and travel off-campus may require the use of public transportation or other arrangements.

It is important to remember that evacuations are issued only if the safety and well-being of the MSU community is at serious risk. MSU asks that you work together and assist each other during evacuations, and that you follow all instructions and guidance from university officials and first responders.

Building-specific evacuation procedures vary by building. We encourage all individuals on campus to familiarize themselves with evacuation procedures in the buildings they occupy. Specific evacuation information can be obtained from posted procedures, or by viewing the Emergency Operations Policy online at <http://www.msstate.edu/dept/audit/0104.html>. If assistance is required to learn more about building-specific evacuation procedures, please contact the Mississippi State Police Department at 662-325-2121.

TESTING AND EXERCISES

Exercises designed to test MSU's emergency procedures and preparedness are conducted at least annually at MSU and may be conducted in the form of a drill, tabletop, functional, or full-scale exercise. These exercises often include not only MSU personnel but also surrounding jurisdiction first responders and government agencies, as well as members of the MSU community. The Crisis Action Team documents a description of each exercise as well as the date and time of the exercise and information about whether the test was announced or unannounced.

MSU publishes its emergency notification, response and evacuation procedures annually in this report and also publicizes the emergency response and evacuation procedures in conjunction with at least one test of those procedures per calendar year. In addition, students receive at least one email each year providing details on where they can find additional information on emergency and evacuation procedures. This information is repeated, multiple times throughout the year, to various audiences by members of the public safety community. Information is also posted at emergency.msstate.edu.

The Crisis Action Team works closely with the Oktibbeha County Emergency Management Agency and the State of Mississippi Emergency Management Agency.

UNIVERSITY POLICY OF WEAPONS, ALCOHOL, AND ILLEGAL DRUGS

WEAPONS ON CAMPUS

The possession of any weapon on campus is of serious concern to the university. Under most circumstances, possession of a weapon is a violation of university policy and state law. Any individual found in possession of a weapon may be subject to arrest and confiscation of the weapon. Additionally, students face immediate suspension from classes pending a disciplinary hearing, and faculty and staff may be subject to disciplinary action up to and including termination of employment. Students must make other arrangements to store weapons at an off-campus location.

PHILOSOPHICAL STATEMENT FOR ALCOHOL AND ILLEGAL DRUGS

Mississippi State University prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on university property or as part of any university activity. Any student or employee failing to observe the drug and alcohol policy will be subject to sanctions by the university in accordance with established disciplinary procedures. For students, sanctions may include suspension or expulsion. For employees, sanctions may include disciplinary action up to termination of employment. In addition to university sanctions, any student or employee found in violation of the drug and alcohol policy may be referred to the appropriate authorities for prosecution. (See University Human Resources Management Policy and Procedure 60-410, "Policy and Procedure on Drug-Free Campus at Mississippi State University.")* Legal sanctions under local, state, and federal laws may include fine, imprisonment, or both.

REGULATIONS GOVERNING ALCOHOLIC BEVERAGES & ILLEGAL DRUGS

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the workplace at Mississippi State University. Any Mississippi State University employee or student determined to have violated this policy will be subject to disciplinary action, up to and including termination of employment. (See University Human Resources Management Policy and Procedure 60-408, "Policy and Procedure on Drug-Free Workplace at Mississippi State University.")*

An employee who reports to work while under the influence of illegal drugs is in violation of this policy. If an employee's work performance or behavior indicates possible drug use or abuse, the employee's supervisor will refer the employee to the Employee Relations and Development section of the Department of Human Resources Management, for information and referral to counseling and treatment programs. Violation of this policy shall result in disciplinary action up to and including termination of employment. Employment at Mississippi State University is conditional upon full compliance with this policy. Each employee or the employee's administrator is responsible for notifying the University's Department of Human Resources Management of any criminal drug statute conviction for a violation occurring in the workplace, within five days of such conviction. (See University Human Resources Management Policy and Procedure 60-408, April 1, 1994, "Policy and Procedure on Drug-Free Work Place at Mississippi State University.")*

Employees who are required to possess a commercial driver's license (including student employees) are subject to alcohol and controlled substances testing. (See University Human Resources Management Policy and Procedure 60-421, January 1, 1995, "Alcohol and Controlled Substances Testing of Employees with a Commercial Driver's License.")*

Health risks associated with alcohol or drug use include such problems as behavioral changes, impaired judgment and coordination, damage to the liver and brain, respiratory difficulties, insomnia, loss or increase of appetite, illusions and hallucinations, relaxed inhibitions, convulsions, coma, and possible death.

A drug-free awareness program for university employees is conducted by the University's Department of Human Resources Management. The program is designed to inform each employee about the dangers of drug use and abuse, the policies of the University concerning a drug-free workplace, the availability of the drug counseling and referral programs, and the penalties that may be imposed upon employees for workplace drug violations.

* Copies of complete Human Resources Management University Policies and Procedures are available in the University library, the Office of Internal Audit, or at: <http://www.msstate.edu/dept/audit/mainindex1.html#VOLUME V>

DRUG EDUCATION PROGRAM

Mississippi State University has a program of education designed to help all members of the university community avoid involvement with illegal drugs. Education programs:

1. Provide a system of accurate, current information exchange for students, faculty, and staff on the health risks and symptoms of drug use.
2. Promote and support institutional activity programming that discourages substance abuse.
3. Establish collaborative relationships between community groups, agencies, and the institution for education, treatment, and referral.
4. Provide training programs for students, faculty, and staff to enable them to detect problems related to drug use and to refer persons with these problems to appropriate sources for assistance.
5. Include information about drugs for students and family members in the student orientation programs. The use of prescription and over-the-counter drugs will be addressed.
6. Support and encourage faculty in incorporating education about drugs into the curriculum, where appropriate.
7. Develop a coordinated effort across campus for drug-related education, treatment, and referral.

COUNSELING AND REHABILITATION

Mississippi State University provides information about drug counseling and rehabilitation services available to members of the university community. Persons who voluntarily avail themselves of university services shall be assured that applicable professional standards of confidentiality will be observed.

Counseling and rehabilitation services include:

1. Training for professional staff and student staff on drug abuse information, intervention, and referral.
2. Education programs for students who have demonstrated abusive behavior with drugs.
3. Drug abuse assessments.
4. Referral and follow-up in collaboration with the Employee Relations and Development section in the Department of Human Resources Management.
5. Campus self-help groups.
6. Consultation, information, and referral for students, staff, and faculty with drug problems.
7. Referral opportunities for members of the university community who wish to seek professional assistance beyond the campus, in cooperation with the Employee Relations and Development section in the Department of Human Resources Management.

A listing of off-campus resources for assistance and referral is available from the Employee Relations and Development section

of the Department of Human Resources Management. It is the intent of this program that faculty, students, administrators, and other employees be comfortable in the manner in which they are served and have a choice in the selection of appropriate assistance. Please visit their website below:
www.hrm.msstate.edu

COUNSELING CENTER

Student Counseling Services supports the academic mission of Mississippi State University by facilitating the social, psychological, and academic functioning of students. In pursuit of this objective, we offer a variety of direct student services ranging from preventative psycho-educational programming, student mentoring, supportive counseling, group counseling, intensive psychotherapy, and 24 hour crisis intervention. More information about MSU's counseling center and services available can be found at <http://www.health.msstate.edu/scs/>.

PARENTAL NOTIFICATION FOR STUDENT ALCOHOL AND DRUG VIOLATIONS

In accordance with OP 91.119, students under the age of 21 that are found to be in violation of Mississippi State University's alcohol policy will have a letter sent to their parents or legal guardians informing them of the violation.

COLLEGIATE RECOVER COMMUNITY

The Collegiate Recovery Community offers comprehensive support services for recovering students. Housed within the Department of Health Education & Promotion, the CRC provides the programs and initiatives needed to enhance a student's recovery program. The CRC embraces a wellness approach to recovery, choosing to focus on recovery enhancement as the best way to prevent relapse.

SAFETY TIPS AND CRIME PREVENTION INFORMATION

- Always plan the safest route to your destination.
- **LOCK YOUR DOORS!** Many burglaries and thefts take place because of an unlocked residence hall or apartment door.
- Let others know where you are going and when you will return.
- Walk with a companion whenever possible.
- Use public walkways and stay in well-lit and traveled areas.
- When walking, take note of potential hiding spots and use caution as you approach them.
- Avoid carrying large amounts of cash.
- Remain aware of your surroundings.
- If you feel uncomfortable in a situation, leave as soon as possible.
- Call for an escort in the evening.
- Always lock your vehicle doors, even while you are driving.
- Park in well lit areas and remove valuables from sight.
- Be familiar with the location of emergency (blue light) phones and know how they are used.
- Register and lock your bike.
- Register your valuables at the Mississippi State University Police Department.
- Take advantage of crime prevention programs through the Mississippi State University Police Department.

CRIME STATISTICS

Mississippi State University has voluntarily reported campus crime statistics through the UCR or NIBRS systems since 1972. Crime statistics for the most recent three-year period follow.

LOCATION DEFINITIONS

On-Campus — Includes all academic, administrative, residential, and athletic buildings on the main campus and all outdoor common areas on Mississippi State University property.

Residential Facilities — Buildings on campus where people live. These numbers are reflected in the on-campus totals.

Non-Campus Buildings and Properties — Includes all Mississippi State University buildings and properties which are not within the same reasonably contiguous geographic area of the main campus, but within Oktibeha County. (This includes the Golf Course, Airport, Research Park.)

Public Property — All public property such as thoroughfares, streets, sidewalks, and parking facilities within campus or immediately adjacent to and accessible from campus.

CAMPUS SAFETY AND SECURITY - CLERY ACT

We are pleased to share the following information with you as part of our continued efforts to provide a safe campus. We are required to provide this information about safety on campus to comply with the federal law known as the “Student Right to Know and Campus Security Act of 1990.” The Act applies to every institution of higher education that receives federal financial aid. Title II of the Clery Act was called the “Campus Crime Awareness and Campus Security Act of 1990.” It requires institutions of higher education to distribute to all current students and employees, and applicants for enrollment or employment, two types of information: (1) Descriptions of policies related to campus security, and (2) Statistics concerning specific types of crimes. Amendments enacted in 1998 renamed Title II, and it is now known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.” The amendments require the disclosure of crimes that are reported to police and campus officials other than police, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall, or public property. Providing data reported by non-police officials such as counselors or clergy is completely optional for all calendar years.

CLERY ACT REPORTABLE CRIMES / DEFINITIONS

Clery Act Crimes (Section 1)

MURDER

The willful (non-negligent) killing of a human being by another

MANSLAUGHTER

The killing of another person through gross negligence

SEX OFFENSE (FORCIBLE)

Any sexual act directed against another person without the other person's consent (Includes attempts)

A. Sexual intercourse (penetration—however slight)

B. Sodomy (penetration—however slight)

C. Oral copulation (vaginal, anal)

D. Rape with a foreign object (penetration vaginal or anal—however slight)

E. Sexual battery (the touching of the intimate parts [sexual organ, anus, groin, or buttocks of any person, or the breast of a female] of another person for the purpose of sexual gratification)

SEX OFFENSE (NON-FORCIBLE)

Any unlawful, but consensual sex act with another person (Includes attempts)

A. Incest (sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited)

B. Statutory rape (intercourse with a person who is under the age of consent—18 years)

ROBBERY

The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear (Includes attempts)

AGGRAVATED ASSAULT

An unlawful assault upon the person of another for the purpose of inflicting severe or aggravated bodily injury (Includes attempts, and whether or not an injury occurred.)

BURGLARY

The unlawful entry (or attempts to enter) into a defined structure with the intent to commit a theft or any felony (Excludes vehicle burglary)

MOTOR VEHICLE THEFT

The taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle (Includes attempts)

ARSON

The willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling, house, public building, motor vehicle or aircraft, or personal property of another (Includes attempts)

Clery Act Reportable Arrests (Section 2)

DRUG/NARCOTIC VIOLATIONS

The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance

ALCOHOL VIOLATIONS

The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. The Clery Act does not require the reporting of public drunkenness or driving while under the influence offenses.

WEAPONS VIOLATION

The unlawful possession or control of any firearm, deadly weapon, illegal knife or explosive device while on the property of Mississippi State University.

Clery Act Hate Crimes (Section 3)

HATE CRIMES

A criminal act involving one/more of the crimes listed in Section 1, the crimes of Theft, Simple Assault, Intimidation or Vandalism, or any other crime involving bodily injury which: was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

THEFT (LARCENY)

Includes the crimes of pocket picking, purse snatching, shoplifting, theft from building, theft from coin operated machine or device, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

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.

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 a physical attack.

VANDALISM

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.

CRIMINAL OFFENSES - STARKVILLE CAMPUS

Represents police agencies having jurisdiction in and around campus including: Oktibbeha County Sheriff's Department, Starkville Police Department and Mississippi Highway Patrol.

^ No Data given by local agencies for these years.

CRIME OFFENSES	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY	LOCAL & STATE POLICE
MURDER/ NON-NEGLIGENT MANSLAUGHTER	2013	0	0	0	0	^
	2014	0	0	0	0	^
	2015	0	0	0	0	^
NEGLIGENT MANSLAUGHTER	2013	0	0	0	0	^
	2014	0	0	0	0	^
	2015	0	0	0	0	^
FORCIBLE SEX OFFENSES	2013	4	3	0	0	^
	2014	7	5	0	0	^
	2015	12	6	0	0	^
NON-FORCIBLE SEX	2013	0	0	0	0	^
	2014	0	0	0	0	^
	2015	0	0	0	0	^
ROBBERY	2013	3	0	0	0	^
	2014	2	0	0	0	^
	2015	2	0	0	0	^
AGGRAVATED ASSAULT	2013	1	0	0	0	^
	2014	1	0	0	0	^
	2015	2	0	0	0	^
BURGLARY	2013	5	4	0	0	^
	2014	42	19	0	0	^
	2015	16	13	0	0	^
MOTOR VEHICLE THEFT	2013	3	0	0	0	^
	2014	5	0	0	0	^
	2015	5	0	0	0	^
ARSON	2013	0	0	0	0	^
	2014	0	0	0	0	^
	2015	0	0	0	0	^

ARRESTS - STARKVILLE CAMPUS

ARRESTS	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY	LOCAL & STATE POLICE
LIQUOR - LAW VIOLATIONS	2013	63	53	0	0	^
	2014	81	59	0	0	^
	2015	51	21	0	0	^
DRUG ABUSE VIOLATIONS	2013	27	16	0	0	^
	2014	21	6	0	0	^
	2015	38	11	0	0	^
WEAPONS POSSESSION	2013	4	3	0	0	^
	2014	5	2	0	0	^
	2015	4	2	0	0	^

DISCIPLINARY/CONDUCT REFERRALS - STARKVILLE CAMPUS

DISCIPLINARY	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY	LOCAL & STATE POLICE
LIQUOR - LAW VIOLATIONS	2013	47	45	0	0	*
	2014	47	42	0	0	*
	2015	60	55	0	0	*
DRUG ABUSE VIOLATIONS	2013	22	14	0	0	*
	2014	8	7	0	0	*
	2015	13	5	0	0	*
WEAPONS POSSESSION	2013	1	0	0	0	*
	2014	0	0	0	0	*
	2015	0	0	0	0	*

HATE CRIMES

Note: None of the crimes reported in the last three years were classified as a hate crime.

UNFOUNDED CRIMES

Note: None of the crimes reported in the last three years were unfounded.

* Police agencies, other than campus police, do not issue referrals to MSU for liquor law, drug law, and illegal weapons violations. Police agencies having jurisdiction in and around campus include: Oktibbeha County Sheriff's Department, Starkville Police Department and Mississippi Highway Patrol.

MAROON ALERT ARCHIVE

September 12, 2013	12:01 a.m.	Reported kidnapping
August 31, 2013	12:50 a.m.	Reported off campus shooting
April 27, 2013	11:18 p.m.	Reported robbery on campus

November 14, 2014	12:21 p.m.	Reported robbery near campus
November 8, 2014	2:57 p.m.	Reported robbery on campus
April 29, 2014	10:57 p.m.	Weather Advisory
April 28, 2014	2:47 p.m.	Weather Advisory

January 3, 2015	2:06 p.m.	Weather Advisory
February 13, 2015	7:56 p.m.	Reported armed robbery near campus
February 13, 2015	8:28 p.m.	Robbery update-2 suspects in custody
February 16, 2015	3:45 p.m.	Weather Advisory-Starkville campus closed at 9 p.m.
February 23, 2015	3:18 p.m.	Weather Advisory-Starkville campus closed at 2p.m.
February 24, 2015	3:30 a.m.	Weather Advisory-Starkville campus open under normal conditions
February 24, 2015	1:50 p.m.	Weather Advisory-Starkville and Meridian campus closed 2/25
February 25, 2016	6:22 p.m.	Starkville campus closed 2/25; Meridian campus opens at 9:30 a.m.
March 5, 2015	3:05 a.m.	Weather Advisory-Starkville campus closed 3/5
March 5, 2015	11:58 a.m.	Weather Advisory-Meridian campus closed

continued on next page

MAROON ALERT ARCHIVE CONTINUED

August 27, 2015	10:15 a.m.	Starkville campus-Active shooter reported at Carpenter Hall. Seek Safety
August 27, 2015	10:18 a.m.	Active shooter update-Last seen in Lee Hall
August 27, 2015	10:28 a.m.	Suspected shooter in custody; continue seeking shelter
August 27, 2015	10:34 a.m.	Suspected shooter is in custody; stay sheltered
August 27, 2015	10:45 a.m.	No reported injuries or shots fired.
August 27, 2015	10:54 a.m.	ALL CLEAR-Classes resume at 2:00 p.m.
August 27, 2015	11:08 a.m.	No additional campus threats; remain calm
August 27, 2015	11:26 a.m.	Individual medical condition on campus; EMT responding; NO THREAT TO CAMPUS
September 19, 2015	6:42 p.m.	Reported armed robbery on campus
October 14, 2015	8:03 p.m.	Reported shots fired at Haven 12
October 14, 2015	9:15 p.m.	No shots fired on campus; no connection to MSU staff or students
October 22, 2015	9:18 a.m.	Maroon Alert Test Text Message

VIOLENCE AGAINST WOMEN ACT - STARTING IN 2014

VAWA	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY	LOCAL & STATE POLICE
DOMESTIC VIOLENCE	2013	3	0	0	0	^
	2014	0	0	0	0	^
	2015	0	0	0	0	^
DATING VIOLENCE	2013	0	0	0	0	^
	2014	0	0	0	0	^
	2015	2	0	0	0	^
STALKING	2013	3	0	0	0	^
	2014	2	0	0	0	^
	2015	2	0	0	0	^

VIOLENCE AGAINST WOMEN ACT - DEFINITIONS

DOMESTIC VIOLENCE

Domestic violence means a felony or misdemeanor crime of violence committed by:

- A. a current or former spouse or intimate partner of the victim,
- B. a person with whom the victim shares a child in common,
- C. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- D. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- E. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

DATING VIOLENCE

Dating violence means violence committed by a person:

- A. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- B. where the existence of such a relationship shall be determined based on the consideration of the following factors:
 - a. The length of the relationship
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship."

STALKING

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person:

- A. fear for his or her safety or the safety; or
- B. suffer substantial emotional distress.

The Dean of Students' Office in coordination with other appropriate departments will assist students in all remedial measures including changing academic, living, transportation, and working situations if requested and reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. All violations of the Code of Student Conduct including domestic violence, dating violence, sexual assault, sexual misconduct, and stalking are adjudicated as outlined in the Code of Student Conduct and the Sexual Misconduct Policies of MSU. The standard of evidence will be a preponderance of evidence.

CRIMINAL OFFENSES - MERIDIAN

CRIME OFFENSES	YEAR	MERIDIAN CAMPUS
MURDER/ NON-NEGLIGENT MANSLAUGHTER	2013	0
	2014	0
	2015	0
NEGLIGENT MANSLAUGHTER	2013	0
	2014	0
	2015	0
FORCIBLE SEX OFFENSES	2013	0
	2014	0
	2015	0
NON-FORCIBLE SEX	2013	0
	2014	0
	2015	0
ROBBERY	2013	0
	2014	0
	2015	1
AGGRAVATED ASSAULT	2013	0
	2014	0
	2015	0
BURGLARY	2013	0
	2014	0
	2015	0
MOTOR VEHICLE THEFT	2013	0
	2014	0
	2015	0
ARSON	2013	0
	2014	0
	2015	0
ILLEGAL WEAPONS POSSESSIONS	2013	0
	2014	0
	2015	0

For further information concerning crime (off-campus) in the communities surrounding campus, please contact:

CHIEF FRANK NICHOLS
Starkville Police Department
662-323-4131

SHERIFF STEVE GLADNEY
Oktibbeha County Sheriff's Office
662-323-2421

CAPTAIN CLAY BANE
Mississippi Highway Patrol
662-323-5314

HATE CRIMES

Note: None of the crimes reported for this reporting period were classified as a hate crime.

VAWA	YEAR	ON CAMPUS	PUBLIC PROPERTY	LOCAL & STATE POLICE
DOMESTIC VIOLENCE	2013	0	0	^
	2014	0	0	^
	2015	1	0	^
DATING VIOLENCE	2013	0	0	^
	2014	0	0	^
	2015	0	0	^
STALKING	2013	0	0	^
	2014	0	0	^
	2015	0	0	^

* NO DISCIPLINARY REFERRALS OR ARRESTS IN 2015

* On September 27, 2017, the crime statistics for the Meridian campus (2015) were corrected to reflect a single occurrence during late 2015 that was not previously reported in the MSU crime statistics. This correction resulted in the crime statistics shown here.



FOR FURTHER INFORMATION REGARDING THIS REPORT OR TO OBTAIN A PAPER COPY OF THIS DOCUMENT, PLEASE CONTACT:

Dean of Students' Office
P.O. Box DS
Mississippi State, MS 39762
662-325-3611
thomasb@saffairs.msstate.edu

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