



2021

ANNUAL SECURITY REPORT

— AND —

ANNUAL FIRE SAFETY REPORT



MISSISSIPPI STATE
UNIVERSITY™



PURPOSE

This report is intended to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act. The report includes: (1) crime statistics for the previous three years for those crimes identified by the Clery Act that occurred on campus; in or on off-campus buildings or property owned or controlled by MSU; and on public property within, or immediately adjacent to and accessible from, the campus; (2) information regarding MSU's policies related to campus security, including drug and alcohol use, crime prevention, reporting crimes, sexual assault, emergency procedures, fire safety and prevention, and other matters; and (3) statistics for the previous three years for fires that have occurred in on-campus housing facilities.

We encourage you to review this information and seek additional information if you have questions or concerns. If you have questions, would like to receive additional copies of this report, or need a paper copy of the report, please contact the:

OFFICE OF THE DEAN OF STUDENTS,
1ST FLOOR, YMCA BUILDING, 662-325-3611,
OR BY MAIL AT P.O. BOX DS, MISSISSIPPI STATE, MS 39762.



MISSISSIPPI STATE UNIVERSITY™
DEAN OF STUDENTS

CONTACT INFORMATION

LAW ENFORCEMENT CONTACT INFORMATION

IN AN EMERGENCY, CONTACT 9-1-1

Non-emergency University Police Department Starkville Campus Main Number	662-325-2121
Crime Prevention (all locations)	662-325-3525
Investigations (all locations)	662-325-2664
Administration (all locations)	662-325-4114
Meridian Campus Main Number	601-484-0199
Non-emergency Starkville Police Department	662-323-4134
Non-emergency Oktibbeha County Sheriff's Office	662-323-2421
Non-emergency Mississippi Highway Patrol (Starkville)	662-323-5314
Non-emergency Meridian Police Department	601-485-1893

REFERENCE AND REFERRAL CONTACT INFORMATION

Chief Human Resources Officer	662-325-3713
Collegiate Recovery Community	662-325-3192
Dean of Students	662-325-3611
Department of Housing and Residence Life	662-325-3555
Employee Assistance Program (EAP)	866-219-1232
Health Promotion and Wellness	662-325-2090
Longest Student Health Center	662-325-2431
Safe Line	662-325-3333
Safe Walk	662-325-2121
Student Counseling Center	662-325-2091
Title IX Coordinator	662-325-5839

ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT

TABLE OF CONTENTS

ANNUAL CAMPUS SECURITY REPORT	4	• Health Risks of Drugs and Alcohol	
• Chief Rice Introduction		• State and Federal Sanctions	
MISSISSIPPI STATE UNIVERSITY POLICE DEPARTMENT	5	• Drug Education Program	
LAW ENFORCEMENT PHONE NUMBERS & WEBSITES	5	• Alcohol and Drug Displays	
PREVENTING CAMPUS CRIME	6	• Alcohol and Drug Presentations/Programs	
• Crime Prevention		• Program Descriptions	
• Campus Security and Access to Campus Facilities		• Counseling and Rehabilitation	
• Student Safety and Escort Service		• Counseling Center	
• Blue Lights		• Parental Notification for Student Alcohol and Drug Violations	
• Mississippi Sex Offender Registry		• Collegiate Recovery Community	
• Notification to Victims of Crimes of Violence or Non-Forcible Sex Offense		• Smoke Free Campus	
HELPING STUDENTS IN DISTRESS	8	SAFETY AWARENESS	50
• Contacts		SAFETY TIPS & CRIME PREVENTION INFORMATION	50
• Behavioral Intervention Team (BIT)		CRIME STATISTICS	51
• Aggression		• Location Definitions	
• Emotional/Troubling Behavior		• Campus Safety and Security - Clery Act	
• Disruptive Behavior		• Clery Act Reportable Crimes/Definitions	
• Important Websites		CRIMINAL OFFENSES - STARKVILLE CAMPUS	53
PROCEDURES FOR REPORTING CAMPUS CRIME		ARRESTS - STARKVILLE CAMPUS	54
AND OTHER EMERGENCIES	9	DISCIPLINARY/CONDUCT REFERRALS - STARKVILLE CAMPUS	54
• Reporting Crimes and Other Emergencies		HATE CRIMES - STARKVILLE CAMPUS	54
• Other Reporting Options (Non-Emergencies)		UNFOUNDED CRIMES - STARKVILLE CAMPUS	54
• Daily Crime Log		VIOLENCE AGAINST WOMEN ACT	55
• If you are Assaulted		CRIMINAL OFFENSES - MERIDIAN CAMPUS	56
• If you see a Suspicious Person		HATE CRIMES - MERIDIAN CAMPUS	57
• If you Receive a Bomb Threat		UNFOUNDED CRIMES - MERIDIAN CAMPUS	57
PREPARING ANNUAL REPORTS		ARRESTS - MERIDIAN CAMPUS	57
STUDENT HEALTH SERVICES		DISCIPLINARY/CONDUCT REFERRALS - MERIDIAN CAMPUS	57
SEXUAL MISCONDUCT: PROHIBITED CONDUCT, PREVENTION		MAROON ALERT ARCHIVE	59
AND RESPONSE	11	ANNUAL FIRE SAFETY REPORT	61
• Prohibited Conduct		• Fire Log and Annual Disclosure Requirement	
• Preventing Sexual Misconduct		• Reporting a Fire Incident	
• Reporting and Responding to Sexual Misconduct		• Contact Information	
SEXUAL MISCONDUCT POLICY	16	2020 FIRE SAFETY REPORT	62
TIMELY WARNING, EMERGENCY NOTIFICATION, RESPONSE		• Information for the Mississippi State University Community	
AND EVACUATION	35	DEPARTMENTS	62
• MSU Crisis Action Team		• University Police Department	
• Timely Warning Policy		• Environmental Health and Safety Office	
• Timely Warning Procedure		• Starkville Fire Department	
• Emergency Notification (Maroon Alert) Procedures		• Higher Education Opportunity ACT Definitions	
• How to sign up for Maroon Alert		FIRE SAFETY POLICIES & PROCEDURES	64
• What to do in an Emergency		• Fire Prevention	
• Severe Weather Procedures		• Fire Safety Policies and Procedures	
• Seek Safety		• Fire Safety 101	
• Campus Emergency Evacuation		FIRE RELATED STATISTICS FOR MSU	67
• Testing and Exercises		FIRE SAFETY SYSTEMS IN RESIDENTIAL FACILITIES	76
MISSING STUDENT AND STUDENT DEATH OR SERIOUS INJURY	39		
• Student Death or Serious Injury			
• Missing Student			
UNIVERSITY POLICY ON WEAPONS, ALCOHOL, ILLEGAL DRUGS,			
AND TOBACCO	39		
• Weapons on Campus			
• Statement for Alcohol and Illegal Drugs			
• Regulations Governing Alcoholic Beverages and Illegal Drugs			



2021 ANNUAL SECURITY REPORT

Statistics and information from 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 Section 37-101-15 (c) of the Mississippi Code of 1972 Annotated. Officers are vested with the authority of constables, including 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 Mississippi State University Police Department (MSUPD) operates on both the Starkville and Meridian campuses. The chief of police is responsible for the management of the MSUPD. The MSUPD is part of the Division of Student Affairs and reports to the dean of students.

The MSUPD consists of 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 Mississippi state laws on the MSU campuses in Starkville and Meridian. The MSUPD stresses staff education in the form of in-service training and participation in local and state training seminars.

The MSUPD 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 12 week field-training program in which they learn to apply their law enforcement academy training to a university environment.

All emergency calls should be made to 911. MSUPD radio dispatchers operate the department's Starkville telephones and two-way radios on a 24-hour basis to provide information and respond to emergencies. In Meridian, all 911 calls are handled through MSUPD dispatch during operating hours or through Meridian Police Department after hours. 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 countywide alerting system warns of threatening weather conditions on both campuses.

MSUPD officers are authorized to carry firearms, enforce laws and make arrests on university property on both campuses. Pursuant to an Interlocal Cooperative Agreement between Mississippi State University; Starkville, Mississippi; and Oktibbeha County, Mississippi, dated Sept. 18, 2015, MSUPD has secondary law enforcement responsibility for the purpose of providing assistance to the county and city within 500 feet of property owned and controlled by the university on its Starkville campus and has concurrent primary jurisdiction on roads and streets within 500 feet of the Starkville campus and located outside of the city limits of Starkville. This Interlocal Cooperative Agreement gives MSUPD officers on the Starkville campus extended jurisdiction as specified above. There are no other written agreements with law enforcement agencies and MSUPD on either the Starkville

campus or the Meridian campus. However, MSUPD works closely with the Starkville Police Department, the Oktibbeha County Sheriff's Office, the Meridian Police Department, 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 Office of the Dean of Students and the Office of Housing and Residence Life in enforcing the Student Code of Conduct.

The MSUPD is a full-service agency that works toward building partnerships with the university community to provide a safer environment with such programs and services as Operation Identification, community police officers, Safe Walk, and library patrol. The Police Department may be contacted at 662-325-2121 (Starkville) or 601-484-0199 (Meridian) for information or requests for services. The Police Station is located in the Williams Building next to Hull Residence Hall on the Starkville campus and on the main floor of the Meridian campus.

LAW ENFORCEMENT TELEPHONE NUMBERS IN AN EMERGENCY, CONTACT 9-1-1

Non-emergency University Police Department

Starkville Campus Main Number 662-325-2121

Crime Prevention (all locations) 662-325-3525

Investigations (all locations) 662-325-2664

Administrations (all locations) 662-325-4114

Meridian Campus Main Number 601-484-0199

Non-emergency Starkville Police Department 662-323-4134

Non-emergency Oktibbeha County Sheriff's Office... 662-323-2421

Non-emergency Mississippi Highway Patrol
(Starkville)..... 662-323-5314

Non-emergency Meridian Police Department 601-485-1893

LOCAL LAW ENFORCEMENT WEBSITES

Mississippi State University Police Department
POLICE.MSSTATE.EDU

Starkville Police Department
CITYOFSTARKVILLE.ORG/SPD/INDEX.HTML

Oktibbeha County Sheriff's Office
SHERIFF.OKTIBBEHA.MS.US

Mississippi Highway Patrol
DPS.STATE.MS.US/HIGHWAY-PATROL

Meridian Police Department
MERIDIANMS.ORG/INDEX.CFM/CITY-DEPARTMENTS/POLICE

PREVENTING CAMPUS CRIME

This summary of policies and procedures is prepared for current and prospective students, faculty, and staff of Mississippi State University and is published in compliance with applicable federal laws, including but not limited to the Clery Act.

CRIME PREVENTION

Crime prevention at MSU is a community-based program designed to improve the quality of life for all members of the campus community. The MSUPD provides leadership and direction and solicits involvement by all members of the campus community in their efforts.

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 to collect identifying information about personal property that is stored on campus to aid in completing a police report or recovering the items if they are lost or stolen. MSUPD also can provide walking escorts on 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 include: personal safety, residence hall security, date rape prevention, and vehicle protection. The importance of citizen involvement in crime reporting is emphasized.

Students, faculty, and staff members receive information that encourages 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 social media, internet, and email.

For more info concerning crime prevention programs or reporting procedures for crime, please contact MSUPD Crime Prevention at 662-325-3525. Additional information regarding safety and crime prevention is also available at the following websites:

police.msstate.edu/safety-tips and

meridian.msstate.edu/campus-services/campus-police/safety-tips.

CAMPUS SECURITY AND ACCESS TO CAMPUS FACILITIES

Although the Mississippi State campuses are open to the public, facilities are limited to university, academic, and administrative activities and programs sponsored by university groups and other approved activities. Efforts are made to provide adequate lighting and fully functioning security measures, including access controls and emergency call locations. Anyone requesting afterhours access to facilities must have the approval of the appropriate authority prior to obtaining access.

University facilities and landscaping are maintained to minimize hazardous conditions. Malfunctioning lights and other unsafe conditions should be reported immediately to Facilities Management by calling 662-325-5830 or, after business hours, by calling the MSUPD, 662-325-2121. For similar issues on the Meridian campus, contact the University Police Department at 601-484-0199. Additionally, in planning and developing projects in both Meridian and Starkville, MSU employees consider how lighting and other features can be used to create defensible spaces and attempt to avoid creating situations where individuals would be unable to defend themselves. Consideration is also given to physical impediments to safety such as railings, ledges, and landscaping.

Non-residential buildings in both Starkville and Meridian are accessible during regular business hours and during special events afterhours but are locked at other times. When locked, they may be accessed only by key or key card.

On-campus student housing is provided to students on the Starkville campus. A variety of options provide housing to both graduate and undergraduate students. Each student is provided with a key to his or her personal room. The external doors to the residence halls are always locked, except the residence halls with shared classroom and office facilities are unlocked from 7:30 am until 5 p.m. Monday through Friday. Access to the facilities is provided through the student's ID card and a card access reader installed at exterior doors. "Exit Only" and "Emergency Exit Only" doors always remain locked to prevent access from the outside of the building. These doors are to be used for their intended purposes only and should not be altered to allow entry. Residence halls with operable windows are equipped with locks that may be engaged by the occupants of the room.

Information assistants staff the residence hall front desks that are located near the main building entrances to provide additional monitoring of who is entering and exiting the buildings. Each semester, initial floor meetings in the residence halls are designated

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.

RESIDENCE HALL DOOR SECURITY

1. A student who enters or leaves the residence hall 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 building.
4. Any maintenance deficiencies that may compromise housing security should be reported immediately to a residence hall staff member or the Housing Facilities Office at 662-325-2190. 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. Any such concerns related to non-housing facilities should be reported to the MSUPD. Security systems and security procedures are provided for your protection. You should follow these procedures at all times.

STUDENT SAFETY AND ESCORT SERVICE

On the Starkville campus, the MSUPD operates Safe Walk--a nighttime service to escort people to their cars or buildings. These escorts 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 a student employee will be sent to walk you to your destination. Hours of operation vary, but generally begin at dark and last until the early morning hours. In Meridian, you may contact the MSUPD at 601-484-0199 if you desire a safety escort on campus.

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.

MISSISSIPPI SEX OFFENDER REGISTRY

The State of Mississippi maintains a statewide sex offenders registry. This website allows you to search by location for sex offenders at MSU and in the surrounding areas. Mississippi's sex offender registry statute requires all sex offenders to register. The sheriff of each county maintains sex offender registration information for that location and forwards it to the Department of Public Safety. To access Mississippi Sex Offender info, visit state.sor.dps.ms.gov.

NOTIFICATION TO VICTIMS OF CRIMES OF VIOLENCE OR NON-FORCIBLE SEX OFFENSE

Mississippi State University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code) or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.





HELPING STUDENTS IN DISTRESS

CONTACTS

Emergency.....	911
MSU Police Department.....	662-325-2121
Dean of Students' Office.....	662-325-3611
Counseling Center.....	662-325-2091
Longest Student Health Center.....	662-325-2431
Housing & Residence Life	662-325-3555
MSU-Meridian Police Department	601-484-1893
MSU Safeline	662-325-3333
Title IX Coordinator.....	662-325-5839

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' website at students.msstate.edu.
 - Or, at any time, call the Dean of Students' Office at 662-325-3611 for assistance.

HOW TO REPORT A STUDENT IN DISTRESS:

Go to the Dean of Students' website at students.msstate.edu and click "MAKE A REFERRAL".

IF IN DOUBT, CALL 911 OR 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 MSUPD. 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 662-325-2091. 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.

Faculty and staff may not grant confidentiality to any student discussing any violation of state or federal law or university policy. Most MSU employees are considered “Responsible Employees” for purposes of university policy and federal guidance related to sexual misconduct. Responsible Employees have a mandatory duty to inform the Office of Civil Rights Compliance if they learn about sexual misconduct on campus or in connection with any MSU program or activity. All MSU employees should assume that they are mandatory reporters, absent specific instructions to the contrary from a supervisor. To make a report, contact the Title IX Coordinator at 662-325-5839 or by email at titleix@msstate.edu.

Faculty and staff, prior to a report of sexual misconduct, may offer information about confidential resources to a student or employee, including the MSU Safe Line at 662-325-3333. The Safe Line is staffed by trained counselors 24/7, who can put you in touch with MSU’s Sexual Assault Advocate. This process is confidential. No report will be submitted to the university unless and until the reporter decides to make a report. Additional confidential resources include (1) Student Counseling Services (662-325-2091), where students can meet confidentially with trained counselors; (2) the Longest Student Health Center (662-325-2431), where members of the MSU community can seek medical care, including emergency care; and (3) the MSU

Employee Assistance Program (866-219-1232), which provides confidential assistance and advising to MSU employees on a wide range of issues.

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 662-325-3611. 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 despite intervention from the instructor.

IMPORTANT WEBSITES

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

Dean of Students’ Office:

students.msstate.edu

Behavioral Intervention Team:

students.msstate.edu/bit

MSU Police Department:

police.msstate.edu

Student Counseling Center:

health.msstate.edu/scs

MSU Emergency:

emergency.msstate.edu

University Police Department -Meridian:

meridian.msstate.edu/campus-services/campus-police/contact-us

Meridian Emergency:

meridian.msstate.edu/campus-services/campus-police/emergency-procedures

PROCEDURES FOR REPORTING CAMPUS CRIME AND OTHER EMERGENCIES

REPORTING CRIMES AND OTHER EMERGENCIES

IN CASE OF EMERGENCY, SIMPLY DIAL 911.

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 662-325-2121 (Starkville) or 601-485-1893 (Meridian). The police department on the Starkville campus is located in the Williams Building on Walker Road, adjacent to the football stadium and Hull Residence Hall, and the Meridian campus police department is located on the main floor of the College Park building.

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, if necessary, with the local law enforcement 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

All crimes reported to the MSUPD 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.

OTHER REPORTING OPTIONS (NON-EMERGENCIES)

Mississippi State University encourages all reports of crime or suspicious activities to be made to the MSUPD; however, reports may also be made to the following:

- The Office of the Dean of Students 662-325-3611
- The Title IX Coordinator in the Office of Civil Rights Compliance - 662-325-5839
- Chief Human Resources Officer 662-325-3713

Victims or witnesses to crimes or other suspicious activities may also use MSU's Ethics Line, a comprehensive and confidential online reporting tool to report the criminal activity. 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. Reports to the Ethics Line can be made anonymously. The MSU Ethics Line is NOT an emergency service and should not be used in emergency situations. In an emergency, call 911.

Reports received through the Ethics Line will be directed to the appropriate MSU department for review and response and, where possible, will be included in the completion of this report. All reports, regardless of how received, will be handled in accordance with MSU procedures.

DAILY CRIME LOG

A log of reported crimes is maintained by the MSUPD and is available for review at the dispatch location on each campus. The log is also available online at <https://www.police.msstate.edu/reports/logs>. The log contains details of the reported crimes but does not contain any names or other personally identifiable information. Additionally, the campus community will be notified about any crimes or incidents that seriously threaten campus safety.

IF YOU ARE ASSAULTED

If you are assaulted, call the MSUPD as soon as possible. Making a police report is not the same as pressing charges. 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 law enforcement agencies will be notified. If you wish to seek confidential counseling services, contact the University Counseling Center at 662-325-2091 or the MSU Safe Line at 662-325-3333. If you do not wish to keep your report confidential, you may also

report such assaults to the Office of the Dean of Students at 662-325-3611, the Title IX coordinator at 662-323-5839 or titleix@msstate.edu, or Human Resources Management at 662-325-3713.

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. 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 members of the Crisis Action Team, 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 might be committed. You do not need proof to call. If you suspect a crime, call the MSUPD immediately.



PREPARING ANNUAL REPORTS

This report is prepared in order to satisfy the requirements of the Clery Act. The report is the result of cooperation between a number of university departments, including the Office of the Vice President for Student Affairs, the Office of the Dean of Students, the University Police Department, the Student Counseling Center, the Office of General Counsel, the Office of Student Activities, the Office of Civil Rights Compliance, and the Office of Compliance and Risk Management. In preparing the report, information concerning crime statistics is sought not only for those crimes that resulting in a formal police report but also reports that were made to other officials on campus that were reported through the online link on the Dean of Students website and those that were made confidentially to Student Counseling Services. Those confidential reports are included in the report without divulging the identity or other information about the victim. The University Police Department also seeks information about crime statistics from appropriate law enforcement agencies regarding crimes reported on public property within or immediately adjacent to the Starkville or Meridian campus, as well as crimes reported at non-campus locations. The University Police Department and the Office of the Dean of Students receive daily crime reports from the Oktibbeha

County Sheriff's Department and the Starkville Police Department detailing any reports related to students. These reports include any calls to non-campus locations of officially recognized student organizations. The Meridian campus does not have any non-campus locations of officially recognized student organizations. The information concerning MSU policies is solicited from the relevant departments, including Housing and Residence Life, the Office of the Dean of Students, University Police Department, Facilities Management, Student Counseling Services, and the Office of the Vice President for Student Affairs.

The final report is generated by the Office of Compliance and Risk Management by compiling the information received through the process above. Every effort is taken to ensure that the statistics are as accurate and complete as possible. The information included in this report is reviewed for accuracy, completeness, and readability. If you have questions about the report, or would like a paper copy of the report, contact the Office of the Dean of Students at 662-325-3611. Mississippi State University will not retaliate against any individual for exercising the rights or responsibilities provided by the Clery Act.

STUDENT HEALTH SERVICES

University Health Services approaches health care 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 may lead to chronic medical problems. By promptly addressing substance use and abuse, inactivity, poor dietary habits, and 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. More information can be found at health.msstate.edu.

University Health Services is comprised of the following:

The Longest Student Health Center - 662-325-2431

healthcenter.msstate.edu

The health center has on-staff physicians, as well as a pharmacy, x-ray and laboratory facilities, physical therapy, an allergy clinic, and a nutritionist.

Health Promotion and Wellness - 662-325-7545, 662-325-2090

healthpromotion.msstate.edu/

The Department of Health Promotion and Wellness engages students through initiatives to promote complete mental, physical, and social well-being. The department offers programs focusing on sexual assault prevention, intervention and recovery; relationship violence; alcohol and drug abuse; tobacco use cessation; general mental health and well-being; exercise and nutritional information; and sexual health. The department also houses the Collegiate Recovery Community, recovery.msstate.edu, which provides comprehensive support services for recovering students.

Student Counseling Services - 662-325-2091

counseling.msstate.edu/

Student Counseling Services provides individual and group counseling opportunities for students to address wide-ranging concerns. The center also houses the victim advocate coordinator for victims of sexual assault.

SEXUAL MISCONDUCT: PROHIBITED CONDUCT, PREVENTION AND RESPONSE

MSU is committed to complying with Title IX, a federal law that prohibits discrimination, including violence and harassment, based on sex. This means that MSU's educational programs and activities must be free from sex discrimination, sexual harassment, and other forms of sexual misconduct. If you or someone you know has experienced sex discrimination, sexual violence and/

or harassment on campus, or by any member of the university community, you are encouraged to report the conduct to MSU's director of civil rights compliance at 662-325-5839 or by email to titleix@msstate.edu. Additional resources are available at civilrights.msstate.edu/title-ix-sexual-misconduct.

PROHIBITED CONDUCT

Mississippi State University is committed to ensuring an educational environment free from discrimination on the basis of sex or gender. This means we take all forms of sexual violence and other misconduct very seriously, and place particular emphasis on responding effectively to the nationwide problem of sexual assault. University policy prohibits all forms of “sexual misconduct.” Sexual misconduct can vary in its nature and severity. For purposes of this policy, sexual misconduct includes sexual harassment, sexual assault, sexual exploitation, stalking, and dating or domestic violence.

- **Sexual Harassment** is unwelcome conduct of a sexual nature that 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.

Sexual Harassment can include verbal or non-verbal communication or physical conduct. 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) insults or derisive comments related to sex, gender, or sexual orientation directed at a specific individual that are sufficiently severe, pervasive, or persistent that they deny or limit a reasonable person’s ability to participate in or benefit from university programs.

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 intentional 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 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 depicting 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 depicting 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) intentionally 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) intentionally 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.

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.

- **Physical 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 participate in sexual activity.

Physical force refers to physical contact with any person, by means of one’s own body or an object, for the purpose of causing bodily harm or injury, or of forcibly constraining movement. 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 14 cannot give effective consent to sexual activity with any older person, where the age difference is greater than 24 months. Persons between the ages of 14 and 16 cannot give consent to sexual activity with any older person where the age difference is greater than 36 months.

The university’s Sexual Misconduct Policy is interpreted in accordance with the rights to free expression held by members of the university community. Thus, the mere expression of opinions, ideas, words, or symbols that another person finds objectionable will not, without more, constitute sexual misconduct.

The Sexual Misconduct Policy, which is reprinted in the following pages, is available on-line at policies.msstate.edu/sites/www.policies.msstate.edu/files/2020-08/0304.pdf. Proceedings under this policy are independent of and are not dependent on any criminal prosecution by local, state, or federal law enforcement.

PREVENTING SEXUAL MISCONDUCT

MSU takes proactive steps to raise awareness of issues surrounding sexual misconduct, including information on what constitutes sexual misconduct (including definitions of sexual assault, dating violence, domestic violence, and stalking), what constitutes consent, factors that may increase risk, and options for bystander intervention.

S.A.V.E. (Sexual Assault & Violence Education) is an online training module on sexual violence and misconduct that is mandated for all incoming students. The training is also available to all students through MSU's myState portal. The training includes the definitions of sexual assault, sexual exploitation, sexual harassment, stalking and domestic/dating violence as set forth under Prohibited Conduct in this report. The training also provides information on bystander intervention. The training addresses saying or doing something to change the course of a bad situation and discusses awareness, recognition of bad situations, taking personal responsibility, and knowing how to help without sacrificing personal safety. Options discussed include direct intervention, delegation or reporting the issue, and distraction to allow the situation to resolve. Furthermore, the training provides risk reduction strategies such as checking in with friends, responsible use of alcohol, and considering risks before engaging in an activity.

SHARP (Sexual Harassment Awareness, Response, and Prevention) is an online training module that is similar in content to S.A.V.E. SHARP is mandatory training for all employees on campus. Once the training is completed by an employee, it remains accessible to that employee through MSU's employee development learning library. The training covers the same categories of misconduct as S.A.V.E and includes similar information on bystander intervention and risk reduction.

In addition to these two on-line training options, the **Office of Civil Rights Compliance** works in tandem with others to provide face-to-face training to groups throughout the university. Examples of awareness and prevention trainings and programs used by the university to raise awareness of sexual misconduct include, but are not limited to:

- 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.
- The Clothesline Project: On-campus visual display project to raise awareness of sexual violence, sponsored by Health Promotion & Wellness
- Safe Zone Training: Voluntary training on LGBTQ issues, including sexual violence and misconduct
- Mandatory syllabus statement advising students how to report sexual misconduct

- Take the Pledge: A call to action for men to help with violence prevention
- Finals Study Break: Sexual Assault and Violence Prevention Resources

REPORTING AND RESPONDING TO SEXUAL MISCONDUCT

Mississippi State University has a formal policy providing guidance on how sexual misconduct and consent are defined, how to report sexual misconduct, how to handle evidence of sexual misconduct, who must report sexual misconduct and how all such reports will be investigated and resolved. That policy is available at [policies.msstate.edu/sites/www.policies.msstate.edu/files/2020-08/0304.pdf](https://www.policies.msstate.edu/sites/www.policies.msstate.edu/files/2020-08/0304.pdf) and is set forth in full below. Additional guidance on reporting sexual misconduct is available from the Director of Civil Rights Compliance by calling 662-323-8124 or by e-mailing titleix@msstate.edu. Web-based resources are available at <https://www.civilrights.msstate.edu/title-ix-sexual-misconduct>.

In addition to the resources provided above, upon receipt of any report of sexual misconduct, MSU mandatory reporters are instructed to notify the Director of Civil Rights Compliance. The Director or his designee will reach out to the alleged victim and will provide resources related to reporting the incident, seeking confidential assistance, requesting accommodations or reporting the crime to law enforcement agencies. The alleged victim will be provided the following information in writing:

A copy of the University's Sexual Misconduct Policy (set forth in full below), which includes information on

how sexual misconduct is defined,
how to report sexual misconduct,
how consent is defined,
confidential reporting options,
emergency reporting options,
how to preserve potential forensic evidence,
how responsible employees are defined at MSU,
duties of responsible employees,
confidentiality of reported information,
anonymous reporting options,
reporting to law enforcement agencies,
Information on the prohibition against retaliation,
Information on the investigation and adjudication process,
Potential sanctions, and

Assistance and support available on campus.

The alleged victim will also receive an initial report notification, which reads as follows:

This document provides certain important notifications about the University's response to allegations of sexual misconduct. Please review it carefully.

If you believe you have experienced sexual misconduct and inform the University's Title IX Coordinator:

- You will receive a copy of MSU's Sexual Misconduct Policy. Please review it carefully, as it describes your options in detail. If you have questions, please contact the Title IX Coordinator.
- You have the right to request supportive measures are available both to complainants and respondents. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, providing an escort or other security, mutual orders mandating no contact between individuals, changes in housing or work locations, leaves of absence, monitoring of certain areas, or other similar measures. Supportive measures are available regardless of whether you submit a formal complaint. Request for supportive measures should be communicated to the Title IX Coordinator.
- You have the right to report misconduct to law enforcement. Reporting to law enforcement is independent of reporting to the University. If you need assistance reporting to law enforcement, please communicate that request to the Title IX Coordinator.
- You have the right to file a formal complaint with the University if you choose. A formal complaint is separate from the initial report you already have provided. If you choose to submit a formal complaint, MSU will begin an investigation of the alleged sexual misconduct. The University will notify you and the accused party of your rights, including your right to an advisor and your right to be protected against retaliation. If you wish to submit a formal complaint, please contact the Title IX Coordinator.

The Title IX Coordinator is Brett Harvey, Director of Title IX/EEO Programs. He can be reached at 662-325-5839 or at titleix@msstate.edu. His office is located in the Office of Compliance and Risk Management at 56 Morgan Street, Mississippi State, MS 39762.

I acknowledge that I have received a copy of this Notification on the date listed below.





SEXUAL MISCONDUCT POLICY

I. STATEMENT OF POLICY

Mississippi State University (“the university” or “MSU”) 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. This policy of non-discrimination includes, but is not limited to admission, employment, and participation in educational programs or activities.

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 harassment, sexual assault, dating or domestic violence, sexual exploitation, or stalking 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 or participates in any capacity in proceedings under this policy will not be tolerated and will be independent grounds for disciplinary action.

II. APPLICATION AND SCOPE

This policy governs the university’s response to sexual misconduct, as that term is defined herein. Sexual misconduct includes sexual harassment, sexual assault, sexual exploitation, dating and domestic violence, and stalking.

This policy applies to all members of the university community, including without limitation students, faculty, staff, applicants for admission or employment, and those participating in university programs. The prohibition on sexual misconduct herein applies to all of the above, as well as to guests, contractors, and other visitors. Wherever the terms “employee” or “student” are used herein, they also apply to applicants for employment or admission unless otherwise noted.

This policy 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.

The university is required to follow certain procedural rules in cases where alleged sexual misconduct meets a narrower definition of sexual harassment contained in Department of Education regulations under Title IX of the Education Amendments of 1972. To avoid confusion, this policy refers to such alleged violations as “Title IX Sexual Harassment.” Most of the rules and procedures in this policy apply equally to sexual misconduct generally and to Title IX Sexual Misconduct in particular. Where the rules or procedures differ, those differences are explicitly stated.

III. DEFINITIONS OF SEXUAL MISCONDUCT AND TITLE IX SEXUAL HARASSMENT

1. 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 sexual harassment, sexual assault, sexual exploitation, stalking, and dating or domestic violence.

- **Sexual Harassment** is unwelcome conduct of a sexual nature that 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.

Sexual Harassment can include verbal or non-verbal communication or physical conduct. 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) insults or derisive comments related to sex, gender, or sexual orientation directed at a specific individual that are sufficiently severe, pervasive, or persistent that they deny or limit a reasonable person's ability to participate in or benefit from university programs.

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 intentional 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 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 depicting 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 depicting 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) intentionally 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) intentionally 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.

2. TITLE IX SEXUAL HARASSMENT

Title IX Sexual Harassment refers to a particular type of sexual misconduct governed by federal regulations. Most of the rules and procedures in this policy apply equally to sexual misconduct in general and to Title IX Sexual Harassment in particular. Where they differ, these differences are explicitly stated.

Title IX Sexual Harassment is defined as conduct on the basis of sex that falls within one or more of the following categories:

- **Quid Pro Quo Harassment** occurs when an employee of the university conditions the provision of an aid, benefit, or service of the university upon an individual's participation in unwelcome sexual conduct.
- **Hostile Environment Harassment** occurs when conduct on the basis of sex is sufficiently severe, pervasive, and objectively offensive, as determined by a reasonable person, that it effectively denies a person equal access to the university's programs or activities.
- **Sexual Violence** refers to sexual assault, dating violence, domestic violence, or stalking. For purposes of this policy, these terms are defined as follows:
 - a. "*Sexual assault*" refers to any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent. This includes rape, sodomy, sexual assault with an object, nonconsensual fondling, incest, and statutory rape, as these terms are defined by the FBI Uniform Crime Reporting System. Sexual conduct is considered to be against a person's will where that person has not given consent as defined by this policy. Sexual conduct is considered forcible where it occurs by means of physical force or coercion as defined by this policy.
 - b. "*Domestic violence*" refers to any felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under applicable domestic violence laws, or by any other person against an adult or youth victim

who is protected from that person's acts under applicable domestic or family violence laws.

c. *"Dating violence"* refers to physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

d. *"Stalking"* refers to engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. Stalking violates this policy when it is undertaken, at least in part, for a sexual purpose.

3. FREEDOM OF EXPRESSION

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.

IV. 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.

- **Physical 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 participate in sexual activity.

Physical force refers to physical contact with any person, by means of one's own body or an object, for the purpose of causing bodily harm or injury, or of forcibly constraining movement. 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 twenty-four 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.

V. REPORTING SEXUAL MISCONDUCT

The university strongly encourages anyone who has experienced sexual harassment or other 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 getting help. Calling the Safeline will notify MSU's Office of Survivor Support, which has personnel trained to help you obtain support, which may include, as necessary, medical care, housing accommodations, academic accommodations, or counseling. 5 OP 03.04

2. REPORTING TO THE UNIVERSITY

Who 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 procedures in cases of sexual misconduct, as well supportive measures 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 in the Office of Civil Rights Compliance. 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:

- Lateshia Butler, Assistant Director, Office of Civil Rights Compliance, Email: ldh76@msstate.edu; Phone: 662-325-5839.
- Thomas Bourgeois, Dean of Students. 1st Floor YMCA Building. Email: thomasb@affairs.msstate.edu; Phone: 662-325-3611.
- Ann Carr, Senior Associate Athletic Director. Email: acarr@athletics.msstate.edu; Phone: 662- 325-2532.
- Jackie Mullen, Director of Student Activities. Email: jmullen@affairs.msstate.edu; Phone: 662-325-3917.
- Joy Graves, Risk and Compliance Officer. Email: joy.graves@msstate.edu; Phone: 662-325- 5839.
- Leslie Corey, Interim Chief Human Resources Officer. 2nd Floor McArthur Hall; Email: nsiegert@hrm.msstate.edu; Phone: 662-325-3717.
- Stephanie Green, Senior Human Resources Generalist. 2nd Floor McArthur Hall; Email: sgreen@hrm.msstate.edu; Phone: 662-325-3717.
- Juli Rester, Senior Manager, Human Resources Management. 2nd Floor McArthur Hall; Email: rester@hrm.msstate.edu; Phone: 662-325-3717.

In addition to these officials, many MSU personnel are required by university policy to convey reports of sexual misconduct to the proper authorities on campus. These personnel are called "Mandatory Reporters" 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 they are 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 this policy, the university's policy on Discrimination, Harassment, and Retaliation (Operating Policy 03.03), or both. 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.

However, in all cases—regardless of the relevant policy—employees should feel free to 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. Employees who do have such a duty are called Mandatory Reporters. To ensure that appropriate action is taken, the university strongly recommends that reports be submitted to the personnel listed in this policy.

Who are MSU's Mandatory Reporters?

All university employees are considered Mandatory Reporters for purposes of this policy unless specifically exempted herein, or specifically exempted via the procedure outlined below. If you are uncertain whether you or someone else is a Mandatory Reporter, the Title IX Coordinator can help you make that determination.

Which employees are exempt from mandatory reporting?

Confidential Employees. Certain employees are specifically exempted from Mandatory Reporter 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 a student enrolled in a course taught by the employee.

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 Mandatory Reporter of sexual misconduct?

When a Mandatory Reporter receives a report of sexual misconduct, he or she is required to report that allegation to the Title IX Coordinator. This means that the Mandatory Reporter must inform the Title IX Coordinator, even if the person who experienced the alleged misconduct asks the employee not to do so.

Statements concerning sexual misconduct that are directed to groups generally do not constitute reporting for purposes of this policy, even if a Mandatory Reporter 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, or statements on social media. If a person wishes to seek assistance from the university, they should speak directly to a Mandatory Reporter in a one-on-one setting.

Are there any exceptions to a Mandatory Reporter's duty to report?

There is one narrow exception to the reporting requirement for Mandatory Reporters. If the alleged sexual misconduct is harassment of an employee who is not a student and there is no allegation of sexual assault or other violence and the person receiving the report is not the reporting party's supervisor and no student or minor allegedly was involved, then a Mandatory Reporter 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 non-violent 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 Mandatory Reporter?

Mandatory Reporters 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 Mandatory Reporter 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 Mandatory Reporter 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 investigations are prohibited. University employees, departments, organizations, and other units must not undertake their own independent investigations of sexual misconduct in lieu of the

procedures herein, or undertake any response that in the judgement of the Title IX Coordinator interferes with or conflicts with the response under this policy. In some circumstances, however, facts related to allegations under this policy may be considered by departments, organizations, and other units in assessing an individual's fitness for employment, membership, or participation. These circumstances are discussed below.

- Inform students of your obligations. Many Mandatory Reporters 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 Mandatory Reporter 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 alleged sexual misconduct confidential to the greatest extent reasonably possible, but may be required to share information with appropriate individuals—including but not limited to the accused party, university investigators, and university adjudicators—in order to resolve the matter, and to ensure the safety of members of the university community. Additionally, as discussed more fully below, there may be instances in which the university is required by laws or regulations to disclose certain information.

If my report of sexual misconduct involves alcohol use or other rule violations, 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, or for violations of the Code of Student Conduct that do not involve violence, threats, criminal activity, hazing, or sexual misconduct, when such violations are 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

While the university strongly recommends that individuals who know of or have experienced sexual misconduct report to the Title IX Coordinator, options exist for those who seek confidential assistance without triggering a formal investigation.

These confidential resources 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:

OFFICE OF SURVIVOR SUPPORT

The university's Office of Survivor Support (OSS) can guide survivors 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, they will be given the option of meeting with OSS. The office can provide assistance on a wide range of issues, from seeking immediate medical attention and/or a Physical Evidence Recovery Kit (PERK) to seeking supportive measures from the university.

To contact OSS between 8 a.m. and 5 p.m. Monday through Friday, call 662-325-5795 or visit the office in person on the second floor of the YMCA Building at 195 Lee Boulevard.

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.

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.

EMPLOYEE ASSISTANCE PROGRAM

MSU's Employee Assistance Program (EAP) can be reached at 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 on 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 MSU Ethics Point, a comprehensive and confidential online reporting tool. An online report can be completed via the Ethics Point 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 Ethics Point. Further, anonymous reporting via Ethics Point does not constitute a formal complaint of sexual misconduct 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 investigate, 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. 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 Education, Office of Civil Rights - 800-421-3481

Reporting to the MSU Police Department will result in an initial notification to the Title IX Coordinator, as outlined below. Reporting to other law enforcement agencies will not trigger such notification 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.

VI. PROHIBITION ON RETALIATION

Retaliation against individuals for reporting sexual misconduct, or for participating in any capacity in proceedings under this policy, is strictly prohibited. Retaliation should be reported immediately to the Title IX Coordinator, and is an independent basis for disciplinary action, regardless of the outcome of the underlying complaint.

For purposes of this policy, retaliation includes any intimidation, coercion, discrimination, threat, or other action against any individual that would deter a reasonable person from reporting, testifying, assisting, or cooperating with an investigation or proceeding. Constitutionally protected speech, without more, does not constitute retaliation under this policy. Sanctions imposed for making a deliberately false report or providing false information in bad faith in the course of an investigation or hearing do not constitute retaliation.

The university maintains the right to require students and employees to cooperate in good faith with investigations, including investigations under this policy. Consequently, sanctions imposed by the university in response to an individual's refusal to participate or cooperate with an investigation of sexual misconduct generally are not considered retaliation.

However, in matters where allegations meet the definition of Title IX Sexual Harassment, federal regulations specifically prohibit institutions from penalizing non-participation. Consequently, in such cases, no sanction will be imposed by the university in response to an individual's refusal to testify, assist, or otherwise participate in any investigation, proceeding, or hearing unless expressly. Application of procedural rules contained herein on the admissibility of statements or other evidence does not constitute a sanction for this purpose.

VII. INTENTIONALLY 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 or other information is provided in bad faith when the person making it actually knew it was false or made it with reckless disregard for the truth. Information is not provided in bad faith merely because an adjudicator reaches a contrary conclusion or outcome.

Where a false report or statement has been made in bad faith, formal disciplinary action by the university against the person making it is not retaliation within the meaning of this policy.

VIII. INVESTIGATION AND ADJUDICATION

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

1. INITIAL NOTIFICATION

The university's duty to respond begins when the Title IX Coordinator is notified of alleged sexual misconduct. Upon receiving such notification, the Title IX Coordinator¹ will promptly contact the alleged victim, who is referred to herein as the "complainant." A person who has been reported to be the perpetrator of conduct that could constitute sexual





misconduct is referred to as the “respondent.” After a formal complaint has been submitted, the complainant(s) and respondent(s) in a particular matter are referred to as the “parties.” Upon initial notification, the Coordinator will inform the complainant of the availability of supportive measures as described below, the ability to report to law enforcement, and the procedure for filing a formal complaint of sexual misconduct.

2. SUPPORTIVE MEASURES

Supportive measures are non-disciplinary services offered by the university as it deems appropriate to the complainant or respondent in order to restore or preserve equal access to the university’s programs, activities, services, or benefits.

The Title IX Coordinator will inform the complainant—and where a formal complaint has been filed, the respondent—of the availability of supportive measures, and will coordinate their implementation along with other university personnel as needed. If a party wishes to request specific supportive measures, it is his or her responsibility communicate that request to the Title IX Coordinator. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, providing an escort or other security, mutual orders mandating no contact between individuals, changes in housing or work locations, leaves of absence, monitoring of certain areas, or other similar measures.

Supportive measures are available whether or not a complainant elects to file a formal complaint, and may be implemented or maintained without regard to the outcome of a complaint. They are non-punitive in nature and must not unreasonably burden the other party. The university will endeavor to keep information concerning supportive measures as private as is reasonably possible, but may determine it is necessary to share this information with certain individuals in order to effectively implement needed assistance.

3. FORMAL COMPLAINT

A formal complaint is required before the university will initiate an investigation of sexual misconduct. A formal complaint is a document, which must be signed by or otherwise reflect the authorization of the complainant, that alleges sexual misconduct against a person and requests that the university investigate the matter. It may be submitted in person or via electronic means.

If a complainant does not submit a formal complaint, the Title IX Coordinator may determine that the matter nonetheless warrants investigation under this policy. In such cases, the Title IX Coordinator will initiate and sign the formal complaint. In such cases, the alleged victim—not the Coordinator—is still considered the complainant, and will continue to receive any notifications required hereunder. Alternatively, the Coordinator may determine that the matter warrants investigation under another university policy, and may refer the matter to appropriate personnel.

¹ With respect to any procedural step or other duty described herein, the term “Title IX Coordinator” refers to the Coordinator or his or her designee(s).

Where the university has received multiple complaints of sexual misconduct that allegedly involve one or more of the same parties and/or arise out of the same facts or circumstances, the Title IX Coordinator shall have discretion to consolidate these complaints for purposes of proceedings under this policy. Where consolidation occurs, the parties will be notified in writing.

4. WRITTEN NOTIFICATION OF PARTIES

Upon receipt of a formal complaint, the university will provide written notice to the accused party and the complainant. This notice will include a description of the allegations potentially constituting sexual misconduct, including the parties involved, the date, and the location, if these details are known. The written notice will inform the parties of the following:

- Respondents are presumed not responsible until proven otherwise, and a determination regarding responsibility is made at the conclusion of the investigation and adjudication process.
- Parties may have an advisor of their choice who may be, but is not required to be, an attorney, and the university will provide an advisor at no charge upon written request.
- Parties will have an equal opportunity to inspect and review evidence.
- Supportive measures are available and may be requested by contacting the Title IX Coordinator.
- It is a violation of MSU policies to knowingly or recklessly make false statements or submit false information in connection with the investigation or adjudication process, and such conduct is subject to disciplinary action.

If in the course of an investigation, the university decides to investigate any separate and distinct allegation of sexual misconduct not included in the initial notice, it will provide written notice of the additional allegation(s) to the parties.

5. EMERGENCY REMOVAL

In rare cases where the university has reason to believe a party to a sexual misconduct investigation poses an immediate threat to the physical health or safety of another individual, the university may remove that party from campus, or from any program, activity, or facility, on an emergency basis.

Removal of a student will occur only where the Dean of Students determines that the student poses an immediate threat to the physical health or safety of another person following an individualized safety and risk analysis. Where a student is removed by these means, they will receive notice and an opportunity to challenge the decision as promptly as is reasonably possible. The Dean of Students shall have final authority to determine whether emergency removal is appropriate.

Nothing in this policy restricts the ability of the university to place an employee on leave pending the outcome of an investigation of sexual misconduct or other issues.

6. INVESTIGATION

The Title IX Coordinator or their designee will investigate the allegations raised in a formal complaint. The Coordinator will make reasonable good faith efforts to obtain relevant evidence, both potentially inculpatory and exculpatory.

Notification of Parties

Prior to any interview, meeting, or hearing with the complainant or respondent, the university will provide written notice of the date, time, location, participants, and purpose at least 24 hours in advance.

Role of Investigators

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, university policies, relevant laws and regulations, proper investigation procedures and techniques, impartiality and avoiding conflicts of interest, and other relevant issues. The investigator may regularly consult with the Title IX Coordinator on the progress of the investigation and potential issues that require additional follow-up.

Role of Advisors

The parties may be accompanied to any interview, meeting, or hearing by the advisor of their choosing, who may be but is not required to be an attorney. While the university will make reasonable efforts to address procedural or other questions raised by advisors, the parties are expected to speak for themselves with respect to the substantive allegations. It shall be the responsibility of the party, not the university, to inform any advisor and secure their attendance at any such interview, meeting, or hearing.

Where a party does not have an advisor for the investigation stage of the process, the university will provide one at no charge upon written request to the Title IX Coordinator. It is the responsibility of the party to submit this request as early as possible. Because hearings require advisors to conduct cross-examination, the person advising a party during the investigation stage may not be the same person to advise at the hearing stage. For more information on advisors for hearings, please see below.

Inspection of Evidence

The university will provide all parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is related to the allegations. This normally will occur via the investigative report process outlined herein. If a party wishes to review evidence prior to the dissemination of the report, or at any other point, he or she should make that request in writing to the Title IX Coordinator.

Confidential Materials

The university will not access, consider, disclose, or otherwise use in connection with an investigation a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a professional capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that party's voluntary, written consent to do so.

Conflicts of Interest

If a party believes that an investigator, advisor, or other personnel involved in the investigation process has a conflict of interest or bias that would prevent him or her from serving fairly and impartially, they should promptly inform the Title IX Coordinator. If a party believes the Title IX Coordinator has such a conflict or bias, they should inform the University Compliance Officer. The appropriate official will review the matter and take remedial action where appropriate, which may include assigning alternate personnel.

Acceptance of Responsibility

A respondent is presumed not responsible until proven otherwise by sufficient evidence. However, if a respondent wishes to accept responsibility for some or all of the allegations against them, they may do so at any point prior to the conclusion of the live hearing.

Where a respondent wishes to accept responsibility prior to a live hearing, he or she should communicate that fact to the Title IX Coordinator in writing. The Coordinator will inform all parties of the acceptance of responsibility and will issue a proposed set of sanctions and/or remedies.

If all parties agree in writing to waive a live hearing on the matter and accept the proposed sanctions and/or remedies, the matter will be concluded and not subject to appeal. If all parties do not agree, the Coordinator will schedule a hearing before the adjudicator to determine the appropriate sanction and/or response, and to decide any remaining allegations or other issues.

Where a respondent wishes to accept responsibility after a live hearing has commenced, it is his or her responsibility to clearly state as much to the adjudicator. An adjudicator may consider a party's acceptance of responsibility as one factor in determining the appropriate sanctions and/or responses.

7. INVESTIGATIVE REPORT

At the conclusion of the investigation, the Title IX Coordinator will prepare an investigative report summarizing relevant policy provisions, undisputed facts, disputed factual questions, and potentially relevant evidence including potential witness testimony and potential exhibits to be introduced at a hearing.

Scope of Recommendations

The report may make recommendations as to what testimony, exhibits, or other evidence are or are not relevant to a determination regarding responsibility, but the final authority for such determinations will rest with the adjudicator. The report will not take any position or make any recommendation as to the ultimate question of responsibility or non-responsibility.

Distribution of Preliminary Report

Not less than twenty-one calendar days prior to a hearing, the Title IX Coordinator will provide a preliminary copy of the investigative report to each party and their respective advisors, along with a copy of any relevant documents or exhibits. The parties will have ten calendar days to submit a written response noting any objections, proposed corrections, or proposed additions.

Final Report

The Coordinator will consider any written responses from the parties in preparing a final version of the investigative report, which will be provided to the parties, their advisors, and the adjudicator at least five calendar days prior to the hearing.

8. DISMISSAL AND REFERRAL UNDER OTHER POLICIES

Allegations of sexual misconduct will be investigated initially under the procedures outlined in this policy. In some cases, the evidence uncovered may indicate that dismissal or referral under other policies is appropriate.

Title IX Dismissal

If at any point prior to a determination on responsibility the Title IX Coordinator determines that a complaint or allegation, if proven, (i) would not meet the definition of Title IX Sexual Harassment set forth herein, (ii) did not occur on an MSU campus or otherwise in connection with a university program or activity; (iii) did not occur against a student, employee, or other person who at the time of the filing of the formal complaint was participating in or attempting to participate in a university program or activity; or (iv) did not occur against a person in the United States, the Title IX Coordinator will dismiss the complaint or allegation for purposes of Title IX.

Dismissal for purposes of Title IX means that certain specific provisions of this policy applicable only to Title IX Sexual Harassment will not apply to further proceedings. The matter will continue to be investigated and adjudicated, as appropriate, under the remaining provisions of this policy.

Dismissal on the Merits

Where the Title IX Coordinator determines that the factual allegations underlying a complaint, if proven, would meet neither the definition of Title IX Sexual Harassment nor the definition of sexual misconduct herein, the Coordinator shall dismiss the complaint or allegation on its merits.

Dismissal on the merits means that no further investigation or adjudication proceedings will occur under this policy. Where a complaint or allegation is dismissed on its merits, and the dismissal is not reversed via appeal, this precludes any formal discipline or sanction under this policy for the covered conduct, unless additional information is subsequently revealed that the Title IX Coordinator determines could not have been reasonably known by the relevant party and would materially alter the nature or severity of the allegations.

Discretionary Dismissal

Where the Title IX Coordinator determines that specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to a complaint or allegation, the Coordinator may at his or her discretion dismiss the complaint or allegation.

Discretionary dismissal does not preclude the filing of a future complaint on the same subject matter, which may be investigated where the Title IX Coordinator determines that specific circumstances preventing investigation have changed.

Voluntary Dismissal

If at any time prior to a determination on responsibility a complainant notifies the Title IX Coordinator in writing of his or her desire

to withdraw the formal complaint or any allegation therein, the Coordinator may at his or her discretion dismiss the complaint or allegation.

The university will give careful consideration to a complainant's request to dismiss a formal complaint, but may determine that dismissal is inappropriate if it would impair the university's ability to ensure a safe and non-discriminatory environment. Factors considered in making this determination 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.

Referral Under Other Policies

Where the Title IX Coordinator determines that the dismissal under this policy is appropriate, he or she will determine whether the matter should be referred for further proceedings under the Non-Discrimination and

Anti-Harassment Policy (OP 3.03), the Code of Student Conduct (OP 91.100) or any other university policy. Where the Coordinator determines that such proceedings may be warranted, the matter will be referred to the appropriate university personnel.

Notification of Dismissal

Where the Coordinator determines that dismissal under this section is warranted, he or she will promptly notify the parties in writing of the dismissal, the grounds for the decision, and the availability of and procedure for appeal.

Appeal of Dismissal

Where a party feels that a decision to dismiss has been made in error, he or she may appeal the dismissal under the procedures set forth in this policy.

9. HEARINGS

The determination of responsibility or non-responsibility for Title IX Sexual Harassment and other sexual misconduct matters will be made via a live hearing process.

Standard of Proof

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. Unless and until sufficient evidence is presented, the respondent is presumed not responsible.





Adjudicators

The determination of responsibility or non-responsibility is made by the adjudicator, which may be an individual or a panel of individuals selected by the university. The adjudicator will have received appropriate training on university policies, procedures for fair and impartial decision-making, pertinent laws and regulations, and other relevant issues. An adjudicator shall not have served as an investigator, coordinator, advisor, or informal resolution facilitator in the matter.

Prior to the hearing, the parties will be notified of the identity of the adjudicator. If any party has reason to believe that an adjudicator has a conflict of interest or bias that would prevent him or her from deciding the matter fairly and impartially, they should communicate that belief to the Title IX Coordinator as early as possible, and in all events at least five days prior to any hearing.

In addition to the adjudicator, the Title IX Coordinator may be present at the hearing to advise as needed on matters of university policy or procedure. The Coordinator may not serve as an adjudicator or make recommendations as to the ultimate finding of responsibility or non-responsibility.

Presentation of Evidence

All parties will be permitted to present relevant testimony and other evidence at the hearing. Each party's advisor will be permitted to ask any party or witness relevant questions and follow up questions. Parties may not directly question other parties or witnesses.

Before a party or witness answers a question, the adjudicator must determine whether the question is relevant, and signal to the party or witness that they should answer. Where the adjudicator determines that a question is not relevant, he or she should state briefly the basis for that determination.

Witnesses may be called by any party or by the adjudicator. The adjudicator shall have discretion to structure the order in which witness testimony and other evidence are presented, provided that all parties are afforded equal opportunity to present relevant evidence and question all witnesses.

Relevance of Evidence

Testimony and other evidence are relevant where the adjudicator determines that they pertain to the allegations under review and are reasonably likely to make some material fact more or less probable. Questions are relevant where the adjudicator determines that they are reasonably likely to elicit a response that meets the definition of relevant testimony.

Questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant, unless offered to prove that someone other than the respondent committed the alleged conduct, or such questions or evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Testimony

All parties and witnesses are expected to be present and to provide truthful and accurate testimony at any hearing under this policy. It is a violation of this policy to knowingly or recklessly make false statements or submit false information in connection with the investigation or adjudication process, and such conduct is subject to disciplinary action by the university.

- Title IX Sexual Harassment matters. In matters classified as Title IX Sexual Harassment under this policy, a party or witness's failure to testify or submit to cross-examination means that no statement by that party or witness may be considered in reaching a determination of responsibility
- Consequently, if at any point during a hearing, a party or witness indicates a refusal to answer any question determined to be relevant by the adjudicator, the entirety of that party's testimony and any prior statements will be disregarded for purposes of the determination of responsibility, and the matter will be adjudicated based on the remaining evidence.
- The adjudicator may not base a determination of responsibility or non-responsibility solely on the fact that a party or witness refuses to testify or answer cross-examination questions, but may consider such refusal as one factor and/or consider the absence of sufficient evidence due to other statements being excluded from consideration.
- Other sexual misconduct matters. In matters classified as sexual misconduct but not Title IX Sexual Harassment under this policy, the response to a refusal to testify or answer questions at a hearing shall be at the discretion of the adjudicator. Additionally, parties or witnesses who refuse to testify or cooperate in good faith with an investigation may be subject to disciplinary action under university policies.

Hearing Advisors

Each party may be accompanied to any interview, meeting, or hearing by the advisor of their choosing, who may be but is not required to be an attorney. While the university will make reasonable efforts to address procedural or other questions raised by advisors, the parties are expected to speak for themselves with respect to the substantive allegations. Because cross-examination questions at a live hearing may be asked only by an advisor, and not by the parties themselves, it is strongly recommended that each party secure the participation of an advisor at the hearing stage.

Where a party does not have an advisor for the hearing, the university will provide one at no charge upon written request to the Title IX Coordinator. Where a party has requested a university-appointed advisor for the investigation stage, the university will automatically appoint an advisor for the hearing stage. Otherwise, it is the responsibility of the party to submit a request for a hearing advisor as early as possible. If the request is submitted less than ten calendar days prior to a scheduled hearing date, the university cannot guarantee the availability of an advisor.

In all cases, it remains the responsibility of the party to inform the advisor and secure their attendance at any hearing or other meeting.

Remote Hearings

Hearings normally will occur in-person with the parties, advisors, and adjudicator in the same location. However, upon timely written request, the university will permit any party to participate remotely by means of videoconferencing or similar technology. In such cases, the arrangement of the videoconference must be such that all parties and the adjudicator can see and hear any party or witness while that party or witness is testifying.

Recording of Hearings

Hearings under this policy shall be recorded via audio or audiovisual means and maintained as part of the file. The recording shall be made available to the parties for inspection and review upon request. Unauthorized copying or recording of hearing proceedings is prohibited.

10. DETERMINATION AS TO RESPONSIBILITY

Upon conclusion of the hearing, the adjudicator shall issue a written determination regarding responsibility or non-responsibility for the charges. This determination will include:

- A statement of the allegations considered.
- A description of the procedural steps taken from the receipt of the formal complaint through the determination on responsibility, including a description of the notifications to the parties, interviews and other methods of evidence gathering, and hearings.
- Findings of relevant fact.
- Conclusions applying relevant university policies to the facts.
- A statement of the result for each separate allegation, including any sanctions or other remedies, and the rationale for the same.
- A statement of the grounds and procedures for appeal.

The adjudicator will transmit this determination to the Title IX Coordinator, who will provide a copy to all parties simultaneously. The Title IX Coordinator also may communicate all or part of the determination to any university personnel deemed necessary to carry out any sanction or remedy, or to ensure the safety of the university community.

11. APPEALS

Any party may appeal from the final determination on responsibility or from the dismissal of any complaint or specific allegation under this policy.

Grounds for Appeal

Permissible grounds for appeal are: (1) a procedural error that likely affected the outcome of the matter; (2) new evidence that was not reasonably available at the time of the determination or dismissal that likely would affect the outcome of the matter; or (3) evidence of an impermissible conflict of interest or bias for or against complainants or respondents generally, or an individual complainant or respondent specifically, on the part of the Title IX Coordinator, investigator, or adjudicator.

Appellate Procedure

Either party may appeal by submitting a written notice to the Title IX Coordinator within seven calendar days of issuance of the written determination on responsibility or the notice of dismissal. Upon receipt of a notice of appeal, the Coordinator will notify all parties in writing that an appeal has been filed.

The Coordinator will invite parties to submit written statements of their positions on appeal. The Coordinator shall have discretion to determine the order and length of statements and other procedural matters, provided that all affected parties will have equal opportunity to submit relevant information.

Appellate Adjudicators

In matters where the accused party is a student, appeals shall be heard by the Vice President for Student Affairs or their designee. In matters where the accused party is a university employee, appeals shall be heard by the Provost and Executive Vice President or their designee. In cases where the accused party is both a student and a university employee, the Title IX Coordinator shall determine in which capacity the allegations against the accused primarily arose, and shall assign the appeal accordingly.

The appellate adjudicator will have received appropriate training on university policies, procedures for fair and impartial decision-making, and relevant laws and regulations. Appellate adjudicators will not have participated in the hearing or other pre-appeal proceedings in any matter before them.

Appellate Decision

The appellate adjudicator will decide the appeal based on the hearing record, the parties' written statements on appeal, and applicable university policies. He or she may consult the Title IX Coordinator concerning policy or procedural matters or other university personnel as appropriate, but should not confer with parties, witnesses, investigators, or the hearing adjudicator.

The appellate adjudicator may (1) affirm the decision, sanction, or remedy in full or in part; (2) reverse any ruling and remand the matter for further proceedings; and/or (3) in cases where an appellate ruling leaves no material questions of fact, render a final decision as to responsibility, sanctions, or remedies.

The adjudicator will issue a written decision explaining the outcome of the appeal and the rationale. That decision will be transmitted to the Title IX Coordinator, who will provide a copy to all parties simultaneously. The decision of the appellate adjudicator is final and not subject to further appeal.

12. TIMEFRAME

Absent extenuating circumstances, the university will strive to conduct a full investigation of a complaint of sexual misconduct and adjudicate the complaint within ninety calendar days of the filing of the formal complaint.

IX. INFORMAL RESOLUTION

In some instances, the parties may prefer to address sexual misconduct through informal means, such as mediation. Where appropriate, the university will make reasonable efforts to facilitate this process.

1. Requesting Informal Resolution

Parties interested in informal resolution should communicate that request to the Title IX Coordinator. A request for mediation or other informal resolution may be made in writing by either party at any point after a formal complaint is filed and prior to a determination on responsibility.

2. Determination of Appropriateness

If a party requests informal resolution and the Title IX Coordinator determines it is potentially appropriate, the Coordinator will provide all parties with written notice of the request, including a description of the allegations covered, an explanation that informal resolution is strictly voluntary and must be agreed to by all relevant parties, and an explanation of the relevant provisions of this section. Informal resolution will not proceed unless all relevant parties indicate their agreement in writing after receiving this notice.

Informal resolution is not permitted where there is an allegation that a university employee engaged in sexual misconduct toward a student. The Coordinator shall retain discretion to deny any request for informal resolution or to terminate such proceedings at any point if he or she determines that they are no longer appropriate.

3. Informal Resolution Process

The nature of an informal resolution process will vary depending on the circumstances and wishes of the parties. The process is strictly voluntary. No one, whether complainant, respondent, or third party, will be compelled to participate in any portion.

Informal resolution efforts always will be supervised by a properly-trained person, such as an administrator or counselor. The Title IX Coordinator will oversee the informal resolution process, and will be informed of the outcome, but neither the Title IX Coordinator nor any investigator or adjudicator involved in the matter will be present at any informal resolution meeting.

4. Record Keeping

To facilitate candid exchange of information, statements made by participants in any informal resolution process are confidential and not admissible in any hearing or other disciplinary proceeding under this policy. The university will maintain records of the outcome of informal resolution proceedings, but will not maintain records of the specific contents of any such proceeding or statements made therein.

5. Effects of Informal Resolution

Once an informal resolution process has begun, any party is free to withdraw at any time prior to the conclusion of the process, and should communicate that request to the Title IX Coordinator.

The process concludes when the Title IX Coordinator issues a written notice to the parties that a resolution has been reached, or alternatively that no resolution can be reached. Where no resolution can be reached or where any necessary party withdraws, the university will resume the formal complaint process.

Where a resolution is reached and agreed to in writing by the parties, this will preclude any formal discipline or sanction under this policy for the covered conduct, unless additional information is subsequently revealed that the Title IX Coordinator determines could not have been reasonably known by the relevant party and would materially alter the nature or severity of the allegations.

X. SANCTIONS AND REMEDIES

Sanctions for violations of this policy must be determined based on the facts of each individual case. Sanctions are distinct from non-punitive supportive measures, such as no-contact orders or changes in housing assignments. Sanctions under this policy may be implemented only after the conclusion of a live hearing, or after voluntary acceptance of responsibility by a respondent.

1. POTENTIAL SANCTIONS

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.
- **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 university policies, 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 university policies, 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.
- **Withholding or Revocation of Degree or Certification:** The withholding or revocation of a degree or other certification from the university or a program thereof, based on a finding that an individual is responsible for conduct under this policy while enrolled at the university that would have resulted in expulsion or removal from the relevant program, which was reported with reasonable promptness but could not have been adjudicated until after the program's completion.

2. RESPONSES IN ADDITION TO FORMAL SANCTIONS

Any formal sanctions by the university under this policy must be determined via the procedures herein. University employees, departments, organizations, and other units must not undertake their own investigations of sexual misconduct in lieu of the procedures herein, or undertake any response that in the judgement of the Title IX Coordinator interferes with or conflicts with the response under this policy.

In some circumstances, however, facts related to allegations under this policy may be considered by other units or organizations in assessing an individual's fitness for employment, membership, or participation.

Student Organizations

Nothing in this policy prevents any university-recognized club, team, or other voluntary student organization from considering either a finding of responsibility or the underlying facts or allegations in determining an individual's fitness for membership or participation.

Employment Decisions

In matters where the respondent is an employee, a university department or unit shall not implement additional sanctions based solely on allegations resolved under this policy, but may consider the fact of a finding on responsibility, or facts revealed in the course of an investigation hereunder, as one factor in any general assessment of an employee's overall performance, continued fitness for employment, and/or assignment of duties.

Nothing in this policy prevents any university department or unit from taking non-punitive steps in response to allegations of sexual misconduct to ensure the safety or productivity of employees. 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 accused of a violation of this policy.



Visitors and Guests

Nothing in this policy grants any procedural or substantive right to any person accused of sexual misconduct who is not a university student, employee, or applicant for admission or employment. The university retains full discretion to respond to alleged harassment or misconduct by visitors, contractors, and other non-student, non-employees as it deems appropriate.

XI. RECORDKEEPING AND PRIVACY

1. CONTENTS OF RECORDS

The university will retain records relating to investigations of sexual misconduct for a period of not less than seven years. Records will include, but may not be limited to, the following:

- Any determination regarding responsibility, sanctions, or other formal responses after adjudication.
- Any appeal and its outcome.
- The outcome of any informal resolution.
- Any supportive measures implemented or denied under this policy.
- All written materials used by the university in training Title IX Coordinators, investigators, adjudicators, persons who facilitate informal resolution processes, and others involved in proceedings under this policy.

The university will not maintain records of the contents of any informal resolution process, but may retain records reflecting that the process occurred and any final outcome.

No information derived from proceedings under this policy shall be released except as permitted or required by law and university policy. In the context of investigation, adjudication, supportive measures, sanctions, remedies, or informal resolution under this policy, information will be disclosed only to individuals with a genuine need to know.

2. 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.

3. FERPA PRIVACY PROTECTIONS

Under the Family Educational Rights and Privacy Act (FERPA), identifying information about a complainant, respondent, or reporting party 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.

4. 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.

XII. 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.

Additionally, the university will provide appropriate training to all persons serving as coordinators, investigators, adjudicators, appointed advisors, or facilitators of informal resolution under this policy.

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.

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, 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 are encouraged to follow the reporting procedures contained in Operating Policy 03.03. Alternatively, if workplace conduct does involve sexual assault or other violence, employees are encouraged to 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.

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.

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.

REVIEW

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

ADJUDICATORS

All adjudicators under Policy 03.04 undergo annual training that is conducted in-person or via WebEx by the Title IX coordinator. The training encompasses approximately six hours of training on university policies, procedures for fair and impartial decision-making, pertinent laws and regulations, and other issues that may arise during adjudication of a complaint.





TIMELY WARNING, EMERGENCY NOTIFICATION, RESPONSE AND EVACUATION

MSU CRISIS ACTION TEAM

The MSU Crisis Action Team (the “CAT Team”) includes university representatives from the President’s Office, the Provost’s Office, the Vice President for Student Affairs’ Office, the Vice President for Finance and Administration’s Office, the Dean of Student’s Office, the MSU Police Department, the Department of Housing and Residence Life, the Office of Public Affairs, and Information Technology Services. The CAT Team is charged with providing leadership and a coordinated response during emergency situations.

TIMELY WARNINGS

The MSU CAT Team is responsible for preparing a timely warning when a crime is reported to or brought to the attention of the MSUPD and that crime represents a threat to the safety of members of the campus community. Timely warnings are authorized by one of three permanent incident commanders (the Vice President for Student Affairs, the Vice President for Campus Services, and the Dean of Students) and are issued through the Office of Public Affairs.

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.

Timely warnings will be e-mailed to official university e-mail addresses, posted on the MSU website (msstate.edu), widely distributed throughout campus, and, to the extent possible, posted in off-campus areas frequented by students. The CAT Team will attempt to release the report within 12 hours of the time the subject incident is reported; however, the timing of the release is subject to the availability of accurate facts concerning the incident.

TIMELY WARNING PROCEDURE

The MSU CAT Team will prepare a timely warning when a report is received of a violent crime against a person or a crime against property on campus that represents an ongoing danger to the safety of students, faculty, and staff.

Information for timely warnings may come from MSUPD or from other law enforcement agencies or other sources. Timely warnings provide details of the crime, a description of the suspect (if known), information on whom to contact about the investigation, possible connection to previous incidents, and often crime prevention tips. Whenever local law enforcements agencies 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 that crime to the University community.

EMERGENCY NOTIFICATION (MAROON ALERT) PROCEDURES

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. The CAT team is charged with responding to emergency situations and issuing Maroon Alerts for the Starkville Campus. MSU may use any or all communication resources to disseminate information depending on the nature of the emergency and the surrounding circumstances. The Emergency Notifications are sent to all members of the University associated with the campus. 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 CAT 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. The content of the Emergency Notification is determined by consensus of the CAT team members present, with the final determination made by the Incident Commander in charge (there are three permanent Incident Commanders – the Vice President for Student Affairs, the Associate Vice President of Administration and the Dean of Students). Upon determination of the notification's content, systems utilized to transmit emergency notifications are selected and activated to deliver the information relating to the emergency to the potentially affected end user within the MSU community. These systems are described beginning in the next section.

On the Meridian campus, Maroon Alerts are developed and issued by the Administrative Director and Head of Campus or his designee. All such alerts are sent to all members of the campus community and may be disseminated in the same manner as Maroon Alerts on the Starkville Campus. The process for determining when a Maroon Alert is the same on both campuses, except that the Administrative Director and Head of Campus or his designee operates in the place of the CAT team.

On both campuses, MSU 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.

Information pertaining to incidents and emergencies on either campus will be disseminated to the larger public via media organizations through the Office of Public Affairs or individuals involved in emergency response on campus as designated by the CAT Team Incident Commander.

HOW TO SIGN UP FOR MAROON ALERT

MSU encourages all students, faculty, and staff to sign up for the emergency notification system known as 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.

You are also encouraged to follow [@maroonalert](https://twitter.com/maroonalert) on Twitter for up-to-date information.



WHAT TO DO IN AN EMERGENCY

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
- Calls to 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. On the Meridian campus, fire and rescue services are provided by the City of Meridian and local law enforcement also assists the MSUPD.

SEVERE WEATHER PROCEDURES

In the event of inclement weather, MSU will monitor conditions and will, where deemed necessary by the CAT team, alert the University community of any applicable weather watches or warnings.

- 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, phone calls, 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, phone call, and the campus public address system.

Additional emergency information is available at the University Emergency Information website: emergency.msstate.edu.

The Oktibbeha County Emergency Management Agency 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.

SEEK SAFETY

In a weather-related emergency, the safest option is ordinarily 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. The results of the tests are reviewed for use in the evaluation and development of MSU's emergency procedures and preparedness plans.

In other emergencies, you may be instructed to evacuate your building, to evacuate campus by vehicle or on foot, or to shelter-in-place. Specific evacuation information can be obtained from posted procedures, and general information about evacuations is available at <https://www.emergency.msstate.edu/node/16>. You should follow any instructions you receive and should monitor the emergency situation through applicable emergency communication channels, including emergency.msstate.edu, text messaging on participating phones, instant messaging or e-mail, WMSV 91.1FM, loudspeaker announcements or weather sirens, the HOT LINE 662-325-5555, and *@maroonalert* on Twitter.

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. Evacuation information can be obtained from posted procedures, or by viewing information located at emergency.msstate.edu/guidelines/building-evacuations. If assistance is required to learn more about building-specific evacuation procedures, please contact the MSUPD at 662-325-2121 (Starkville) or 601-484-0199 (Meridian).

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. The results of these exercises are used in evaluating and revising MSU's emergency procedures and preparation.

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.



MISSING STUDENT AND STUDENT DEATH OR SERIOUS INJURY

STUDENT DEATH OR SERIOUS INJURY

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.

MISSING STUDENT

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

UNIVERSITY POLICY ON WEAPONS, ALCOHOL, ILLEGAL DRUGS, AND TOBACCO

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.

STATEMENT FOR ALCOHOL AND ILLEGAL DRUGS

The University prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on University property or as part of any University activity. Students or employees failing to observe the drug and alcohol policy will be subject to the imposition of sanctions by the University in accordance with established disciplinary action procedures. For students, a violation of Mississippi's underage drinking laws or Mississippi's drug laws will result in a referral to the Dean of Students for disciplinary action under the Student Code of

Conduct. Such a violation may also result in arrest by the University Police Department. University sanctions for students may include suspension or expulsion. For employees, sanctions may include separation 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 policy 60.120-Drug-Free Campus policies.msstate.edu/policypdfs/60120.pdf).

REGULATIONS GOVERNING ALCOHOLIC BEVERAGES & ILLEGAL DRUGS

University employees expect to work in a drug-free environment. The University expects its employees to be free from the effects of alcohol and drugs while on the job or in the workplace. A drug and alcohol policy has been implemented and conducts a testing program pursuant to Sections 71-7-1, et seq., of the Mississippi Code of 1972, Ann., entitled "Drug and Alcohol Testing of Employees" (hereinafter referred to as "the Act"), and all employees are advised of the existence of said Act. The use and abuse of illegal drugs and alcohol is a serious and growing problem throughout the United States.

A substance abuse policy and substance abuse testing policy has been implemented in response to concern that the use and abuse of illegal drugs and alcohol by employees in and applicants for certain employment, presents among other things, serious safety and security risks. The Mississippi Legislature has supported the implementation of drug and alcohol free workplace policies by enacting the Act.

MSU policy 60.118-Drug and Alcohol Free Workplace (<http://www.policies.msstate.edu/policypdfs/60118.pdf>) is intended as a vehicle to aid in meeting these expectations. Regulations governing alcoholic beverages and illegal drugs, including testing, are included in this policy. An employee that reports to work while under the influence of alcohol or illegal drugs is in violation of this policy. This inappropriate behavior should be reported to the appropriate HRM Generalist in the Department of Human Resources Management.

If an employee believes that he or she has a problem with alcohol or drugs or if substance abuse is causing problems in his or her life, that employee is encouraged to take advantage of the University's Employee Assistance Program (EAP). This program provides counseling and access to external resources. Many of the resources are at no cost to the employee. Additional information on this program is available at <http://hrm.msstate.edu/benefits/eap/>. Additional training materials on drug and alcohol abuse are available for employees and supervisors on the Human Resources web site at <http://hrm.msstate.edu/development/onlinecourses/>.

Applicants and employees who are required to possess a commercial driver's license are subject to additional federal regulations and procedures as listed in University policy 60.121-Controlled Substance and Alcohol Use Testing of Employees with a Commercial Driver's License. Employees working in sensitive positions in grants and contracts funded by the Department of Defense (DOD) or are in positions requiring security clearance are subject to additional federal regulations and procedures as listed in University policy 60.119-Drug Free Workforce (<http://www.policies.msstate.edu/policypdfs/60119.pdf>).

MSU Students are governed by the Code of Student Conduct (OP 91.100 - <http://www.policies.msstate.edu/policypdfs/91100.pdf>), which sets forth prohibited conduct (including conduct related to unlawful alcohol activities as well as unlawful drug activity, along with other non-related actions). The policy provides for a range of sanctions, up to and including expulsion from the university upon a finding of responsibility following a hearing in accordance with the policy.

Copies of all drug and alcohol related policies are available at policies.msstate.edu.

HEALTH RISKS OF DRUGS AND ALCOHOL

MSU recognizes and encourages its students, faculty, and staff to recognize that the use, misuse, and abuse of alcohol and other drugs, both legal and illegal, can have serious consequences to health and

well-being. Health risks include such problems as behavior 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.

Alcohol and other drugs can lead to psychological and/or physiological dependence and addiction. Information on some of the health risks associated with alcohol is summarized below. More information is available from the Department of Health Promotion and Wellness (<https://www.health.msstate.edu/health/index.php>).

Alcohol is a central nervous system depressant that can impair coordination, inhibitions, self-control, memory, judgment, and reflexes. Large quantities may produce staggering, slurred speech, mood changes, unconsciousness, and possibly death. Prolonged use can damage many organs of the body including the heart, liver, stomach, and pancreas.

Marijuana can increase heart rate, interfere with sexual development, may cause a reduction in male fertility and disrupt the female menstrual cycle. It can increase the risk of disease/damage to the respiratory system, impair hand-eye coordination and other essential functions needed to operate a motor vehicle safely. It can also impair the immune system.

Cocaine can cause feelings of depression, inability, impatience and pessimism. It can also cause severe weight loss, anxiety, hallucinations, increased heart rate and blood pressure. Cocaine has caused death by convulsion, failure of the respiratory system, and heart attack.

"Club drugs" such as MDMA (Ecstasy), GHB, LSD, Rohypnol, Ketamine and Methamphetamine can cause serious health problems and possibly death. Many of these drugs are tasteless and odorless. The chemicals, drug sources and pharmacological agents used to manufacture these drugs often vary, making it difficult to determine all of the effects, symptoms and health risks associated with them. Confusion, depression, impaired motor function, amnesia, psychotic behavior, cardiac failure, and permanent neurological and organ damage are some known effects associated with the use of these drugs.

Over-the-counter and prescription drugs can also cause drug tolerance, dependence, and addiction. The potential for misuse and abuse is increased with these drugs as they are more easily obtainable and are safer in terms of ingredients and manufacturing. Misuse and abuse occurs when the user does not follow usage instructions, related to dosage and frequency, and when the drugs are used for self-medication without medical supervision.

Interactions between various drugs, legal and illegal, also may have serious consequences. Various combinations of drugs may work at cross purposes within the body, and the combined effects of two or more drugs may be more potent than the effect of a single drug.

STATE AND FEDERAL SANCTIONS

FEDERAL TRAFFICKING PENALTIES

	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Fentanyl Ana- logue (Schedule I)	500–4999 grams mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
	28–279 grams mixture			
	40–399 grams mixture			
	10–99 grams mixture			
LSD (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture	Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	10 grams or more mixture	Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more			
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Exhibit A - Source: https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30

FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	1 to 49 marijuana plants;		
Hashish Oil (Schedule I)	10 kg or less		
	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

Exhibit A - Source: https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30

Mississippi Code 1972 Annotated Title 41. Public Health (§§ 41-1-1 – 41-135-9) Chapter 29. Poisons, Drugs and Other Controlled Substances (Arts. 1 – 9) Article 3. Uniform Controlled Substances Law. (§§ 41-29-101 – 41-29-191)

§ 41-29-139. Prohibited acts; penalties.

(a) Transfer and possession with intent to transfer. Except as authorized by this article, it is unlawful for any person knowingly or intentionally:

(1) To sell, barter, transfer, manufacture, distribute, dispense or possess with intent to sell, barter, transfer, manufacture, distribute or dispense, a controlled substance; or

(2) To create, sell, barter, transfer, distribute, dispense or possess with intent to create, sell, barter, transfer, distribute or dispense, a counterfeit substance.

(b) Punishment for transfer and possession with intent to transfer. Except as otherwise provided in Section 41-29-142, any person who violates subsection (a) of this section shall be, if convicted, sentenced as follows:

(1) For controlled substances classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than marijuana or synthetic cannabinoids:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than five (5) years nor more than thirty (30) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2)

(A) For marijuana:

1. If thirty (30) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than thirty (30) grams but less than two hundred fifty (250) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(B) For synthetic cannabinoids:

1. If ten (10) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than ten (10) grams but less than twenty (20) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(3) For controlled substances classified in Schedules III and IV, as set out in Sections 41-29-117 and 41-29-119:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both;

(D) If thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(4) For controlled substances classified in Schedule V, as set out in Section 41-29-121:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than one (1) year or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than ten (10) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both;

(D) For thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(c) Simple possession. It is unlawful for any person knowingly or intentionally to possess any controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this article. The penalties for any violation of this subsection (c) with respect to a controlled substance classified in Schedules I, II, III, IV or V, as set out in Section 41-29-113, 41-29-115, 41-29-117, 41-29-119 or 41-29-121, including marijuana or synthetic cannabinoids, shall be based on dosage unit as defined herein or the weight of the controlled substance as set forth herein as appropriate:

“Dosage unit (d.u.)” means a tablet or capsule, or in the case of a liquid solution, one (1) milliliter. In the case of lysergic acid diethylamide (LSD) the term, “dosage unit” means a stamp, square, dot, microdot, tablet or capsule of a controlled substance.

For any controlled substance that does not fall within the definition of the term “dosage unit,” the penalties shall be based upon the weight of the controlled substance.

The weight set forth refers to the entire weight of any mixture or substance containing a detectable amount of the controlled substance.

If a mixture or substance contains more than one (1) controlled substance, the weight of the mixture or substance is assigned to the controlled substance that results in the greater punishment.

A person shall be charged and sentenced as follows for a violation of this subsection with respect to:

(1) A controlled substance classified in Schedule I or II, except marijuana and synthetic cannabinoids:

(A) If less than one-tenth (0.1) gram or two (2) dosage units, the violation is a misdemeanor and punishable by imprisonment for not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If one-tenth (0.1) gram or more or two (2) or more dosage units, but less than two (2) grams or ten (10) dosage units, by imprisonment for not more than three (3) years or a fine of not

more than Fifty Thousand Dollars (\$50,000.00), or both.

(C) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(D) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2)

(A) Marijuana and synthetic cannabinoids:

1. If thirty (30) grams or less of marijuana or ten (10) grams or less of synthetic cannabinoids, by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00). The provisions of this paragraph (2)(A) may be enforceable by summons if the offender provides proof of identity satisfactory to the arresting officer and gives written promise to appear in court satisfactory to the arresting officer, as directed by the summons. A second conviction under this section within two (2) years is a misdemeanor punishable by a fine of Two Hundred Fifty Dollars (\$250.00), not more than sixty (60) days in the county jail, and mandatory participation in a drug education program approved by the Division of Alcohol and Drug Abuse of the State Department of Mental Health, unless the court enters a written finding that a drug education program is inappropriate. A third or subsequent conviction under this paragraph (2)(A) within two (2) years is a misdemeanor punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) and confinement for not more than six (6) months in the county jail.

Upon a first or second conviction under this paragraph (2)(A), the courts shall forward a report of the conviction to the Mississippi Bureau of Narcotics which shall make and maintain a private, nonpublic record for a period not to exceed two (2) years from the date of conviction. The private, nonpublic record shall be solely for the use of the courts in determining the penalties which attach upon conviction under this paragraph (2)(A) and shall not constitute a criminal record for the purpose of private or administrative inquiry and the record of each conviction shall be expunged at the end of the period of two (2) years following the date of such conviction;

2. Additionally, a person who is the operator of a motor vehicle, who possesses on his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers, more than one (1) gram, but not more than thirty (30) grams of marijuana or not more than ten (10) grams of synthetic cannabinoids is guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or confined for not more than ninety (90) days in the county jail, or both. For the purposes of this subsection, such area of the vehicle shall not include the trunk of the motor vehicle or the areas not normally occupied by the driver or passengers

if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passengers;

(B) Marijuana:

1. If more than thirty (30) grams but less than two hundred fifty (250) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If one (1) kilogram or more but less than five (5) kilograms, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both;

5. If five (5) kilograms or more, by imprisonment for not less than ten (10) years nor more than thirty (30) years or a fine of not more than One Million Dollars (\$1,000,000.00), or both.

(C) Synthetic cannabinoids:

1. If more than ten (10) grams but less than twenty (20) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If two hundred (200) or more grams, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(3) A controlled substance classified in Schedule III, IV or V as set out in Sections 41-29-117 through 41-29-121, upon conviction, may be punished as follows:

(A) If less than fifty (50) grams or less than one hundred (100) dosage units, the offense is a misdemeanor and punishable by not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If fifty (50) or more grams or one hundred (100) or more dosage units, but less than one hundred fifty (150) grams or five hundred (500) dosage units, by imprisonment for not less than one (1) year nor more than four (4) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(C) If one hundred fifty (150) or more grams or five hundred (500) or more dosage units, but less than three hundred (300) grams or one thousand (1,000) dosage units, by imprisonment for not less than two (2) years nor more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(D) If three hundred (300) or more grams or one thousand (1,000) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(d) Paraphernalia. (1) It is unlawful for a person who is not authorized by the State Board of Medical Licensure, State Board of Pharmacy, or other lawful authority to use, or to possess with intent to use, paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Any person who violates this subsection (d)(1) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both; however, no person shall be charged with a violation of this subsection when such person is also charged with the possession of thirty (30) grams or less of marijuana under subsection (c)(2)(A) of this section.

(2) It is unlawful for any person to deliver, sell, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Except as provided in subsection (d)(3), a person who violates this subsection (d)(2) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(3) Any person eighteen (18) years of age or over who violates subsection (d)(2) of this section by delivering or selling paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his junior is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than one (1) year, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as paraphernalia. Any person who violates this subsection is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(e) It shall be unlawful for any physician practicing medicine in this state to prescribe, dispense or administer any amphetamine or amphetamine-like anorectics and/or central nervous system stimulants classified in Schedule II, pursuant to Section 41-29-115, for the exclusive treatment of obesity, weight control or weight loss. Any person who violates this subsection, upon conviction, is guilty of a misdemeanor and may be confined for a period not to exceed six (6) months, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(f) Trafficking. (1) Any person trafficking in controlled substances shall be guilty of a felony and, upon conviction, shall be imprisoned for a term of not less than ten (10) years nor more than forty (40) years and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The ten-year mandatory sentence shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(2) "Trafficking in controlled substances" as used herein means:

(A) A violation of subsection (a) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(B) A violation of subsection (a) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance;

(C) A violation of subsection (c) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(D) A violation of subsection (c) of this section involving five hundred (500) or more grams or two thousand five hundred

(2,500) or more dosage units of a Schedule III, IV or V controlled substance; or

(E) A violation of subsection (a) of this section involving one (1) kilogram or more of marijuana or two hundred (200) grams or more of synthetic cannabinoids.

(g) Aggravated trafficking. Any person trafficking in Schedule I or II controlled substances, except marijuana and synthetic cannabinoids, of two hundred (200) grams or more shall be guilty of aggravated trafficking and, upon conviction, shall be sentenced to a term of not less than twenty-five (25) years nor more than life in prison and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The twenty-five-year sentence shall be a mandatory sentence and shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(h) Sentence mitigation. (1) Notwithstanding any provision of this section, a person who has been convicted of an offense under this section that requires the judge to impose a prison sentence which cannot be suspended or reduced and is ineligible for probation or parole may, at the discretion of the court, receive a sentence of imprisonment that is no less than twenty-five percent (25%) of the sentence prescribed by the applicable statute. In considering whether to apply the departure from the sentence prescribed, the court shall conclude that:

(A) The offender was not a leader of the criminal enterprise;

(B) The offender did not use violence or a weapon during the crime;

(C) The offense did not result in a death or serious bodily injury of a person not a party to the criminal enterprise; and

(D) The interests of justice are not served by the imposition of the prescribed mandatory sentence.
The court may also consider whether information and assistance were furnished to a law enforcement agency, or its designee, which, in the opinion of the trial judge, objectively should or would have aided in the arrest or prosecution of others who violate this subsection. The accused shall have adequate opportunity to develop and make a record of all information and assistance so furnished.

(2) If the court reduces the prescribed sentence pursuant to this subsection, it must specify on the record the circumstances warranting the departure.

History

Codes, 1942, § 6831-70; Laws, 1971, ch. 521, § 20; Laws, 1972, ch. 520, § 7; Laws, 1977, ch. 482, § 1; Laws, 1981, ch. 502, § 5; Laws, 1982, chs. 323, § 2, 501, § 1; Laws, 1986, ch. 417; Laws, 1989, ch. 569, § 2; Laws, 1995, ch. 368, § 1; Laws, 1998, ch. 506, § 1; Laws, 1999, ch. 341, § 1; Laws, 2004, ch. 437, § 1; Laws, 2005, ch. 463, § 2; Laws, 2011, ch. 363, § 2; Laws, 2014, ch. 457, § 37; Laws, 2016, ch. 482, § 1, eff from and after July 1, 2016.

Mississippi Code 1972 Annotated

Copyright © 2021 The State of Mississippi All rights reserved.

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.

Educational programs take a number of different formats and range from displays and presentations to lectures and interactive assessments. The following programs occurred or were available during 2020.

ALCOHOL & DRUG PRESENTATIONS/PROGRAMS

NAME	DATE	TOPIC	AUDIENCE
SPRING 2020*			
AOD Overview	2/3/20	Overview of substances (alcohol, marijuana, prescription drugs, illicit drugs) and their effects	Greek Life- Phi Gamma
Smoking Cessation Workshop	2/5/20 2/12/20 2/19/20 2/26/20	Aimed to help change attitudes towards smoking and contribute to campus members cease smoking habits	MSU Campus Members
Safe Spring Break Event	3/4/20	Provided buttons, safety tips about alcohol & drinking in moderation if 21 and older.	MSU Community

*Programming/Presentations in March/April canceled to COVID-19

*Online programming through social media was utilized for the rest of the Spring Semester

NAME	DATE	TOPIC	AUDIENCE
FALL 2020			
AOD Overview	9/16/20	Overview of substances (alcohol, marijuana, prescription drugs, illicit drugs) and their effects	Greek Life Various Chapters
Rock Out the Red Zone Glow Golf Event	9/4/20	Sexual Assault/ Alcohol Correlations with sexual assault/ violence	MSU students
CRC/MSSAS Drinking Awareness Event	9/29/20	Alcohol Awareness	MSU Campus community
Substance Abuse Prevention Month Dissemination Campaign via Social Media	10/5-10/27	Alcohol, Vaping/E-cigs, COVID-19 impact on substance use, Nicotine, Marijuana	All engaging members on social media with target audience of students
Survive the Drive	10/30/21	Alcohol/Other drug prevention/alternative activity	MSU/Community Members

ALCOHOL & DRUG DISPLAYS

The Health Promotion and Wellness department offers interactive tri-fold displays on various alcohol and drug-related topics throughout the academic year. High-traffic areas are chosen for display locations in order to reach the most students. Topics are selected based on their relevance; for example, Adderall displays typically occurred around the time of mid-terms and final exams.

PROGRAM DESCRIPTIONS

Goal-Driven Alcohol/Drug Intervention Network (G.A.I.N.)

G.A.I.N. is the Health Promotion and Wellness department's motivational interviewing program for alcohol use. G.A.I.N. uses a harm reduction approach to alcohol abuse. The goal of G.A.I.N. is to reduce levels for alcohol consumption and negative consequences associated with moderate to high-risk drinking. It is a program designed for any student who wants to learn more about his/her drinking habits and how to avoid possible negative consequences. Participating in G.A.I.N. requires 2 appointments, with each lasting about 30 minutes. In the first appointment, students complete self-report measures about their alcohol use and what they perceive to be the use of other MSU students. The second appointment consists of an individualized motivational interviewing session conducted by a HPW staff member who has been trained in MI techniques. Students may refer themselves to this program, be referred by a campus entity, be required to complete the program as part of a court order or may complete the ScreenU class extra credit.

Goal-Driven Alcohol/Drug Intervention Network (G.A.I.N.) - Marijuana

In the fall of 2016, the MSU Dean of Students Office began referring students with marijuana sanctions to the HPW GAIN – Marijuana program. GAIN – Marijuana operates in a similar fashion to GAIN – Alcohol. Students complete an online assessment of their marijuana use and a readiness-to-change questionnaire. One week later, the student meets with the trained HPW staff to review the feedback report generated from their assessment as well as set goals to moderate their marijuana use. The goal of GAIN – Marijuana is to educate students on the effects of marijuana and help them address how marijuana is negatively affecting them.

Screen U Alcohol, Marijuana, and Prescription Drugs

Screen U is a web-based screening tool that is brief and personalized to the resources available on the MSU campus. It is used throughout campus to help raise awareness among students of their individual alcohol, marijuana, and/or prescription drug use and connect them with relevant resources on MSU's campus based on the responses they provide on the screening.

Safe Spring Break Event

The Health Promotion and Wellness Department (HPW) – Alcohol and Other Drugs Team provided Mississippi State University (MSU) students with information and resources. All students who stopped by the table received a handout with Spring Break safety tips, the standard alcoholic beverage drink sizes, blood alcohol content, and who to call if the students need help. MSU

HPW engaged students with the game "Spin the Wheel Alcohol and Other Drug Safety Trivia." After students had visited the MSU HPW Alcohol and Other Drugs table at the Safe Spring Break event, students gained a better understanding of the importance of well-being and chose healthier habits related to alcohol and other drugs.

Survive the Drive

Survive the Drive was a drive thru Halloween scare event that was made possible by the contributions of multiple Mississippi State University partners as well as one off campus partner. These partners linked up together were: MSU Theater department, MSU Center for Student Activities, Thad Cochran Research Park, MSU Dept. of Housing/Residence Life, MSU Recreation, MSU Student Association, MSU Resident Hall association, MSU Health Promotion and Wellness, Blackfriar Drama Society, Tobacco Free Coalition of Clay, Lowndes and Oktibbeha County. The location was made possible by the Thad Cochran Research Center. The program was held on October 30, 2020, and altogether totaled approximately 1,000 participants.

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. Individual and group counseling for students through Student Counseling Services.
5. Referral and follow-up for employees in collaboration with the appropriate HRM Generalist in the Department of Human Resources Management.
6. Campus self-help groups.
7. Consultation, information, and referral for students, staff, and faculty with drug problems.
8. Counseling services available for non-student employees and their family members are available through the University's Employee Assistance Program (EAP). Additional information on this program is available at <http://hrm.msstate.edu/benefits/eap/>.

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 counseling.msstate.edu/.



PARENTAL NOTIFICATION FOR STUDENT ALCOHOL AND DRUG VIOLATIONS

In accordance with OP 91.119, students under the age of 21 who 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.

Likewise, students who are found to be in violation of MSU's drug policy will have a letter sent to their parents or legal guardians informing them of the violation.

COLLEGIATE RECOVERY COMMUNITY

The Collegiate Recovery Community (recovery.msstate.edu/) offers comprehensive support services for recovering students. Housed within the Department of Health Promotion and Wellness, 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.

SMOKE FREE CAMPUS

Mississippi State University is a smoke free campus, which means that smoking in any form is prohibited on the campus. For information about services to assist in smoking cessation, please visit smokefree.msstate.edu.



SAFETY AWARENESS

MSU provides a number of training opportunities aimed at increasing safety awareness among the campus community. The majority of this programming is provided by the university's Emergency Manager and/or the University Police Department. Training currently available on campus includes:

Until Help Arrives: An emergency can occur at any moment. Help is on the way, but do you know what to do until then? This session will cover some basic steps you can take to help save a life. Discussion topics will include medical emergencies, severe bleeding situations, and more.

De-escalation Training: Tensions can quickly rise in the workplace. De-escalation training will help your staff know how to respond. Participants will learn ways to identify some early warning signs, as well as strategies for responding quickly and appropriately to an upset co-worker, patron, or visitor.

Building Managers & Operators BEAP Training: Building Managers and Operators can develop an Emergency Action Plan (BEAP) for their building. This session will walk through the steps for creating a simplified and effective plan for responding to emergencies.

Severe Weather Preparedness: Severe weather in Mississippi is a year-round concern. Severe Weather Preparedness Training discusses how to prepare and respond to severe weather emergencies. Training will discuss alerts and warning systems, communication plans, and emergency steps to take.

MSU also hosts University Safety Week annually with programs including General Preparedness Tips for Severe Weather Emergencies and Large Scale Disasters (drop in discussion on preparation for severe weather including emergency supply kits, go bags and communication plans), Fire Safety Education (providing demonstrations of fire safety), Police Talk (an opportunity to ask for campus safety advice and general information from the University Police Department), and Save a Life: AED and Compression CPR (display and discussion involving AED and compression CPR).

The university also has an on-line training module detailing appropriate responses in the event of an Active Shooter Situation. This training is available on demand to all employees. Additionally, any student or employee or any group interested in a live training on this topic or with specific questions about exit strategy is encouraged to contact the University Police Department.

The University Police Department also participates in numerous residence hall presentations related to alcohol laws and police procedures. These presentations occur periodically and are available upon request.

The University Police Department also conducted a self-defense seminar to the general student population and also cooperated with a student group to conduct that same seminar.

Any person or group interested in a specific training program or in a presentation on a topic not covered here should contact either the Emergency Manager (662-325-4521) or the University Police Department (662-325-2121) for assistance.

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.

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: Any building or property owned or controlled by MSU within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, MSU's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

ON-CAMPUS STUDENT HOUSING (ON-CAMPUS RESIDENCE HALLS): Any student housing facility that is owned or controlled by MSU, or is located on property that is owned or controlled by MSU, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

NON-CAMPUS BUILDINGS AND PROPERTY: Any building or property owned or controlled by a student organization that is officially recognized by MSU; or any building or property owned or controlled by MSU that is used in direct support of, or in relation to, MSU's educational purposes, is frequently used

by students, and is not within the same reasonably contiguous geographic area of the institution.

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

CAMPUS SAFETY AND SECURITY - CLERY ACT

We are required to provide the following information about safety on campus in order to comply with the federal law known as the 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.



CLERY ACT REPORTABLE CRIMES / DEFINITIONS

Clery Act Crimes (Section 1)

MURDER

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

MANSLAUGHTER BY NEGLIGENCE

The killing of another person through gross negligence

RAPE

The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

FONDLING

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

INCEST

Sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited

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, gender identity, 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 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

CRIME OFFENSES	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
MURDER/ NON-NEGLIGENT MANSLAUGHTER	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
RAPE	2018	9	9	0	0
	2019	5	5	0	0
	2020	8	8	0	0
FONDLING	2018	3	2	0	0
	2019	2	2	0	0
	2020	2	1	0	0
INCEST	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
STATUTORY RAPE	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
ROBBERY	2018	0	1	0	0
	2019	0	0	0	0
	2020	0	0	0	0
AGGRAVATED ASSAULT	2018	1	0	0	0
	2019	1	0	0	0
	2020	1	0	0	0
BURGLARY	2018	15	8	0	0
	2019	6	3	0	0
	2020	0	0	0	0
MOTOR VEHICLE THEFT	2018	6	0	0	0
	2019	5	0	0	0
	2020	4	0	0	0
ARSON	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0

ARRESTS - STARKVILLE CAMPUS

ARRESTS	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
LIQUOR - LAW VIOLATIONS	2018	8	0	0	2
	2019	22	5	0	0
	2020	8	1	0	0
DRUG ABUSE VIOLATIONS	2018	35	4	0	31
	2019	44	16	0	24
	2020	23	5	0	16
WEAPONS POSSESSION	2018	1	1	0	3
	2019	0	0	0	0
	2020	1	1	0	1

DISCIPLINARY/CONDUCT REFERRALS - STARKVILLE CAMPUS

DISCIPLINARY	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
LIQUOR - LAW VIOLATIONS	2018	77	74	0	0
	2019	147	119	0	0
	2020	70	60	0	0
DRUG ABUSE VIOLATIONS	2018	38	18	0	0
	2019	8	4	0	1
	2020	45	31	0	2
WEAPONS POSSESSION	2018	3	2	0	0
	2019	2	0	0	0
	2020	4	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.

No crime statistics that could be identified as reportable in this publication were received from local or state police.

VIOLENCE AGAINST WOMEN ACT

STARKVILLE CAMPUS

VAWA	YEAR	ON CAMPUS	ON CAMPUS IN RESIDENCE HALLS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	0	0	0
	2019	1	0	0	0
	2020	0	0	0	0
DATING VIOLENCE	2018	5	3	0	0
	2019	7	4	0	0
	2020	3	2	0	0
STALKING	2018	5	2	0	0
	2019	4	0	0	0
	2020	3	1	0	0

MERIDIAN CAMPUS

VAWA	YEAR	ON CAMPUS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
DATING VIOLENCE	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
STALKING	2018	0	0	0
	2019	0	0	0
	2020	0	0	0

This campus does not have on-campus housing.

No crime statistics that could be identified as reportable in this publication were received from local or state police.

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.

No crime statistics that could be identified as reportable in this publication were received from local or state police.

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 to:

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

CRIMINAL OFFENSES - MERIDIAN CAMPUS

CRIME OFFENSES	YEAR	MERIDIAN CAMPUS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
MURDER/ NON-NEGLIGENT MANSLAUGHTER	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
RAPE	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
FONDLING	2018	0	0	0
	2019	1	0	0
	2020	0	0	0
INCEST	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
STATUTORY RAPE	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
ROBBERY	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
AGGRAVATED ASSAULT	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
BURGLARY	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
MOTOR VEHICLE THEFT	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
ARSON	2018	0	0	0
	2019	0	0	0
	2020	0	0	0

This campus does not have on-campus student housing. No crime statistics that could be identified as reportable in this publication were received from local or state police.

ARRESTS - MERIDIAN CAMPUS

ARRESTS	YEAR	ON CAMPUS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
LIQUOR - LAW VIOLATIONS	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
DRUG ABUSE VIOLATIONS	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
WEAPONS POSSESSION	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

DISCIPLINARY/CONDUCT REFERRAL - MERIDIAN CAMPUS

DISCIPLINARY	YEAR	ON CAMPUS	NON CAMPUS BUILDINGS	PUBLIC PROPERTY
LIQUOR - LAW VIOLATIONS	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
DRUG ABUSE VIOLATIONS	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
WEAPONS POSSESSION	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

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

CHIEF MARK BALLARD
Starkville Police Department
662-323-4131

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

CAPTAIN LARRY CONN
Mississippi Highway Patrol
662-323-5314

CHIEF CHRIS READ
Meridian Police Department
601-485-1842

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.

This campus does not have on-campus student housing. No crime statistics that could be identified as reportable in this publication were received from local or state police.



MAROON ALERT ARCHIVE

2018

1/12/2018	2:10 p.m.	MSU Starkville campus will cancel classes as of 2:30pm today. See (link: http://www.msstate.edu) msstate.edu for more details
1/15/2018	12:51 p.m.	Maroon Alert: Starkville Campus will be closed Tues, 1.16.18. See https://tinyurl.com/y8syrsoj for more info.
1/16/2018	2:37 p.m.	Maroon Alert: Starkville Campus will be closed Wed 1.17.18 but will reopen Thurs 1.18. See https://tinyurl.com/ydb89rnc
8/24/2018	8:35 a.m.	**Test** Meridian Maroon Alert **Test** You are receiving this message because you are subscribed to Meridian Maroon Alerts.
8/24/2018	2:00 p.m.	Maroon Alert: Starkville Campus will be closed Wed 1.17.18 but will reopen Thurs 1.18. See https://tinyurl.com/ydb89rnc
10/1/2018	6:56 p.m.	Due to a power outage, classes are cancelled this evening for the Starkville campus (10/1/2018).

2019

1/18/2019	12:00pm	Welcome to the new Maroon Alert. All future maroon alerts will come from 89361. Save this number as a contact in your phone. Confirm this number so we know it reached you.
1/16/2019	2:22pm	Maroon Alert Meridian: Severe weather warning. Seek safety now on the lowest level of your building away from windows and doors.
1/19/2019	8:54am	MSU Meridian: A Tornado Warning is issued for the area. Seek safety on the lower level of a sturdy building. Monitor conditions.
1/19/2019	9:09am	MSU Meridian: All clear. The tornado threat cleared our area. Resume normal operations.
1/28/2019	3:04pm	Maroon Alert Starkville and Meridian: Due to potentially hazardous road conditions, the university will be closed for Tuesday, January 29, 2019. More information: https://tinyurl.com/y79r5zp6
3/14/2019	1:00pm	MSU Maroon Alert: Tornado Warning warning for MSU Starkville. Go inside to interior hallway of lowest floor or basement. Seek safety. Nixle.us/ATJZG
3/14/2019	1:44pm	MSU Maroon Alert: Maroon Alert Starkville. The Tornado Warning for the Starkville Campus has been cancelled. Continue to monitor conditions. Nixle.us/ATK7N
4/13/2019	9:58pm	Maroon Alert Starkville: TORNADO WARNING! Seek safety inside the interior hallway of lowest floor or basement.

MAROON ALERT ARCHIVE CONTINUED

4/13/2019	10:25pm	Maroon Alert Meridian: A Tornado Warning has been issued for the area. Seek safety on the lower level of a sturdy building. Monitor conditions.
4/18/2019	11:06am	MAROON ALERT - Mississippi State University will close today at 12:30pm due to anticipated severe weather. More information: https://www.msstate.edu/newsroom/article/2019/04/msu-closes-campus-early-due-severe-weather-warnings/
7/26/2019	5:08pm	A stabbing was reported at the Union. Police have responded and have increased patrols. The suspect is a black male, driving a maroon SUV. Use caution and report any concerns to University Police.
7/26/2019	5:53pm	The Colvard Student Union remains closed and will reopen at 7am. Police have the identity of the suspect and do not believe there is any threat to campus
8/30/2019	12:00pm	Maroon Alert Test. This is just a test. If an alert is issued: 1) Inform those around you. 2) Get to a safe place. 3) Follow updates on Twitter: @MaroonAlert. This is just a test.
12/16/2019	11:35am	Maroon Alert Starkville: Due to anticipated severe weather, the university will close at 2:00. More information: emergency.msstate.edu
12/29/2019	4:44pm	Maroon Alert Starkville: TORNADO WARNING! Seek safety inside the interior hallway of lowest floor or basement.
12/29/2019	5:06pm	Maroon Alert Starkville: Campus is returning to normal operations. Continue to monitor conditions and stay weather aware.

2020

TEST-MAROON ALERT-TEST	1/10/20	Maroon Alert Test. This is just a test. If an emergency alert is issued: 1) Inform those around you. 2) Get to a safe place. 3) Follow updates on Twitter: @MaroonAlert –THIS IS JUST A TEST–
Maroon Alert Starkille - Tornado Warning	2/5/20	Maroon Alert Starkville: TORNADO WARNING! Seek safety inside the interior hallway of lowest floor or basement.
Maroon Alert Meridian - Tornado Warning	2/5/20	MSU Meridian: A Tornado Warning is issued for the area. Seek safety on the lower level of a sturdy building. Monitor conditions.
Maroon Alert Starkille - Tornado Warning	4/12/20	Maroon Alert Starkville: TORNADO WARNING! Seek safety inside the interior hallway of lowest floor or basement.
Maroon Alert Meridian - Tornado Warning	4/12/20	MSU Meridian: A Tornado Warning is issued for the area. Seek safety on the lower level of a sturdy building. Monitor conditions.
TEST-MAROON ALERT-TEST	8/28/20	Maroon Alert Test. This is just a test. If an emergency alert is issued: 1) Inform those around you. 2) Get to a safe place. 3) Follow updates on Twitter: @MaroonAlert –THIS IS JUST A TEST–



ANNUAL FIRE SAFETY REPORT

FIRE LOG AND ANNUAL DISCLOSURE REQUIREMENT

Under federal law, MSU is required to disclose statistical data on all fires that occur in on-campus student housing facilities. That information, along with other required information related to fire safety and prevention policies is contained herein.

Additionally, MSU maintains a daily fire log that provides the date reported, nature, date and time the fire occurred, and general location of each fire. This log is available for review at the MSUPD.

The Meridian campus does not have on-campus housing and so no fire report is required under federal law.

REPORTING A FIRE INCIDENT

Fire emergencies should be reported to 911. If you are unsure if MSU is aware of an extinguished fire in on-campus student housing, please contact one of the following non-emergency numbers:

Mississippi State University Police Department
(662) 325-2121

The Department of Housing and Residence Life
(662) 325-3555

The Office of the Dean of Students
(662) 325-3611

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

DURING AN EMERGENCY - DIAL 911

To report that a non-emergency fire has occurred on campus, contact the MSU Police Department, 662-325-2121.

CONTACT INFORMATION

UNIVERSITY POLICE

Butler-Williams Hall
Mississippi State, MS 39762
662-325-2121

DEAN OF STUDENTS OFFICE

1st Floor, YMCA Building
Mississippi State, MS 39762
662-325-3611

DEPARTMENT OF HOUSING AND RESIDENCE LIFE

C-007 Dogwood Hall
Mississippi State, MS 39762
Main office - 662-325-3555
Facilities office - 662-325-2190

STARKVILLE POLICE DEPARTMENT

101 E. Lampkin St.
Starkville, MS 39759
662-323-4134

STARKVILLE FIRE DEPARTMENT

503 E. Lampkin St.
Starkville, MS 39759
662-323-1845

OKTIBBEHA COUNTY SHERIFF'S DEPARTMENT

111 Dr. Douglas L. Conner Dr.
Starkville, MS 39759-2821
662-338-1088



2021 FIRE SAFETY REPORT

INFORMATION FOR THE MISSISSIPPI STATE UNIVERSITY COMMUNITY

In accordance with the requirement of the Higher Education Opportunity Act (HEOA), institutions maintaining on-campus student housing facilities must publish an annual fire safety report containing information about campus fire safety as well as policies

and standards related to its institution. Mississippi State University maintains fire suppression and detection equipment in residence halls as required by the State of Mississippi, and local fire regulations. This consists of smoke detectors, pull stations, horn and strobe units, sprinkler systems, and automatic notification equipment that alerts the fire department immediately upon alarm activation. Mississippi State University's Police Department officers are trained to assist the Starkville Fire Department in building evacuations during fire drills, fire alarms, or other emergencies.

DEPARTMENTS

UNIVERSITY POLICE DEPARTMENT

The Mississippi State University Police Department is a student-centered team of caring professionals and a full-service police agency that is available 24 hours a day throughout the year. Their mission is to assist in enhancing the total educational development of students, to provide law enforcement services for the university community, and to promote the development of healthy lifestyles. The MSUPD is comprised of professional commissioned police officers and support staff. Officers are authorized to carry firearms and to 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 Department of Housing and Residence Life in enforcing the Student Code of Conduct. MSUPD is a part of the Division of Student Affairs and reports to the Dean of Students' office. You may learn more about the University Police Department by calling 662-325-2121 or visiting [police.msstate.edu](https://www.msstate.edu/police).

ENVIRONMENTAL HEALTH AND SAFETY OFFICE

The Mississippi State University Environmental Health & Safety Office (EH&S) develops, manages, and implements a variety of campus safety programs to ensure compliance with applicable local, state and federal environmental, health and safety standards and regulations. Specific university programs within EH&S include: (1)

fire & life safety, (2) hazardous waste management, (3) radiation safety, (4) biological safety, and (5) chemical and laboratory safety. Examples of other activities conducted by EH&S include oversight of the response and investigation of reports of hazardous or potentially hazardous conditions; review of recommendations and actions for mitigation of potential safety, health, and environmental risks; development or assistance with the development and implementation of policies and procedures consistent with those of the organization to ensure its efficient and safe operation. The EH&S Fire & Life Safety Officer coordinates campus facility safety reviews, fire drills and inspections of fire safety systems. The Officer also assists MSU Facilities Management Planning, Design, and Construction with review of fire safety system design documents of new construction and renovation projects. The Officer serves as the liaison between MSU and off-campus entities involved in review of campus fire and life safety systems. These include State Fire Marshal's Office, Starkville Fire Department, and property insurance underwriter. The State Fire Marshal's Office (Jackson, MS) is the authority having jurisdiction (AHJ) for all state-owned facilities in Mississippi, including MSU. For new construction and renovation projects, the AHJ approves design documents of fire safety systems, conducts on-site inspections, and issues final certificates of compliance. AHJ representatives also conduct periodic announced and unannounced inspections of MSU facilities including residence halls. You may learn more about the State Fire Marshal's Office by visiting <http://www.mid.ms.gov/sfm/state-firemarshal.aspx#&panel1-5>.

STARKVILLE FIRE DEPARTMENT

Fire protection services are provided to MSU by the Starkville, MS Fire Department. The fire department's Fire Marshal Division currently has two fire inspectors and five fire investigators. Within the City of Starkville, the Fire Marshal Division is responsible for code enforcement, fire inspection, pre-planning, fire investigations, open burning, and assisting the Fire Chief and other departmental personnel in an advisory or support capacity. This division also has the additional responsibility of inspecting sororities and fraternities on the campus of Mississippi State University. You may learn more about the Starkville Fire Department by visiting cityofstarkville.org/sfd.

HIGHER EDUCATION OPPORTUNITY ACT DEFINITIONS

CAUSE OF FIRE — The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature (34 C.F.R. 668.49 (a)).

FIRE — Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner (34 C.F.R. 668.49 (a)).

FIRE DRILL — A supervised practice of a mandatory evacuation of a building for a fire. (34 C.F.R. 668.49 (a)).

FIRE LOG — (1) An institution that maintains on-campus student housing facilities must maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log must include the nature, date, time, and general location of each fire. (2) An institution must make an entry or an addition to an entry to the log within two business days, as defined under 668.46(a), of the receipt of the information. (3) An institution must make the fire log for the most recent 60-day period open to public inspection during normal business hours. The institution must make any portion of the log older than 60 days available within two business days of a request for public inspection. (4) An institution must make an annual report to the campus community on the fires recorded in the fire log. This requirement may be satisfied by the annual fire safety report described in paragraph (b) of this section (34 C.F.R. 668.49 (d)).

FIRE-RELATED DEATH — Any instance in which a person— (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire (34 C.F.R. 668.49 (a)).

FIRE-RELATED INJURY — Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals (34 C.F.R. 668.49 (a)).

FIRE SAFETY SYSTEM — Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire (34 C.F.R. 668.49 (a)).

FIRE STATISTICS — (1) An institution must report statistics for each on-campus student housing facility, for the three most recent calendar years for which data are available, concerning— (i) The number of fires and the cause of each fire; (ii) The number of persons who received fire-related injuries that resulted in treatment at a medical facility, including at an on-campus health center; (iii) The number of deaths related to a fire; and (iv) The value of property damage caused by a fire. (2) An institution is required to submit a copy of the fire statistics in paragraph (c)(1) of this section to the Secretary on an annual basis (34 C.F.R. 668.49 (c)).

VALUE OF PROPERTY DAMAGE — The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption (34 C.F.R. 668.49 (a)).



FIRE SAFETY POLICIES AND PROCEDURES

FIRE PREVENTION

HEALTH AND SAFETY INSPECTIONS

Mississippi State University takes an active role in fire prevention. This is accomplished in many ways and requires the collaborative efforts of individuals and departments across the campus community along with partnering agencies such as the Starkville Fire Department and Fire Marshal Division. Residence Life staff members conduct health and safety checks during the fall and spring semesters in every residence hall, which focus on fire and electrical safety. This initiative helps to provide the best opportunity to ensure our community is adequately mitigated and protected in the event of a fire.

Health and safety inspections allow the Department of Housing and Residence Life to monitor and maintain its buildings for compliance with the Mississippi Fire Code, local ordinances, MSU policies, and national standards promulgated by the National Fire Protection Association (NFPA).

During inspections, compliance is promoted by noting deficiencies, assigning corrective actions, highlighting positive efforts, and developing and enhancing relationships with residents and the Residence Life staff. During the inspection process, follow-up inspections and communications ensure that issues are addressed in a timely and collaborative manner.

FIRE DRILLS

Two fire drills were held in each Residence Hall during 2020. Scheduling of these drills is coordinated by the Department of Housing and Residence Life and the MSU Environmental Health and Safety Office. The Environmental Health and Safety Office invites participation by the Starkville Fire Department. These drills help educate our students on proper fire procedures including how to safely evacuate in the event of an actual fire. These drills highlight evacuation procedures, exit locations, stairwell access, protective actions, and safe areas of refuge away from the impacted building.

In on-campus Greek housing, fire drills are held as indicated in the fire safety systems chart contained herein. In addition to the fire drills, MSU contracts with the State of Mississippi Fire Marshall to inspect the on-campus Greek houses every August and January.

FIRE SAFETY - EVACUATION

Each year during RA Training, we educate our new and returning Resident Advisers about fire safety. Training includes procedures for RAs during a fire drill or actual fire, roles of the RA On Duty during fire drills or actual fires, how to evacuate residents from the buildings and where they should go after they evacuate, and how to reset pull stations and the alarm panel. Practice sessions are also conducted during training to ensure RAs are familiar with their residence hall and are efficiently performing their duties as it relates to fire safety.

Each residence hall has an evacuation plan for use in the event of a fire. The Resident Adviser for each living unit will be able to instruct residents about the predetermined plan for evacuation. In addition, each student room has signage on the back of the room door detailing evacuation routes. All residents must immediately evacuate the building whenever the fire alarm sounds.

Tampering with or misuse of fire safety equipment is prohibited. Fire safety equipment includes, but is not limited to, fire alarms, smoke detectors, and fire extinguishers.

Anyone found vandalizing or using fire safety equipment for any purpose other than safety could be subject to suspension from the university pending an administrative hearing, which could include losing the privilege to live in university housing, as well as criminal prosecution. The Department of Housing and Residence Life will prosecute to the fullest extent of the law where fire, safety, and security are concerned. Food left cooking and unattended is considered a fire hazard, and disciplinary action may be taken.

FIRE SAFETY AND EDUCATION

Housing and Residence Life staff and Residence Directors will ensure that all residents are informed of fire procedures during the start of the fall semester, usually at mandatory floor and hall meetings. Residence Directors and Resident Advisers receive a review of fire procedures at the beginning of each new academic school year by Housing and Residence Life staff. All live-in professional housing staff are provided fire extinguisher training prior to the beginning of the fall semester. This training is conducted by the Starkville Fire Department Housing Facilities and/or the Office of Environmental Health and Safety on campus and includes a controlled burn station. Faculty/staff are reminded on an annual basis to review the fire procedures made available on the campus safety website. Specialized training is provided as necessary.

FUTURE IMPROVEMENTS IN FIRE SAFETY

Mississippi State University is involved in an on-going evaluation of its residence halls and buildings to ensure that we have

safe conditions and that upgrades are made as necessary. The MSU Environmental Health and Safety Office is also active in conducting comprehensive fire inspections of all campus buildings. All residence halls and on-campus student apartments are currently equipped with sprinkler systems. At the current time, there are no planned physical changes to the fire safety systems.

FIRE SAFETY POLICIES AND PROCEDURES

FIRE SAFETY POLICIES

The overall policy for student conduct and behavior is the Code of Student Conduct. All policies relating to students can be found at https://www.msstate.edu/web/security/student_policies.html. All Housing and Residence Life specific rules and regulations can be found at <https://www.housing.msstate.edu/future-residents/policies-procedures/>.

FIRE HAZARD PROHIBITED ITEMS IN RESIDENCE HALLS AND ON-CAMPUS STUDENT APARTMENTS

The following items are prohibited in the residence halls: personally-owned air conditioners; extra refrigerators; freezers; exterior aerials; antennas/satellite dishes; extension cords; firearms, ammunition, other forms of weapons, fire crackers, other explosives, or flammable liquids, such as propane, gasoline, or kerosene; alcohol; unlawful-to-possess controlled substances; open-coiled appliances such as toasters, toaster ovens, hotplates, electric grills with exposed coils, etc., or space heaters; halogen lights or lamps; non-LED string lights; candles or incense; cinder blocks; darts and dart boards; air-guns, air-rifles, paintball guns, paintball rifles and paintballs; motorcycles; and hoverboards.

On-campus student apartments prohibit many of the same items as residence halls; however, some kitchen and personal care items are permissible, including toasters and small kitchen appliances. The apartments are equipped with washers and dryers, microwaves, and cooking equipment. Additionally, residents over 21 may have alcohol in the apartments.

Smoking and vaping is prohibited in all campus buildings and on campus. Mississippi State University is a smoke-free campus as of Fall 2016.

Sanctions for possession and/or use of any prohibited item may include, but are not limited to, restitution for any and all damages to university property or the property of students or guests. Additional conduct and/or legal sanctions may apply.

ELECTRICAL SAFETY

Students should use multiple outlet adapters with surge protectors to connect more than one appliance; however, any student found to be overloading the circuit will be required to reduce usage. Surge protector cords should not be placed under carpets or wrapped around pipes in rooms.

FIRE SAFETY 101

IN CASE OF FIRE

The most important tool to remember in case of fire is to stay calm and know your exits.

IF YOU HEAR A FIRE ALARM

- Immediately evacuate the building via the shortest and safest route.
- Do not use elevators.
- If you notice smoke, use the alternative escape route.
- As you leave the building—knock on doors and yell “fire.”
- Do not hesitate or stray from your path as you leave.
- Do not stop or go back for belongings.
- Test doors with the back of your hand before opening them. If the door is warm or if you notice smoke, use an alternative escape route. Check paths for safety before proceeding and close doors behind you.
- Crawl low if you have to go through smoke.
- Go to a safe area or to a pre-assigned exterior area for your building if you suspect that someone is missing or trapped, contact the emergency personnel outside the building.
- If you are trapped during a fire emergency, close all doors between you and the fire. Stuff cracks around the doors to keep out smoke. Wait at a safe window and signal/call for help. If there is a phone in the room, call the fire department or 911 and report exactly where you are.
- Stop, drop and roll if your clothing catches fire.

IF YOU DISCOVER A FIRE

- Leave the fire area and close the door to the area.
- Sound the fire alarm.
- Immediately evacuate the building via the shortest and safest route.
- Proper use of fire extinguishers within extinguisher limits and by trained individuals is optional but should not be attempted until building alarm is activated and people are evacuated.

- Do not use elevators. A fire can disrupt the operation of elevators and trap occupants inside.
- If you notice smoke, use the alternate escape route.
- Test doors with the back of your hand before opening them. If the door is warm or if you notice smoke, use an alternative escape route. Check paths for safety before proceeding and close doors behind you.
- Crawl low if you have to go through smoke.
- Go to a safe area or to a pre-assigned exterior area for your building.
- From the nearest phone in a safe area, call 911.
- Await emergency response personnel at a safe location and direct them to the scene.
- If you suspect that someone is missing or trapped, contact the emergency personnel outside the building.
- If you are trapped during a fire emergency, close all doors between you and the fire and stuff cracks around the doors to keep out smoke.
- Wait at a safe window and signal/call for help. If there is a phone in the room, call 911 and tell them exactly where you are.
- Stop, drop and roll if your clothing catches fire.

ONCE YOU HAVE EVACUATED

- From the nearest phone in the safe area, call 911.
- If you suspect that someone is missing or trapped, contact emergency personnel on scene such as the Fire Department, Police Department or EMT's.
- Await emergency response personnel at a safe location and direct them to the scene. Report the fire to the hall office or the nearest available resident adviser. Do not re-enter the building until instructed to do so by the fire department.
- Follow directions of fire and police personnel.
- Report to the person who is taking roll.
- Never re-enter the building to save your personal belongings.



STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES FOR 2018

RESIDENTIAL FACILITY	STREET ADDRESS	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	CAUSE OF FIRE	NUMBER OF INJURIES THAT REQUIRED TREATMENT AT A MEDICAL FACILITY	NUMBER OF DEATHS RELATED TO A FIRE	VALUE OF PROPERTY DAMAGE CAUSED BY FIRE
COLLEGE VIEW APARTMENTS <small>*Occupancy began 2019</small>	385 College View Drive	0	N/A	N/A	N/A	N/A	N/A
CRESSWELL	36 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
CRITZ	685 Barr. Ave.	0	N/A	N/A	N/A	N/A	N/A
DEAVENPORT	220 Bailey Howell Drive	0	N/A	N/A	N/A	N/A	N/A
DOGWOOD	705 George Perry Street	0	N/A	N/A	N/A	N/A	N/A
GRIFFIS	500 Bailey Howell Dr.	1	1	Cooking Unintentional	0	0	\$1,000-\$9,999
HATHORN	76 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
HERBERT	170 Herbert St.	0	N/A	N/A	N/A	N/A	N/A
HULL	85 Walker Rd.	0	N/A	N/A	N/A	N/A	N/A
HURST	95 Hurst Lane	0	N/A	N/A	N/A	N/A	N/A
MAGNOLIA	15 Morgan Ave.	0	N/A	N/A	N/A	N/A	N/A

MCKEE	450 Lee Blvd.	0	N/A	N/A	N/A	N/A	N/A
MOSELEY (formerly South Hall)	55 Magruder St.	1	1	Cooking Unintentional	0	0	<\$99
NUNNELEE (formerly North Hall)	215 Hurst Lane	0	N/A	N/A	N/A	N/A	N/A
OAK	205 Magruder St.	1	1	Electrical- Phone Charger Unintentional	0	0	\$100,000- \$249,000
RICE	180 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
RUBY	75 Hurst Lane	1	1	Exterior trash can fire Unintentional	0	0	<\$99
SESSUMS	459 Lee Blvd.	0	N/A	N/A	N/A	N/A	N/A
ALPHA DELTA PHI	107 Robert L. Jones Drive	0	N/A	N/A	N/A	N/A	N/A
CHI OMEGA	105 Robet Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
DELTA DELTA DELTA	102 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
DELTA GAMMA	101 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
KAPPA DELTA	103 Robert Lewis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
PHI MU	105 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
PI BETA PHI	110 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
ZETA TAU ALPHA	107 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A

DELTA CHI	203 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
FARM HOUSE	108 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
KAPPA ALPHA	57 Bost Drive North	0	N/A	N/A	N/A	N/A	N/A
KAPPA SIGMA	1245 Stone Blvd.	0	N/A	N/A	N/A	N/A	N/A
LAMBDA CHI ALPHA	111 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI DELTA THETA	104 Robert Lewis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
PHI GAMMA DELTA	113 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI KAPPA TAU (formerly ATO)	115 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI KAPPA ALPHA	1205 Stone Blvd.	0	N/A	N/A	N/A	N/A	N/A
PI KAPPA PHI	117 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
SIGMA ALPHA EPSILON	25 Bost Drive North	0	N/A	N/A	N/A	N/A	N/A
SIGMA CHI	109 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A

STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES FOR 2019

RESIDENTIAL FACILITY	STREET ADDRESS	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	CAUSE OF FIRE	NUMBER OF INJURIES THAT REQUIRED TREATMENT AT A MEDICAL FACILITY	NUMBER OF DEATHS RELATED TO A FIRE	VALUE OF PROPERTY DAMAGE CAUSED BY FIRE
COLLEGE VIEW APARTMENTS <small>*Occupancy began 2019</small>	385 College View Drive	0	N/A	N/A	N/A	N/A	N/A
CRESSWELL	36 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
CRITZ	685 Barr. Ave.	0	N/A	N/A	N/A	N/A	N/A
DEAVENPORT	220 Bailey Howell Drive	0	N/A	N/A	N/A	N/A	N/A
DOGWOOD	705 George Perry Street	0	N/A	N/A	N/A	N/A	N/A
GRIFFIS	500 Bailey Howell Dr.	0	N/A	N/A	N/A	N/A	N/A
HATHORN	76 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
HERBERT	170 Herbert St.	0	N/A	N/A	N/A	N/A	N/A
HULL	85 Walker Rd.	0	N/A	N/A	N/A	N/A	N/A
HURST	95 Hurst Lane	0	N/A	N/A	N/A	N/A	N/A
MAGNOLIA	15 Morgan Ave.	0	N/A	N/A	N/A	N/A	N/A
MCKEE	450 Lee Blvd.	0	N/A	N/A	N/A	N/A	N/A

MOSELEY (formerly South Hall)	55 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
NUNNELEE (formerly North Hall)	215 Hurst Lane	0	N/A	N/A	N/A	N/A	N/A
OAK	205 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
RICE	180 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
RUBY	75 Hurst Lane	1	1	Cooking Unintentional	0	0	\$1,000 - \$9,999
SESSUMS	459 Lee Blvd.	0	N/A	N/A	N/A	N/A	N/A
ALPHA DELTA PI	107 Robert L. Jones Drive	0	N/A	N/A	N/A	N/A	N/A
CHI OMEGA	105 Robet Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
DELTA DELTA DELTA	102 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
DELTA GAMMA	101 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
KAPPA DELTA	103 Robert Lewis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
PHI MU	105 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
ZETA TAU ALPHA	107 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
DELTA CHI	203 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
FARM HOUSE	108 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A

KAPPA ALPHA	57 Bost Drive North	0	N/A	N/A	N/A	N/A	N/A
KAPPA SIGMA	1245 Stone Blvd.	0	N/A	N/A	N/A	N/A	N/A
LAMBDA CHI ALPHA	111 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI DELTA THETA	104 Robert Lewis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
PHI GAMMA DELTA	113 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI KAPPA TAU (formerly ATO)	115 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI KAPPA ALPHA	1205 Stone Blvd.	0	N/A	N/A	N/A	N/A	N/A
PI KAPPA PHI	117 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
SIGMA ALPHA EPSILON	25 Bost Drive North	0	N/A	N/A	N/A	N/A	N/A
SIGMA CHI	109 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A

STATISTICS AND RELATED INFORMATION REGARDING FIRES IN RESIDENTIAL FACILITIES FOR 2020

RESIDENTIAL FACILITY	STREET ADDRESS	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	CAUSE OF FIRE	NUMBER OF INJURIES THAT REQUIRED TREATMENT AT A MEDICAL FACILITY	NUMBER OF DEATHS RELATED TO A FIRE	VALUE OF PROPERTY DAMAGE CAUSED BY FIRE
COLLEGE VIEW APARTMENTS <small>*Occupancy began 2019</small>	385 College View Drive	1	1	Cooking Unintentional	0	0	\$500
CRESSWELL	36 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
CRITZ	685 Barr. Ave.	0	N/A	N/A	N/A	N/A	N/A
DEAVENPORT	220 Bailey Howell Drive	0	N/A	N/A	N/A	N/A	N/A
DOGWOOD	705 George Perry Street	1	1	Electrical Unintentional	0	0	<\$99
GRIFFIS	500 Bailey Howell Dr.	0	N/A	N/A	N/A	N/A	N/A
HATHORN	76 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
HERBERT	170 Herbert St.	0	N/A	N/A	N/A	N/A	N/A
HULL	85 Walker Rd.	0	N/A	N/A	N/A	N/A	N/A
HURST	95 Hurst Lane	0	N/A	N/A	N/A	N/A	N/A
MAGNOLIA	15 Morgan Ave.	0	N/A	N/A	N/A	N/A	N/A
MCKEE	450 Lee Blvd.	0	N/A	N/A	N/A	N/A	N/A

MOSELEY (formerly South Hall)	55 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
NUNNELEE (formerly North Hall)	215 Hurst Lane	0	N/A	N/A	N/A	N/A	N/A
OAK	205 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
RICE	180 Magruder St.	0	N/A	N/A	N/A	N/A	N/A
RUBY	75 Hurst Lane	0	N/A	N/A	N/A	N/A	N/A
SESSUMS	459 Lee Blvd.	0	N/A	N/A	N/A	N/A	N/A
ALPHA DELTA PI (Occupancy began 2021)	205 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
CHI OMEGA	105 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
DELTA DELTA DELTA	102 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
DELTA GAMMA	101 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
KAPPA DELTA	103 Robert Lewis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
PHI MU	105 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
ZETA TAU ALPHA	107 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
DELTA CHI	203 Robert Louis Jones Circle	0	N/A	N/A	N/A	N/A	N/A
FARM HOUSE	108 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A

KAPPA ALPHA	57 Bost Drive North	0	N/A	N/A	N/A	N/A	N/A
KAPPA SIGMA	1245 Stone Blvd.	0	N/A	N/A	N/A	N/A	N/A
LAMBDA CHI ALPHA	111 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI DELTA THETA	104 Robert Lewis Jones Drive	0	N/A	N/A	N/A	N/A	N/A
PHI GAMMA DELTA	113 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI KAPPA TAU (formerly ATO)	115 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
PHI KAPPA ALPHA	1205 Stone Blvd.	0	N/A	N/A	N/A	N/A	N/A
PI KAPPA PHI	117 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
SIGMA ALPHA EPSILON	25 Bost Drive North	0	N/A	N/A	N/A	N/A	N/A
SIGMA CHI	109 Clyde Q. Sheely Circle	0	N/A	N/A	N/A	N/A	N/A
SIGMA PHI EPSILON	107 Robert Louis Jones Drive	0	N/A	N/A	N/A	N/A	N/A

DESCRIPTION OF FIRE SAFETY SYSTEMS IN RESIDENTIAL FACILITIES

RESIDENCE HALLS	OCCUPANCY	SQ. FT / CONSTRUCTION TYPE	CENTRAL ALARM SYSTEM	SPRINKLERS EACH SLEEPING ROOM	AUTOMATIC COMMUNICA TORTO SFD	FIRE ALARM MONITORING BY UPD	SMOKE DETECTOR SYSTEMS	FIRE EXTINGUISHER	EVACUATION PLANS	NUMBER OF FIRE DRILLS 2020
COLLEGE VIEW APARTMENTS (OPENED 2019)	656	379,125 / steel and wood frame / brick veneer	yes	yes	yes	no	yes	yes	yes	2
CRESSWELL	310	64,892 / cmu brick veneer	yes	yes	yes	yes	yes	yes	yes	2
CRITZ	206	46,520 / cmu brick veneer	yes	yes	yes	yes	yes	yes	yes	2
DEAVENPORT (opened Fall of 2016)	376	121,074/concrete steel masonry veneer	yes	yes	yes	yes	yes	yes	yes	2
DOGWOOD (opened Fall of 2016)	376	124,289/ concrete steel masonry veneer	yes	yes	yes	yes	yes	yes	yes	2
GRIFFIS	302	114,509 / steel and wood frame / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
HATHORN	272	64,892 / cmu brick veneer	yes	yes	yes	yes	yes	yes	yes	2
HERBERT	120	39,354 / cmu brick veneer	yes	yes	yes	yes	yes	yes	yes	2
HULL	293	61,720 / cmu brick veneer	yes	yes	yes	yes	yes	yes	yes	2
HURST	250	81,864 / steel and wood frame / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
MAGNOLIA	382	135,000 / steel and wood frame / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
MCKEE	252	47,343 / cmu brick veneer	yes	yes	yes	yes	yes	yes	yes	2
MOSELEY (formerly South Hall)	356	125,024 / steel and wood frame / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
NUNNELEE (formerly North Hall)	250	81,864 / steel and wood frame / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
OAK	382	135,000 / steel and wood frame / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
RICE	511	109,371 / CMU / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
RUBY	402	157,261 / steel and wood frame / brick veneer	yes	yes	yes	yes	yes	yes	yes	2
SESSUMS	245	47,434 / cmu brick veneer	yes	yes	yes	yes	yes	yes	yes	2

SORORITY HOUSES	OCCUPANCY	SQ. FT	CONSTRUCTION TYPE/YEAR	CENTRAL ALARM SYSTEM	SPRINKLERS EACH SLEEPING ROOM	AUTOMATIC COMMUNICATION SFD	FIRE ALARM MONITORING BY UPD	SMOKE DETECTOR SYSTEMS	FIRE EXTINGUISHER	EVACUATION PLANS	NUMBER OF FIRE DRILLS 2020
ALPHA DELTA PI	44	17,532	Steel and brick veneer, 2021	yes	yes	yes	yes	yes	yes	yes	2
CHI OMEGA	61	31,000	concrete and steel; 2013	yes	yes	yes	yes	yes	yes	yes	2
DELTA DELTA DELTA	62	23,740	wood frame, brick veneer; 1991; 2016	yes	yes	yes	yes	yes	yes	yes	2
DELTA GAMMA	65	23,337	concrete and steel; 1989; 2014	yes	yes	yes	yes	yes	yes	yes	2
KAPPA DELTA	39	25,900	wood frame, brick veneer; 1989; 2001; 2016	yes	yes	yes	yes	yes	yes	yes	2
PHI MU	59	32,000	wood frame, brick veneer; 1989; 2016	yes	yes	yes	yes	yes	yes	yes	2
PI BETA PHI	40	16,721	wood frame, brick veneer; 2011	yes	yes	yes	yes	yes	yes	yes	2
ZETA TAU ALPHA	48	12,474	wood frame, brick veneer; 1984	yes	yes	yes	yes	yes	yes	yes	2

FRATERNITY HOUSES	OCCUPANCY	SQ. FT	CONSTRUCTION TYPE/YEAR	CENTRAL ALARM SYSTEM	SPRINKLERS EACH SLEEPING ROOM	AUTOMATIC COMMUNICATION SFD	FIRE ALARM MONITORING BY UPD	SMOKE DETECTOR SYSTEMS	FIRE EXTINGUISHER	EVACUATION PLANS	NUMBER OF FIRE DRILLS 2020
DELTA CHI	36	12,698	wood, 1993	yes	yes	yes	yes	yes	yes	yes	2
FARM HOUSE	13	8,200	wood frame, brick veneer; 1991	yes	yes	yes	yes	yes	yes	yes	2
KAPPA ALPHA	27	10,000	wood frame, brick veneer;	yes	yes	yes	yes	yes	yes	yes	2
KAPPA SIGMA	40	11,616	brick veneer; 1953, 1969, 2009	yes	yes	yes	yes	yes	yes	yes	2
LAMBDA CHI ALPHA	29	10,900	dorm-masonry; other-conventional; 1975	yes	yes	yes	yes	yes	yes	yes	2
PHI DELTA THETA	36	9,245	wood frame, brick veneer; 1991; 2002	yes	yes	yes	yes	yes	yes	yes	2
PHI GAMMA DELTA	25	9,900	wood frame, brick veneer; 1978	yes	yes	yes	yes	yes	yes	yes	2
PHI KAPPA TAU (formally ATO)	21	10,508	brick, 1984	yes	yes	yes	yes	yes	yes	yes	2
PI KAPPA ALPHA	32	18,480	concrete & steel; 1963; 1996; 2008; 2016	yes	yes	yes	yes	yes	yes	yes	2
PI KAPPA PHI	39	9,650	Wood & brick veneer; 2011	yes	yes	yes	yes	yes	yes	yes	2
SIGMA ALPHA EPSILON	30	16,000	masonry noncombustible and veneer;	yes	yes	yes	yes	yes	yes	no	1
SIGMA CHI	45	17,000	concrete & steel; 1996, 2005, 2009	yes	yes	yes	yes	yes	yes	yes	2
SIGMA PHI EPSILON	44	16,730	wood frame, brick veneer; 1994; 2007	yes	yes	yes	yes	yes	yes	yes	2



Copies of the Annual Fire Safety Report and the Annual Security Report may be printed in PDF format from the MSU website at <https://www.msstate.edu/annual-security-fire-report/>.

Printed copies are available in the Dean of Students' Office upon request.

DEAN OF STUDENTS' OFFICE
P.O. Box DS, First Floor - YMCA Building
Mississippi State, MS 39762
662-325-3611
thomasb@saffairs.msstate.edu
students.msstate.edu

Mississippi State University is an equal opportunity institution. Discrimination in university employment, programs or activities based on race, color, ethnicity, sex, pregnancy, religion, national origin, disability, age, sexual orientation, gender identity, genetic information, status as a U.S. veteran, or any other status protected by applicable law is prohibited. Questions about equal opportunity programs or compliance should be directed to the Office of Civil Rights Compliance, 231 Famous Maroon Band Street, P.O. 6044, Mississippi State, MS 39762, (662) 325-5839.