Middle Tennessee Education Center
Shelbyville, TN

2015
Annual Security Report

Middle Tennessee State University Community Values

Middle Tennessee State University ("MTSU" or "the University") is committed to developing and nurturing a community devoted to learning, growth and service. Each person who joins or affiliates with the community does so freely and accepts and practices the following core values and expectations:

**Honesty and Integrity.** The notions of personal and academic honesty and integrity are central to the existence of the MTSU community. All members of the community will strive to achieve and maintain the highest standards of academic achievement in the classroom and personal and social responsibility on- and off-campus.

**Respect for Diversity.** The MTSU community is composed of individuals representing different races, ethnicities, sexual orientations, cultures, and ways of thinking. We respect individual differences and unique perspectives and acknowledge our commonalities.

**Engagement in the Community.** All members of the community are encouraged to participate in educationally purposeful activities that support and enhance the MTSU experience. Active involvement and personal investment in the classroom and throughout the community are hallmarks of an engaged citizen.

**Commitment to Non-violence.** MTSU is committed to the principles of nonviolence and peaceful conflict resolution. Community members will freely express their ideas and resolve differences using reason and persuasion.

The MTEC Community at a Glance

The Middle Tennessee Education Center ("MTEC") is a partnership between Bedford County, MTSU, and Motlow State Community College ("MSCC"). The purpose of the education center is to provide additional higher education opportunities to those who live in the southern part of Middle Tennessee. MTEC has on-site classrooms as well as administrative and advising offices, for both institutions, that offer assistance to students looking to earn a higher education.

**The total number of students enrolled:** Currently, there are 3 MTSU undergraduate students, 9 MTSU graduate students, and 10 MSCC EMS students enrolled at MTEC for a total headcount of 22 students.

**The total number of students residing on campus:** MTEC does not maintain student housing facilities.

**The total number of employees working on campus:** MTSU currently assigns one (1) non-student employee to MTEC; MSCC likewise assigns one (1) non-student employee to MTEC. MTEC also has access to faculty members (full-time and adjunct) who are considered among the best in their respective areas. Some teach classes on site at MTEC; others, by videoconference.

For additional information about MTSU, see the [MTSU Fact Book](#).

The MTSU Fact Book, published annually during the fall semester, is used to provide comprehensive information and easy access to the most frequently requested information about the University.
Message from the Chief of Police

Dear MTEC Community,

With safety at the forefront of Middle Tennessee State University’s vision of academic excellence and achievement, I am pleased to introduce MTEC’s Annual Security Report to you. While the Annual Security Report is a portion of the Jeanne Clery Act compliance strategy and required by federal law, there are other reasons for MTSU to publish this volume and for you to read it.

In a conversation several years ago with a U.S. Department of Education (“ED”) representative, I discovered that even ED acknowledged that college campuses were statistically one of the safest places to be in the nation. Why, then, should anyone entertain the notion that the Annual Security Report is important enough to read? Because men and women on campuses nationwide continue to be victims of sexual assaults, accidents and injuries, and opportunistic crime. Though the numbers of criminal incidents reported to University Police are statistically low in many categories, the impact of victimization is profound. Reducing the numbers of crimes that occur and minimizing the negative impact of criminal incidents should be everyone’s business; we strive every day to look for ways to strengthen our partnerships with community members and visitors to the University as we engage in crime reduction activities.

With that in mind, we present this publication with the hope that material contained herein will be useful and informative. If you will read this publication, you will find proven methods to reduce your likelihood of being victimized; you will find ways and resources to help yourself and others in need; you will discover what to do if you are the victim of a serious or non-serious crime; and quite possibly, you will understand how to better protect yourself and to create safer strategies to avoid being victimized before crime occurs.

We suggest you look at the University’s policies and crime data found in this publication and to evaluate what you find. We understand that safety is everybody’s business and that police cannot do a proper job of crime reduction alone. We need your input, your efforts, and your engagement as we endeavor to continue pursuing and maintaining a healthy and safe campus at MTEC.

If you are committed to making the MTEC community as safe as possible, we salute your efforts in living safer lives and pledge our support in partnership with you to reach this important goal. Let us know if you have questions or need assistance. Thank you for considering MTSU as an important piece of your future and of your life.

Sincerely,

Carl S. “Buddy” Peaster
Chief of Police
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Annual Security Report

Introduction to the Clery Act Policies and Procedures

As an off-campus instructional center of MTSU, MTEC is committed to disseminating relevant and pertinent information regarding reported criminal activities in a reasonable manner to its community and to interested parties. To that end, MTSU is implementing and maintaining policies and procedures in compliance with the University reporting requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and the Higher Education Opportunity Act (“HEOA”), two pieces of federal legislation that provide guidance in disseminating certain types of information to campus communities and to the general public. Because the Clery Act and the HEOA encompass several areas of campus responsibility, MTSU utilizes the University Police Department (“University Police” or “the Department”) to issue information that pertains to the criminal reporting requirements of these two federal laws. Additional information regarding other areas of reporting requirements may be distributed by other MTSU departments and/or online.

The Clery Act Requirements

The Clery Act requires that the campus of MTEC:

- Publish an annual report by October 1 that contains three (3) years of campus crime statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other university officials who have “significant responsibility for student and campus activities”;
- Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees; and
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus.

The Annual Disclosure of Crime Statistics

The University Police Department on the main campus of MTSU is responsible for preparing and distributing this Annual Security Report (“ASR”) to comply with the Clery Act. Within the Department, the responsibility for preparing the MTEC ASR is assigned to the Policy Management Specialist and the Major. The MTEC ASR is published and made available to the public every year on or before October 1st. The MTEC ASR includes statistics for the previous three (3) years concerning reported crimes that occur within MTEC’s Clery geography (i.e., on campus, in or on non-campus buildings or property, and public property). Statistics for Clery Act offenses that did not occur within MTEC’s Clery geography are not included in the crime statistics published in the MTEC ASR even if university students or employees were involved.

University Police prepares the MTEC ASR, including the annual disclosure of crime, arrest, and referral statistics. Crime statistics which are provided in MTEC’s ASR are based upon incidents reported by
campus security authorities and local law enforcement agencies. For statistical purposes, crime statistics reported to any of those sources are recorded in the calendar year in which the crime was reported. University Police will request information from local law enforcement agencies and campus security authorities about incidents occurring at MTEC and will make the determination as to whether a reportable offense has occurred and shall annually report statistics for occurrences of Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Rape, Sodomy, Sexual Assault with an Object, Fondling, Statutory Rape, Incest, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson; Domestic Violence, Dating Violence, and Stalking; Arrests for Liquor Law Violations, Drug Law Violations, and Weapons Law Violations; Disciplinary Referrals for Liquor Law Violations, Drug Law Violations, and Weapons Law Violations; and Hate Crimes (Appendix A).

University Police submits the crime statistics published in the MTEC ASR to the United States Department of Education (“ED”), which makes crime statistics available to the public through the Campus Crime and Security Survey. The university provides an electronic notice to all students, faculty, and staff announcing the availability of the MTEC ASR and includes information on how community members may access it. The MTEC ASR is available for review twenty-four (24) hours a day on the University Police website. Printed copies of the MTEC ASR are also available at the MTEC Coordinator’s Office, University Police Department, or by request.

Security on Campus

MTEC Coordinator

The MTEC Coordinator’s office is the administrative office responsible for the security function on the campus of MTEC. The office is located within the Bedford County Business Complex, Room 128, at 200 Dover Street, Shelbyville, TN 37160. The office may be reached by dialing (931) 685-4444. Office hours vary, Monday through Thursday; the office is closed on Fridays.

If you have any questions about this report or any of the services offered by MTEC, please feel free to stop by the office or contact the MTEC Coordinator at (931) 685-4444. Additional information is also located on the MTEC webpage.

Local Law Enforcement

MTEC is within the jurisdiction of both the Shelbyville Police Department and the Bedford County Sheriff’s Departments. While no written agreement exists between MTSU and the Shelbyville Police Department and/or the Bedford County Sheriff’s Department, law enforcement for MTEC is provided through these law enforcement agencies which engage in regular patrols of the campus. These agencies may also request assistance from other state and federal agencies when responding to incidents at MTEC. Random evenings are selected for marked and unmarked police vehicles to park in a strategic location of the MTEC parking lot to enable view of the two primary entrances of the facility.

Each year, in accordance with the Clery Act, the University Police Department communicates in writing with local law enforcement agencies to request their cooperation in informing the University about
crimes and/or situations reported to them that may warrant the University issuing an emergency notification or a timely warning.

**Mission Statement of the Shelbyville Police Department:**

"Members of the Shelbyville Police Department are sworn to serve in an unbiased aspect, where all people regardless of their actions, no matter if they are victims, witnesses, or perpetrators will be treated equally and fairly. The Shelbyville Police Department is available to assist in the prosecution of any and all criminal acts that occur in their jurisdiction. Members of the Department are available twenty-four hours a day, seven days a week to provide assistance, protection, and to preserve the peace and tranquility of the community."

The Shelbyville Police Department is located at 109 Lane Parkway, Shelbyville, Tennessee, 37160; additional information about the department and their services may be located on their webpage.

**Mission Statement of the Bedford County Sheriff's Department:**

"To enhance the quality of life of the citizens of Bedford County, Tennessee through teamwork and mutual cooperation between the community and the Sheriff's Department; to provide the most qualified, well trained, and educated officers in the county; to preserve the peace, enforce the law, and ensure secure prisoner facilities, thus providing a safe environment for all the citizens of Bedford County."

The Bedford County Sheriff's Department is located at 103 Lane Parkway, Shelbyville, Tennessee, 37160; additional information about the department and their services may be located on their webpage.

**Reporting Crimes and Other Emergencies on Campus**

**Report all Crimes to the Shelbyville Police Department**

All faculty, staff, students, and visitors to the MTEC campus are urged to report crime and suspicious activity to the Shelbyville Police Department as soon as possible when the victim of such crime elects to report or is unable to make such a report. The MTEC Coordinator should also be notified of any criminal activity occurring on the MTEC campus. Any suspicious activity or person observed in the parking lots or loitering around vehicles or inside the building should be reported to the Shelbyville Police Department. This allows law enforcement officers and/or the appropriate personnel to respond and assist.

**Shelbyville Police Department may be reached 24 hours a day at (931) 684-5811, or 911 in an emergency. All emergency calls for police, fire, and medical assistance should be made to 911.**

Shelbyville Police Department personnel will also contact other agencies, such as the Bedford County Sheriff’s Department, Bedford County EMS, the Shelbyville Fire Department, or other emergency
service providers to assist with ongoing or reported incidents that require additional resources, expertise or specialized assistance.

General Contact Information

Emergency Numbers:

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Life Threatening Emergency</td>
<td>911</td>
</tr>
<tr>
<td>Shelbyville Police Department</td>
<td>(931) 684-5811</td>
</tr>
<tr>
<td>Bedford County Sheriff’s Department</td>
<td>(931) 684-3232</td>
</tr>
<tr>
<td>Heritage Medical Center</td>
<td>(931) 685-5433</td>
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</tbody>
</table>

Resource Numbers:

<table>
<thead>
<tr>
<th>Resource</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Middle Tennessee Education Center</td>
<td>(931) 685-4444</td>
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</table>

Calls to the following resources on MTSU’s Main Campus are typically answered Monday through Friday, 8:00 AM – 4:30 PM, when the University is open.

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>MTSU Student Health Services</td>
<td>(615) 898-2988</td>
</tr>
<tr>
<td>MTSU Counseling Services</td>
<td>(615) 898-2670</td>
</tr>
<tr>
<td>June Anderson Center for Women &amp; Nontraditional Students</td>
<td>(615) 898-5812</td>
</tr>
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</table>

Anonymous Reporting

In accordance with MTSU Policy I:12:03, University Police Department the University Police allows voluntary anonymous reporting. University Police and MTEC encourages anyone who is the victim or witness to any crime to promptly report the incident. Because police reports are public records under state law, police departments cannot hold reports of crime in confidence. If you are the victim of a crime and do not want to pursue action within the university system or the criminal justice system, you may still want to consider making an anonymous report. The purpose of an anonymous report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep accurate records of the number of incidents involving students; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community, through emergency notifications or timely warnings, to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for MTEC.

Anonymous reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to MTEC and MTSU Campus Security Authorities as identified below.

MTEC, the Shelbyville Police Department, and the Bedford County Sheriff’s Department are active supporters of Crime Stoppers of Shelbyville and Bedford County. You are urged to contact Crime Stoppers at (931) 685-4300 if you have information concerning past or future crimes and wish to remain anonymous. If the information leads to an arrest and prosecution, you may receive a cash reward up to $1,000.00.
Campus Security Authorities

In compliance with the Clery Act, the University is required to collect crime reports from a variety of individuals and organizations on campus, referred to as Campus Security Authorities (“CSA’s”), for the purpose of inclusion in the annual disclosure of crime statistics. CSA’s, as defined by the Clery Act, include:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department.
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

Students are encouraged to report incidents to local law enforcement, but may report incidents to the Campus Security Authorities listed above. Incidents reported to these individuals will be included in the annual disclosure of crime statistics, even if no criminal action can be taken.

Although the MTEC community is urged to report crime and suspicious activity to the Shelbyville Police Department, we understand that the victim of a crime may be more inclined to report it to someone other than a law enforcement official.

Therefore, as an alternative to reporting a criminal incident to law enforcement, an individual may report criminal incidents, suspicious activity, or other incidents that are not emergencies to the following university offices:

Middle Tennessee Education Center at Shelbyville, (931) 685-4444
Coordinator

Institutional Equity and Compliance, (615) 898–2185

Student Affairs, (615) 898–2440
Vice President
Associate Vice President/Dean of Students, (615) 898–5342
Assistant Vice President, (615) 898-5812

Campus Recreation, (615) 898-2104
Director
Associate Directors
Coordinators – Intramurals/Spirit Teams

Judicial Affairs, (615) 898-2750
Assistant Dean
Coordinator

Student Support Services, (615) 898–5443
Director
Counselors
Student Unions, (615) 898-5121
   Director
   Assistant Director
   Coordinator

Student Programming, (615) 898–2551
   Director
   Assistant Director
   Coordinator

New Student and Family Programs, (615) 898–2454
   Director
   Coordinator

Student Athlete Enhancement Center, (615) 904-8492
   Director
   Associate and Assistant Directors
   Counselors

Fraternity and Sorority Life, (615) 898–5812
   Director
   Coordinator

MT One Stop, (615) 898-2111
   Assistant Director for Withdrawals
   Enrollment Counselors

Student Organizations and Service, (615) 898–5812
   Director
   Student Organization Advisors

Health Promotions, (615) 494-8704

Admissions and Enrollment Services, (615) 898-2111
   Assistant Vice Provost

   Graduate Studies
   Dean, (615) 898-5897
   Associate Dean, (615) 898-5331
   Director of Admissions, (615) 494-7630

Environmental Health and Safety, (615) 898–5784
   General Director
   Fire Marshal

Intercultural and Diversity Affairs, (615) 898–5812
   Director
   Assistant Director
Professional and Pastoral Counselors

In accordance with the Clery Act, professional and pastoral counselors are not considered campus security authorities and are exempt from the mandate to report incidents of criminal offenses while serving in that capacity at the time of disclosure. Knowledge of such incidents gained while not acting in a professional counseling capacity, however, must be reported.

The term “professional counselor” means a University employee whose official responsibilities include providing mental health counseling to members of the University’s community and who is functioning within the scope of his or her license or certification. The University employs professional counselors on staff with Counseling Services.

The University does not employ any pastoral counselors.

The professional and pastoral counselor exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual that they have the option to report the incident, including the option to do so anonymously.
Monitoring and Recording Criminal Activity at Non-Campus Locations

Monitoring Off-Campus Crime

Monitoring of crime off-campus is done by the law enforcement agency of jurisdiction where the crime took place. Local law enforcement agencies have been requested to forward the University Police copies of their reports regarding Clery-reportable criminal activity occurring on any non-campus properties owned, leased or controlled by officially recognized student organizations of MTSU.

The MTEC Coordinator will report any known criminal activity to local law enforcement for investigation and to the University Police for inclusion in the annual crime statistics.

The University Police Department relies on its working relationships with the local law enforcement agencies to receive information about incidents involving students off campus. Upon notification and request from outside agencies, the University Police will assist them with investigating crime information concerning or involving a member of the campus community, and it will supply information regarding the incident as needed or required to local, state, or federal law enforcement authorities.

Off-Campus Housing

MTEC does not maintain housing facilities. No MTSU office or department provides supervision for off-campus housing, apartments, or individual homes as these are not owned or controlled by the University as official residential housing.

Students, whether they attend classes at the Main Campus or at MTEC, or whether they live on or off campus, are encouraged to report all crimes to the appropriate law enforcement agency. If community members report crimes or serious incidents to other University or MTEC administrators, those administrators should notify University Police or the appropriate local law enforcement agency. Crime awareness information is made available to all students via this report, the University Police calendar, and the University Police website.

Weapons on Campus

With respect to the possession of firearms and other weapons on university property, it is important to differentiate between Tennessee criminal law and university policies.

Tennessee Criminal Law

It is a criminal offense for a person to carry or possess a firearm or other weapon, whether openly or concealed, on any property owned, used, or operated by the Tennessee Board of Regents (T.C.A. §39-17-1309). Tennessee law (T.C.A. §39-17-1313) contains a limited exception to that criminal offense for the holder of a valid handgun carry permit who: (1) transports and stores a firearm or firearm ammunition in the permit holder’s privately owned motor vehicle; (2) parks the vehicle in a location
where it is permitted to be; (3) keeps the firearm or firearm ammunition from ordinary observation; and (4) if the permit holder is not in the vehicle, locks the firearm or firearm ammunition within the trunk, glove box, or interior of the person’s privately owned motor vehicle or a container securely affixed to such vehicle.

University Policies

MTSU Policy I:12:00. Weapons on Campus prohibits the use, possession, or sale of any weapon on the campus of MTSU. Despite laws which provide for permits allowing individuals to carry concealed handguns, it is the policy of MTSU, pursuant to T.C.A. §39-17-1309, to prohibit the possession of all weapons, including handguns, on property owned, operated or under the control of MTSU.

MTSU Policy III:00:03. Student Disciplinary Rules prohibits the possession of or use of firearms, dangerous weapons of any kind, or replica/toy guns, e.g., BB guns, pellet guns, paintball guns, water guns, cap guns, toy knives or other items that simulate firearms or dangerous weapons. This includes the possession or use of any kind of ammunition.

Victim’s Rights

Crimes of Violence Notification

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the final results of any disciplinary proceeding conducted by MTSU 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 notification purposes.

Information concerning sexual violence, including resources for victims, can be found in the Sexual Violence Victim Information document or on the Sexual Violence webpage. Other resources for victims of violent crimes may be obtained at the Bedford County District Attorney’s Branch Office which is located within the Bedford County Courthouse, Suite 100, 1 Public Square E., Shelbyville, Tennessee, 37160. The Office may be contacted by telephone at (931) 685-2191. Additional information and resources are available on the Tennessee District Attorney webpage.

Victims of sex crimes are afforded specific rights. Please see the section titled “Sexual Violence” of this report for more information on students’ rights.

Students or Employees with Criminal Records

MTSU does not collect information regarding criminal records on applications for admission of students to the University. The application for employment of all personnel requires that the applicant state whether he or she has been convicted of, pleaded guilty to, or pleaded nolo contendere to a misdemeanor or a felony. An applicant is also required to state whether he or she is required to register as a sex offender under T.C.A. Title 40, Chapter 39, Part 2. Human Resource Services performs
background checks for all classified and administrative positions. Academic Affairs performs background checks for all faculty positions. Background checks are not typically done for temporary or student employee positions unless requested by the employing department or required by statute or policy. Acknowledged conviction of any crime results in an evaluation of the applicant's fitness for employment in consultation with University Counsel. Additionally, MTSU requires that employees notify the institution of any drug convictions resulting from a violation in the workplace no later than five (5) days after the conviction.

Current University students convicted of a violation of a law or ordinance off-campus, whose violation also adversely affects the University's pursuit of its educational objectives, will become subject to disciplinary sanction by the Office of Judicial Affairs and Mediation Services. Students committing a crime on-campus are subject to arrest and prosecution, and are subject to disciplinary sanction by Judicial Affairs and Mediation Services.

**Emergency Notifications and Timely Warnings**

An emergency notification will be distributed by MTEC when there is confirmation of a violent crime or a threatening event that immediately endangers the campus community. A timely warning will be issued by MTEC when a crime is reported and determined to be an on-going or continuous threat to the campus.

**Emergency Notifications**

MTEC is committed to notifying persons regarding significant types of threatening events or situations that occur on campus property. An emergency notification is an alert issued to notify affected persons of a significant emergency or dangerous situation occurring on the MTEC campus involving an immediate or imminent threat to the health or safety of students, faculty, staff or visitors. An alert is issued immediately once it is confirmed that a legitimate emergency or dangerous situation exists.

Emergency notifications will be issued for events or incidents on the MTEC campus that meet the following criteria:

- The event or incident is ongoing in nature in that it continues to pose a real or likely threat;
- The event or incident may be mitigated by the quick release of information to the campus community; and,
- The release of information regarding the possible threat in a more immediate fashion may significantly reduce the chance of individuals or groups becoming victims.

Examples of events or incidents that may result in the issuance of an emergency notification:

- Active Shooter
- Armed Robbery (including attempts)
- Bomb Threat
- Tornado Warning (as indicated by CodeRED* Weather Warning)
*CodeRED Weather Warning is a notification system available through the Bedford County Communications/E911 District that is used to alert citizens in the path of severe weather. [Sign up](#) to receive severe weather warnings.

## Notification Methods

Notification for those previously described events or incidents that pose a grave and immediate threat to students, faculty, staff or visitors will be made using the fastest notification method possible. Typically, depending on the situation, an announcement in each classroom will be made, or each classroom instructor will be contacted by telephone and instructed to make the emergency communication.

## Emergency Notification Process

The MTEC Coordinator typically receives information from the Shelbyville Police Department including individuals and various offices/departments on campus regarding suspicious activity and criminal incidents. Information may also come from other law enforcement and emergency service providers concerning situations reported to them that may warrant an emergency response.

Once the MTEC Coordinator, acting on information from the Shelbyville Police Department, or from other emergency service providers, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the MTEC community, an emergency notification will be issued, and the President of the University and the Dean of the University College will be notified.

In making the decision about whether or not to activate emergency notification systems or to order an evacuation of the MTEC campus and/or property, the following factors are considered:

- Does the event or incident pose a significant or likely threat to the general campus community?
- Does the threat or danger from the event or incident still exist?
- Is there evidence that the threat has subsided or moved away and is, therefore, no longer posing a danger or a hazard?
- Has a significant amount of time transpired from the time of the incident to the present that would reasonably lead one to presume that the threat or the danger is no longer in the area?
- Will notification about the incident provide persons with knowledge that, if utilized, would likely reduce or reasonably eliminate the possibility that they would be victimized by the threat?

Dependent upon the nature and scope of the event or incident, a determination will be made concerning whether the entire campus or specific portions of it will receive the emergency notification. If the potential exists that a very large segment of the campus will be impacted, the entire campus community will be notified. If only a portion of the campus is notified, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action.

The Dean of University College and the Director of MTSU News and Media Relations (or designee) may collaborate to determine the content of the emergency notification message, and will use some or
all of the notification systems to communicate the threat to all, or to specific segments of the MTEC community. However, if it is determined after taking into account the safety of the community, that issuing a notification will, in the judgment of the first responders (including, but not limited to the Shelbyville Police Department, Bedford County Sheriff’s Department, Shelbyville Fire Department and/or Bedford County Emergency Medical Services (“EMS”)), compromise the efforts to assist a victim, to conduct an adequate and competent criminal investigation or to contain, respond to or otherwise mitigate the emergency, issuance may not occur or may be delayed.

The MTEC Coordinator, acting on information from the Shelbyville Police Department, is primarily responsible for issuing emergency notifications for security-related emergencies. The President of the University (or designee), the Dean of the University College, the Office of University Counsel, or News and Media Relations, acting on information provided by the Shelbyville Police Department or other law enforcement/emergency service providers, may also issue emergency notifications for emergencies that are not necessarily law enforcement related (e.g., medical, inclement weather, other University closings).

The decision-makers may also determine that a particular building or structure on campus, an area of the MTEC campus, the entire MTEC campus, or other MTEC property should be immediately evacuated in order to create or maintain a safer situation for persons inhabiting those areas. In these instances, the aforementioned authorities may require evacuated persons to temporarily refrain from remaining in or entering specified areas of campus or MTEC property for safety purposes. In those cases, MTEC students, employees, and visitors may be informed as to how to leave the MTEC campus or MTEC property. They may also be informed as to where they should assemble or disperse.

MTSU News and Media Relations will coordinate with news agencies to distribute MTEC press releases, as they are made available, concerning critical incidents in order to inform the community of the incident, evacuation routes, and other information. The MTSU website and other social media networks may be utilized to disseminate information outside the MTSU community concerning critical incidents.

**Timely Warnings**

A timely warning is an alert issued after review of all available information concerning an incident or event occurring on campus that is considered to be a serious or continuing threat to MTEC students or employees, or to property. MTEC will issue timely warnings to members of the campus community concerning crimes reported to a CSA or to a local law enforcement agency that are determined by MTEC to represent a serious or continuing threat to the campus. The information is provided with the intent to enable persons to protect themselves and to aid in the prevention of similar crimes.

Decisions whether to issue a timely warning are made on a case-by-case basis in light of all facts surrounding the crime, including factors such as:

- The nature of the crime;
- Whether the crime appears to be a one-time occurrence or a pattern of incidents;
- When and where the incident occurred, and when it was reported (If a crime is reported long after it occurred, there would be no ability to issue a timely warning and, thus, one would not be issued);
- The continuing danger to the campus community;
- The possible risk of compromising law enforcement efforts;
- Whether the perpetrator has been apprehended; and,
- Whether the perpetrator targeted specific individuals to the exclusion of others, such as with domestic violence.

The following crimes are those for which a timely warning may be issued; they may also be issued for other crimes as deemed appropriate:

- Criminal Homicide
- Sexual Assault
- Robbery involving force or violence
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson, major incidents
- Crimes of Intimidation, Simple Assault, Vandalism, and Larceny when those crimes are motivated by the offender’s hate/bias based on the victim’s race, gender, religion, disability, sexual orientation, gender identity, ethnicity or national origin.

The MTEC Coordinator will consult with the Dean of the University College and the Office of University Counsel to determine whether a timely warning will be issued. If a timely warning is to be issued, the MTEC Coordinator and the Director of MTSU News and Media Relations (or designee) will collaborate on the preparation of the timely warning which will be distributed to all public areas of the MTEC campus by the MTEC Coordinator.

**Emergency Preparedness and Procedures**

**Tornado Drills**

The MTEC Coordinator will conduct a tornado drill once each spring and fall semester. Faculty will have classes interrupted with instructions to proceed to the designated safe places which have been identified as the two restrooms in the hallway across from the vending machines (a tornado shelter placard is displayed on each door). A record of each tornado drill will be kept, including notations as to what actions were performed correctly and incorrectly. Action items will be managed and reviewed at the next tornado drill.

Instructions with regard to weather evacuations will be included in the instructions for the faculty each semester. These drills will be documented to include a description of the exercise, the date and time of the drill, and whether it was announced or unannounced.
If you are asked to participate in a Tornado Drill or any other type of drill while at MTEC, please comply with all instructions from the MTEC Coordinator or other person in authority.

**Active Shooter**

If an active shooter is in or near MTEC, lock all classroom doors and completely close all blinds on classroom windows. Move away from any doors and windows to the most secure location within the classroom and then “shelter in place.” If a cell phone is available, call 911 for an immediate police response.

University Police has implemented a presentation, “Shots Fired on Campus,” to help inform the MTSU community about what would occur on campus in the event of an “active shooter.” This presentation includes topics such as police response to an active shooter, sheltering in place, and the survival mindset needed in this type of encounter. Additional information about active shooter incidents can be found on the “If There Are Shots Fired on Campus…” page of the University Police Department calendar.

The MTEC Coordinator has been trained in “active shooter” sessions and would assume responsibility for instructing the students and faculty should such an event occur. Faculty are also provided instructional information with regard to this issue should the MTEC Coordinator not be present for this emergency. To request a “Shots Fired on Campus” presentation at MTEC, contact the University Police Department at (615) 898-2424.

**Emergency Procedures**

**Fires or Fire Alarms**

If a fire or visible smoke is detected within a facility and/or building, the building fire alarm system should be immediately activated to alert other occupants, who should immediately evacuate the building. (For small, controllable fires, fire extinguishers are located throughout MTEC’s facilities.) All fires, regardless of size (even if extinguished), smoke, or fire alarms at MTEC should immediately be reported to the Shelbyville Fire Department by dialing 911, or (931) 684-6241. The caller should be prepared to state his or her location.

**Medical Emergencies**

To request an ambulance and immediate medical assistance at MTEC, dial 911. The caller should be prepared to state his or her location.

A First Aid Kit is located in the Student Lounge. Additionally, an Automated External Defibrillator (“AED”) is located within the building on the first floor near the Bedford County Finance Office.

MTSU Student Health Services, (615) 898-2988, located in the Health, Wellness, and Recreation Center on the main campus of MTSU, is available for non-emergency medical issues only. During the fall and spring semesters, their hours are Monday through Thursday, 8:00 AM – 4:30 PM and Fridays 8:00 AM – 4:00 PM. During summer and semester breaks their hours are Monday through Friday, 8:00
AM – 4:00 PM. They are closed during University holidays. An after-hours telephone advice nurse is available by calling (615) 898-2988 and following the prompts. The after-hours service is for those who are sick. Routine or minor health concerns or questions should be appropriately directed during normal business hours. The caller may be asked for a student M number in order to use this service. All life-threatening medical emergencies should be reported by dialing 911. The caller should be prepared to state his or her location.

Bomb Threats

Bomb threats or suspicious objects/devices at MTEC should be reported by dialing 911. The caller should be prepared to state his or her location.

If evacuation of the building becomes necessary, building occupants should relocate to the Bedford County EMS ambulance station located at 847 Union Street for accountability. (The ambulance station is a brick building with an American flag in front and a tall radio antenna in back.) If possible, notify the EMS supervisor on shift that you are evacuating there. The 24/7 number is (931) 808-8013.

Information about bomb threats, including additional evacuation considerations, can be found online.

Severe Weather

Three weather radios are located within or near MTEC’s classrooms. If a severe weather warning is received through these radios or by any other means, take appropriate action.

In the case of a tornado warning, building occupants should be alerted to move to the safest place in the building and/or complex. A FIRE ALARM SHOULD NOT BE PULLED. At MTEC, the tornado-designated safe places have been identified as the two restrooms in the hallway across from the vending machines (a tornado shelter placard is displayed on each door). Individuals should not leave the safety of the building.

If a tornado-designated safe place is unavailable, individuals should seek shelter in the middle of the building. It is best to take cover next to heavy furniture or in an interior hallway against a strong, interior wall on the lowest level of the building. Individuals should not leave a relatively safe place or get into a vehicle and attempt to drive. The instructions of emergency response personnel should be followed, or individuals should remain inside the building until emergency response personnel give the “all clear” signal.

Information about tornados can be found online.

All Other Emergencies

All other emergencies at MTEC may also be reported by dialing 911. The caller should be prepared to state his or her location.
Persons with Disabilities

Persons with disabilities should notify the instructor in each of their classes or their supervisor that they have a disability and may require assistance in case of an emergency. Instructors or supervisors must notify emergency response personnel (i.e., police, fire & rescue, medical) of any persons with disabilities in their classes or area of responsibility.

Information regarding emergency evacuation procedures for individuals with disabilities may be viewed online. For additional information, contact the MTSU ADA Compliance Office at (615) 898-5366, Peck Hall Room 203.

Security of and Access to the MTEC Facility

The campus, facilities and property of MTEC, are restricted to use by MTSU/MSCC students, MTSU/MSCC administration for official functions, affiliated individuals/entities, and invited or sponsored guests of MTSU or MSCC except as specifically provided by policy or when part or all of the MTEC campus, buildings, or facilities are open to the general public for a designated time and purpose. All persons on the campus of MTEC shall be subject to all rules and regulations of the University and the TBR and/or to all applicable federal and state laws and regulations. All persons on the campus of MTEC must comply with all guidelines set forth in TBR Policy 1:03:02:50, Access to and Use of Campus Property and Facilities and MTSU Policy I:01:06, Use of Campus Property and Facilities Scheduling, as well as, MTSU Policy IV:04:16, Building Access. Furthermore, MTEC is open to the public during business hours and non-public areas are closed and locked after the business hours.

Security Considerations Used in the Maintenance of the MTEC Facility

All hazardous or unsafe campus conditions found to exist at MTEC should be reported to the MTEC Coordinator. The MTEC Coordinator will contact the appropriate department to address these conditions. These conditions may include overgrown trees or landscaping and a lack of outdoor lighting or inoperable lights.

MTEC is located within the Bedford County Business Complex in Shelbyville, Tennessee. Thus, the department responsible for the maintenance of and access to the facility is the Bedford County Finance Office. The Shelbyville Fire Department is responsible for reviewing the campus occupancies and conditions, the remodeling design, and any other changes necessary for the operation of MTEC.

Identification Cards

All persons on the campus of MTEC shall provide adequate identification upon request to appropriate officials of the University. All MTSU students, faculty and staff are issued an identification card and are required to carry it while on campus. Faculty, staff and students of the University who refuse to provide...
such identification may be subject to disciplinary action; other persons who refuse to provide such identification shall be requested to leave campus, and if they refuse, may be subject to lawful removal and prosecution.

Students may use their identification cards to gain entry into the Recreation Center, and campus computer labs with an installed card access system on the main campus. Students are issued electronic access to other buildings, classrooms and labs upon written request of the pertinent department.

If an identification card is lost, it will be invalidated as soon as the loss is reported. The loss or theft of any identification card must be reported immediately to the BlueID Office, which, in turn, will notify the Key Shop in Facilities Services.

The BlueID Office may be reached, during regular business hours, at (615) 898-5523. The BlueID Office is located on the Main Campus in the Student Services Building (“SSAC”), Room 112. After hours, lost or stolen ID cards may be reported to University Police at (615) 898-2424.

**Crime Prevention and Security Awareness Programs**

Continually throughout the year, the University Police Department facilitates programs on the main campus of MTSU dealing with security procedures and practices and/or programs encouraging students and employees to look out for themselves and for one another.

University Police facilitates crime prevention and security awareness programs in which officers from the Department’s police services explain and demonstrate how students, staff, and faculty can protect themselves and their property. Officers speak to students and parents at CUSTOMS orientation sessions, residents of on-campus housing facilities, and students enrolled in University 1010 classes.

In addition to programs and initiatives mentioned elsewhere in this report, the Department’s programs designed to inform students and employees about campus security procedures and practices include the following:

- **Keep Safe in a Confrontation (General Safety Tips):** This program is designed with employees of the various university departments in mind. The program is intended to help employees understand the different ways to possibly deescalate an encounter with a volatile person(s). The program is also designed to explain best practices for employees to take in the event that situation should escalate into a violent situation.

- **Crime Prevention & Safety/Security (University 1010):** This presentation provides an overview of the police department’s operations, divisions, and services provided. Safety information is provided to assist individuals in decreasing their likelihood of becoming a victim of a variety of crime, such as: theft, robbery, burglary, and assault. Detailed explanations of several criminal violations are provided and include drug use and possession, along with the potential consequences for involvement with such crimes. Sexual assault awareness and prevention, bystander intervention, and suggested options to consider during an active shooter situation may
also be provided during this presentation. Students are encouraged to report incidents to the University Police Department and request assistance when needed.

- **Active Shooter/Shots Fired on Campus:** This presentation includes topics such as police response to an active shooter, sheltering in place, and the survival mindset needed in this type of encounter. This program is designed to provide information on the current best practices involving successfully surviving an Active Shooter situation on campus. The program consists of presenting the DVD “Shots Fired on Campus When Lightning Strikes, 2008” created and distributed by Center for Personal Protection & Safety. In conjunction with this DVD, instructors interact in a question and answer situation guided by a Power Point presentation.

- **Women Self Defense/Violence against Women:** This interactive class, designed for women only, focuses on the topic of violence against women and the local resources available to help empower women to protect themselves. The intent of this class is for the female attendees to get to know each other, get to know and become more comfortable talking with members of the Department, and to educate women about the dangers they face as women. Attendees are encouraged to look out for one another and to not ignore any perceived violence or harm that may be happening to a friend and/or neighbor.

- **VAWA/Self-Protection:** This lecture is designed to engage attendees on various topics which includes a brief overview of the Department and its function within the university community; suggestions to avoid being the victim of theft or physical assault; what to do in case of emergency (tornado, disaster, active shooter); a discussion about sexual assault and the differentiation between consensual sex and rape as applied to State Law; and stalking. Attendees are provided information on the Department’s R.A.D. Program as well as a University Police Calendar.

All University Police programs and courses are free to university students and employees. In 2014, officers of the Department conducted 48 programs on the main campus making contact with approximately 1,373 individuals.

The Department conducts programs throughout the year upon request. Students attending MTEC have access to all of the programs offered on the Main Campus. To request an officer to present a program to a class, department, or other organized group at MTEC, contact University Police at (615) 898-2424. Officers have specialized training in a variety of areas and in many cases can adapt programs to meet a group’s specific needs.

Other crime prevention and security awareness programs available to students and employees include:

- **Operation ID:** This program is presented by officers at various locations on the main campus (e.g. residence halls, student unions, etc.) and is designed to offer students the opportunity to record serial numbers and/or mark personal items of value (e.g. cell phones, tablets, laptops, etc.) with a specific personally identifiable number. This program is designed to assist law enforcement in their efforts to recover stolen property by having a reliable means of identifying ownership of the property in the event that it is successfully recovered through investigative efforts.
R.A.D. (Rape Aggression Defense) Program: The R.A.D. Program is a program of realistic, self-defense tactics and techniques. The course begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training. This program is a women’s only self-defense education program designed around realistic self-defense tactics and techniques. This course is a comprehensive course that emphasizes awareness, prevention, risk reduction, and avoidance techniques. This course incorporates hands on techniques that can be utilized by women for self-defense against sexual assaults. This course is taught by University Police officers who have been certified as R.A.D. instructors.

Adopt-a-Cop: Adopt-A-Cop is a joint effort between University Police and Housing and Residential Life. This long-term program was created to serve the student resident population. Adopt-A-Cop establishes a police presence in residence halls in which a University Police officer essentially becomes a member of a residence hall’s staff. Officers work to establish rapport with the residents through the implementation of crime prevention measures, conduct educational safety programs upon request and assist in maintaining the physical security of the buildings. Officers attend Housing and Residential Life staff meetings and provide updated crime statistics for their residence halls; they then follow up with appropriate crime prevention methods with the students and staff.

Safety Escort Program: The purpose of the University Police Safety Escort Program is to provide walking escorts for faculty, staff, students, and visitors on the main campus after dark. The escorts may be provided by University Police officers, but are one of the primary responsibilities of the Department’s Raider Patrol. The Raider Patrol component consists of MTSU students performing duties and functions as non-sworn uniformed personnel. To request a safety escort while on the main campus, contact University Police at (615) 898-2424; dial 2424 from campus phones.

Guardian: The Guardian Timer, provided through the MTSU Critical Notification System, may be used whenever an individual is walking alone on the main campus, in an unfamiliar area of the main campus, or would simply like for University Police to check on him/her while he/she is on the main campus if the timer is not deactivated. The user may call the Guardian Timer number: (615) 692-1516 and set a realistic time frame to reach his/her destination and leave a voice message containing details about him- or herself and the situation (e.g., clothing description, route of travel, etc.). If the designated destination is reached safely, the timer is deactivated by dialing the Guardian Timer number: (615) 692-1516 and entering a PIN. For more information contact University Police, or log onto the MTSU Critical Notification System website.

University Police Calendar: Each academic year (August – July), the Department makes available upon request a calendar that is distributed to all full-time employees and those incoming students and employees who attend CUSTOMS orientation sessions, or the new employee orientation session offered by HRS. University Police Calendars are also made available in the Coordinator’s Office at MTEC. These calendars include crime prevention information, safety tips, a campus map, a description of the Department’s services, crime statistics (as included in TBI’s annual Crime on Campus Report), recommendations and community resources in response to sexual violence and other useful security information.
- **Bicycle Registration:** All bicycles on the main campus should be registered with Parking and Transportation Services. Bicycles can be marked with an identifying number by the University Police to ensure return if recovered after theft or confiscation due to illegal parking or abandonment. For additional information, contact Parking Services at (615) 898-2850, 1403 E. Main Street.

- **Raider Xpress Shuttle Service:** The Raider Xpress shuttle service is designed to transport faculty, staff, students and visitors throughout the main campus of MTSU and is available only when classes are in session. Students, staff, and faculty are encouraged to utilize this shuttle service during hours of darkness when available. Shuttle routes vary depending on time of day and day of the week. For additional information, contact Parking Services at (615) 898-2850, 1403 E. Main Street.

  The [2015-2016 Raider Xpress Routes](#) may be viewed online.

- **MTSU Crime Stoppers Program:** The mission of the MTSU Crime Stoppers Program is to serve as a deterrent to crime on the main campus by increasing the probability that criminals will be arrested and convicted through the use of anonymous tips. Through a co-operative agreement, the Rutherford County Crime Stoppers Program will pay up to $1,000 for information leading to the arrest of anyone who has committed a felony on any property owned and operated by MTSU within Rutherford County. The MTSU Crime Stoppers Program will pay up to $300 for information leading to the arrest of anyone who has committed a misdemeanor on any property owned and operated by MTSU within Rutherford County.

A list of the crime prevention and security awareness programs, detailing type and frequency, conducted by University Police in 2014 is provided at the end of this report (Appendix B).

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### Sexual Violence

MTSU is concerned for the safety and well-being of its students, faculty and staff, and prohibits all acts of sexual violence. We are committed to providing a healthy living, working and educational environment for our campus community, and will continue working to provide the safest campus environment possible.

### Reporting to Law Enforcement

Victims of sexual violence (also referred to as sexual misconduct) have the option of reporting incidents to a law enforcement authority. Incidents may be reported by calling University Police at (615) 898-2424, the Shelbyville Police Department at (931) 684-5811, or the Bedford County Sheriff's Department at (931) 684-3232. Institutional personnel will assist a victim in notifying law enforcement authorities if this assistance is requested. Reporting sexual violence provides law enforcement the opportunity to investigate and collect evidence that could be used in criminal or civil proceedings, and in any University investigation that may be conducted. University Police may also be able to assist victims with any
safety concerns. Other resources for victims of violent crimes can be located at the Bedford County District Attorney Victim/Witness Office, or on the Tennessee District Attorney’s website.

All reports of sexual violence made to University Police will automatically be referred to the MTSU Title IX Coordinator for review and investigation, even if the complainant declines to pursue criminal charges.

**Reporting to University Police (Nottingham Act requirements):**

Unless the victim of a sexual assault does not consent to the reporting of an offense, the MTSU Police Department shall immediately notify the Murfreesboro Police Department if an MTSU police officer is in receipt of a report from the victim alleging that any degree of rape has occurred on MTSU property. The MTSU Chief of Police shall designate one (1) or more persons who shall have the authority and duty to notify the Murfreesboro Police Department in his/her absence. In the case of an alleged rape, the MTSU Police Department and the Murfreesboro Police Department shall jointly investigate the incident. The MTSU Police Department shall lead the investigation. The Murfreesboro Police Department and MTSU Police Department shall cooperate in every respect in the investigation. Tenn. Code Ann. § 49-7-129.

If the victim does not consent to the reporting, the chief security officer or chief law enforcement officer of each institution shall not report the offense to the local law enforcement agency. Tenn. Code Ann. § 49-7-2207; Public Acts 2005, Chapter 305.

MTSU does not publish the name of crime victims nor maintain identifiable information regarding victims in the Daily Crime Log or in the release of timely warnings.

**Immediate Actions Following a Sexual Assault; Preserving Evidence**

In the immediate aftermath of an act of sexual violence, the most important thing is for the victim to get to a safe place. When a feeling of safety has been achieved, the victim should seek medical attention regardless of his/her decision to report the crime to the police. It is very important so that the victim can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries. A victim has the right to accept or decline any or all parts of a medical exam. However, critical evidence may be lost or missed if not collected or analyzed.

Valuable physical evidence can be obtained from the victim and the victim’s clothing. Every effort should be made to save anything that might contain the offender’s DNA. Therefore, a victim should not:

- Bathe or shower;
- Wash his/her hands;
- Brush his/her teeth;
- Use the restroom;
- Change clothes;
- Comb hair;
- Clean up the area where the incident took place; or,
Move anything the offender may have touched.

Even if the decision to report the crime has not yet been made, receiving a forensic medical exam and keeping the evidence safe from damage will improve the chances that the police can access and test the stored evidence at a later date should the victim decide to prosecute.

Keeping relevant text messages, instant messages, social networking pages, and other communications, as well as, pictures, logs or other copies of documents, if there are any, may also be useful to investigators.

Students, faculty or staff who report being victims of dating violence, domestic violence, sexual assault or stalking are provided a copy of the Sexual Violence Victim Information document which includes information about reporting the incident, options to report confidentially, the investigative and disciplinary processes, and available resources for the victim.

Institutional Reporting, Investigation and Hearing Process

MTSU has implemented MTSU Policy I:01:23, Misconduct, Discrimination, and Harassment Based on Sex (including pregnancy, sexual orientation, and gender identity/expression) (for purposes of this section, hereinafter referred to as “Policy”). This Policy has information including, but not limited to, how to report incidents of sexual violence, investigation and hearing processes, and resources for victims. The information provided in this Section is based on this Policy but is not a verbatim reproduction of it. Readers are urged to consult the Policy for additional information and details. Information about sexual violence and reducing the risk of sexual assault and bystander intervention, among other topics, can also be found on the MTSU Sexual Violence webpage.

The investigation and hearing processes will be conducted by officials who receive annual training on issues related to dating violence, domestic violence, sexual assault and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Sexual violence includes dating violence, domestic violence, stalking and sexual assault. Those terms, along with the definition of ‘consent,’ as used in this jurisdiction, can be found in Appendix C to this Report.

Reporting Incidents of Sexual Violence

MTSU encourages victims of sexual misconduct to talk to someone about what happened so they can get the support they need and so that MTSU can respond appropriately. Though MTSU will keep reports as confidential as possible, it cannot guarantee the confidentiality of every report or complaint.

Reports to professional licensed counselors (including the MTSU Counseling Center) or to professional medical healthcare providers (including the MTSU Student Health Center) are confidential in every respect, to the extent allowed by law.

- Professional licensed counselors who provide mental health counseling to MTSU’s campus community, including those who act in that role under the supervision of a licensed counselor
(“counselors”), are not required to report any information about an incident to the Title IX Coordinator and will not do so without a victim’s written permission.

- Students may utilize the MTSU Counseling Center, Keathley University Center, Room 326-S.
- Employees may utilize the Employee Assistance Program (“EAP”).
- Both students and employees may utilize the Domestic Violence and Sexual Assault Program, 2106 East Main Street, 24-hour Crisis Line (615) 494-9262 or (615) 896-2012, or other professional counselors.

- Professional medical healthcare providers, including those who act in that role under supervision of a licensed healthcare provider (“doctors”), are not required to report any information about an incident to the Title IX Coordinator and will not do so without a victim’s written permission.
- Students may utilize the MTSU Student Health Center, or a healthcare provider of their choice.
- Employees must utilize a healthcare provider of their choice.

- Counselors and doctors will maintain confidentiality unless required by law or court order to disclose the information. For example, Tennessee’s mandatory reporting law related to abuse of minors, imminent harm to others, or subpoenas for testimony may require disclosure of all information received.

Reports to a responsible employee will not be absolutely confidential but will be handled in as confidential a manner as possible. A “Responsible Employee” is an MTSU employee who has the authority to redress sexual misconduct, discrimination, and/or harassment; who has the duty to report incidents of sexual misconduct, discrimination, and/or harassment; or, whom a student could reasonably believe has this authority or duty.

Requests for confidentiality, requests that no investigation into a particular incident be conducted or disciplinary action taken may not, in all cases, be honored. The University will weigh that request against its obligation to provide a safe, non-discriminatory environment for all students, including the complainant. The complainant should understand that the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited under those circumstances.

A student who is a victim of sexual misconduct and who was under the influence of alcohol or drugs during the sexual misconduct incident should not be reluctant to seek assistance for fear of being sanctioned for his/her improper use of alcohol or drugs. The Office of Judicial Affairs and Mediation Services will generally not pursue disciplinary violations against the victim (or against a witness) for his/her improper use of alcohol or drugs (e.g., underage drinking) if the victim or witness is making a good faith report of sexual misconduct. Amnesty for improper use of alcohol or drugs will not be accorded to a student charged with sexual misconduct. This practice only applies to amnesty from
violations of **MTSU Policy III:00:03, Student Disciplinary Rules**. It does not grant amnesty for criminal, civil or legal consequences for violations of federal, state, or local law.

The institution can assist victims in receiving other necessary protection and support, such as victim advocacy; academic support or accommodations; disability, health or mental health services; “no contact” orders; and, changes to living, working, transportation or academic situations. The institution will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available. This will occur regardless of whether the victim chooses to report the incident to law enforcement or continue to actively participate in the investigative process. Confidentiality concerning provision of these measures will be maintained to the extent that this would not impair the ability of the institution to provide the accommodations or protective measures.

Complaints concerning sexual misconduct, and requests for accommodations and/or protective measures can be made directly to these individuals:

**Title IX Coordinator**

Marian V. Wilson, Ph.D.
Assistant to the President, Institutional Equity and Compliance
116 Cope Administration Building
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2185
marian.wilson@mtsu.edu

**Title IX Deputy Coordinators**

Laura Sosh-Lightsy
Assistant Dean, Judicial Affairs and Mediation Services
208 Keathley University Center
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2750
laura.lightsy@mtsu.edu

Diane Turnham
Associate Athletic Director/Senior Women’s Administrator
Suite 151 Murphy Center
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2938
diane.turnham@mtsu.edu

The University shall not share personally identifiable information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement.
Inquiries or complaints concerning Title IX also may be referred to the United States Department of Education:

United States Department of Education  
Office for Civil Rights  
61 Forsyth Street, S.W., Suite 19T10  
Atlanta, GA 30303-8927  
(404) 974-9406 (phone)  
(404) 974-9471 (fax)  
ocr.atlanta@ed.gov

**Investigation of Complaints**

All proceedings will include a prompt, fair, and impartial investigation and result. The University will provide written statements to the respondent and complainant indicating that they have equitable rights during the investigative process such as the right to have others present during an interview and to be accompanied by the advisor of their choice to any related meetings or proceedings. Investigations will be conducted by the Title IX Coordinator, a Deputy Title IX Coordinator, or a qualified, sufficiently trained person appointed by the Title IX Coordinator (hereinafter referenced as “the Investigator”).

The investigation shall include interviews with relevant witnesses identified by the complainant and respondent and any other potential, relevant witness made known to the Investigator via other means; and, the gathering and reviewing of any documentary, electronic, physical, or other type of relevant evidence.

The Investigator shall notify the complainant, respondent and all individuals interviewed during the investigation that retaliation is strictly prohibited and may be grounds for disciplinary action up to and including termination or expulsion. In addition, the Investigator shall advise all interviewees that they should contact the Investigator immediately if they believe they are being retaliated against.

When the investigation is completed, the Investigator will provide the President with a written report based on the investigation. The President will make a determination based on a preponderance of the evidence presented as to whether or not a violation of the Policy occurred. The President’s determination shall be communicated in writing simultaneously to the complainant and respondent, along with notice to the parties of their right to request an institutional hearing on the determination that a policy violation did or did not occur.

Every reasonable effort shall be made to conclude the investigation and resolve the complaint within sixty (60) calendar days following receipt of the complaint. Within this sixty (60) day timeframe, absent good cause, it is expected that the Investigator will conclude the investigation, that the Investigator will present a report to the President, and that the Investigator will notify the parties in writing of President’s determination. If additional time is needed, the complainant and respondent shall be notified in writing of the extension and the reason for it.
Institutional Hearing

If either the complainant or the respondent is aggrieved by the President’s determination, that party may request an institutional hearing on the determination that a policy violation did or did not occur by providing written notice of the request to the Investigator within ten (10) business days of receipt of the President’s decision. If a request is not received within ten (10) business days, the President’s determination is final.

The respondent and complainant will receive equitable rights during the hearing process such the right to have others present during any related meetings or proceedings, and the right to be accompanied by an advisor of their choice during the hearing. An advisor may not participate in the proceeding other than to render advice to the complainant or respondent. The complainant and respondent shall be timely notified in writing of all meetings relevant to the proceeding. Timely and equal access will be provided to the complainant, the respondent and appropriate officials to any information that will be used during the disciplinary process.

The hearing will be before a hearing officer or hearing committee, as determined by the President. If either party believes the hearing officer or a member of the hearing committee has a conflict of interest or bias, a written explanation of the reason for that belief may be submitted and a determination on this matter will be made within three (3) business days.

A written determination will be made based upon a preponderance of the evidence standard, to be issued within five (5) business days of the close of evidence. The complainant and respondent will be simultaneously notified in writing of the hearing determination and their rights to appeal that determination to the President.

Every reasonable effort shall be made to conclude the hearing and resolve the appeal, including any appeal to the President, within thirty (30) days following receipt of the complainant’s or respondent’s request for a hearing.

Appeal of Hearing Decision

If either the complainant or respondent is dissatisfied with the hearing decision, that decision may be appealed to the President. The President will issue a written response to the appeal as promptly as possible. This decision will constitute MTSU’s final decision on the complaint. The complainant and respondent shall be simultaneously notified of the President’s decision in writing.

Imposition of Discipline. If a final decision has been made that a policy violation occurred, the respondent shall be referred to the appropriate personnel for a determination of discipline. If the respondent is a student, the University will follow the procedures for disciplining students as described in TBR Policy 3:02:00:01, General Policy on Student Conduct and Disciplinary Sanctions and MTSU Policy III:00:03, Student Disciplinary Rules. Notwithstanding any policy to the contrary, the complainant is informed of any disciplinary hearing and may choose to participate in the hearing process. The complainant and respondent will have equal procedural rights in such a hearing. The complainant and respondent will be simultaneously notified of the outcome of the disciplinary process,
including any sanctions imposed on the respondent. Refer to **Sanctions for Disciplinary Violations** for the range of possible disciplinary sanctions which may be imposed.

If a final decision is been made that a policy violation occurred, the Title IX Coordinator shall determine if any remedies are required to address the campus-wide environment, taking into consideration the impact of an incident of sexual misconduct on the campus as a whole and on specific groups or areas on campus.

**Interim Measures**

In situations that require immediate action due to safety or other concerns, the University will take any reasonable administrative action, through interim measures, that is appropriate. In such situations, the Investigator is responsible for implementing the interim measure(s). Interim measures may be applied to one, both, or multiple parties involved. These measures are available regardless of whether the victim chooses to report the incident to campus police or local law enforcement. Examples of such interim measures include, but are not limited to:

- Providing an escort to ensure that the complainant can move safely between classes/work and activities;
- Ensuring that the complainant and respondent do not attend the same classes;
- Moving the complainant or respondent to a different residence hall or different work space;
- Providing access to counseling services;
- Providing or assisting in providing medical services;
- Providing academic support services, such as tutoring; and
- Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record.

Student respondents may be placed on interim suspension under the appropriate circumstances pending the outcome of the investigation. MTSU shall follow **TBR Policy 3:02:00:01, General Policy on Student Conduct and Disciplinary Sanctions**, and **MTSU Policy III:00:03, Student Disciplinary Rules** before placing a student respondent on interim suspension. In appropriate circumstances and consistent with Human Resource policies, employee respondents may be placed on administrative leave pending the outcome of the matter.

**Education and Prevention Programs**

MTSU will engage in comprehensive educational programming to prevent sexual misconduct. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees, and ongoing awareness and prevention campaigns for students, faculty, and staff that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
Defines what behavior and actions constitute consent to sexual activity in the State of Tennessee;
Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander; and,
Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.

Following are programs engaged in during the prior year:

- The MTSU Police Department facilitates programs dealing with security procedures and practices and/or programs encouraging students and employees to look out for themselves and for one another. Educational programs specifically designed to promote the awareness of rape, acquaintance rape, and other sexual offenses include Crime Prevention & Safety/Security (University 1010), Women Self Defense/Violence against Women, VAWA/Self-Protection, and the R.A.D. (Rape Aggression Defense) Program.
- In 2014, officers of the Department conducted 48 programs making contact with approximately 1,373 individuals. A list of the crime prevention and security awareness programs, detailing type and frequency, conducted by University Police in 2014 is provided at the end of this report (Appendix B)
- Continuing education programs to promote the awareness of rape, acquaintance rape, and other sexual offenses take place during CUSTOMS and Sexual Assault Awareness Month (April). Further educational programs take place within the residence halls and for student organizations upon request.
- The following groups have received Title IX/Campus SaVE training:
  - New freshman and transfer students
  - New employee, faculty and staff during orientation
  - Student orientation leaders
  - Student Programming staff
  - Athletic staff
  - Student-Athletes (all teams)
  - Housing and Residence Life professional and student staff
  - University Police
  - Student leaders
  - University 1010 courses
  - Writing Center staff
  - Trio Staff
  - Campus Recreation staff
  - Student Advisors
  - All employees (82% completed)
  - ISC and IFC new member orientations
Sexual Assault Awareness Month

A variety of events are planned each year to educate and promote awareness of sexual assault to the MTSU community.

National Women’s History Month

MTSU’s National Women’s History Month programming recognizes, promotes, and celebrates women’s contributions and causes by providing education and entertainment from a feminist perspective that emphasizes cultural transformation to achieve social justice and women’s empowerment.

Free Legal Clinic

The June Anderson Center, with the help of the Rutherford-Cannon County Bar Association, holds free legal clinics for members of the MTSU campus community. The attorneys offer non-binding consultation for a wide range of topics including employment discrimination, sexual harassment, landlord-tenant disputes, financial problems, and family issues. Appointments are necessary, as space is limited. To register or to get more information, please call (615) 898-5812. Consultations are confidential.

Domestic Violence Awareness Month

Each October, the June Anderson Center plans events to educate and promote awareness of domestic violence to the MTSU community.

Miscellaneous efforts and programs undertaken to promote awareness and prevention:

- Officials from MTSU participate on the Rutherford County SART;
- MTSU has a Memorandum of Understanding with the local Domestic Violence and Sexual Assault Program.
- Brochures, posters, victim resource cards and magnets are available across campus, including posters posted inside campus shuttle buses.
- A climate survey of the student body concerning Title IX and Campus SaVE issues was taken.
- It’s On Us campaign
- Call to Men (Tony Porter)
- The Truth, Keeping it 100
- Non-Violent Sexuality (Bob Hall)
- Walk a Mile in Her Shoes
- Sexual Responsibility Week (Healthy Relationships)

Assistance for Victims of Sexual Misconduct: Rights and Options

Regardless of whether a victim elects to pursue a criminal complaint, MTSU will assist victims of sexual misconduct and will provide each victim with a written explanation of her/his rights as a member of MTSU. Information may be found on the Sexual Violence webpage.
Additionally, in the Tennessee court system, a victim of domestic violence, dating violence, sexual assault and stalking has the following rights: to confer with the prosecution; to be free from intimidation, harassment and abuse throughout the criminal justice system; to be present at all proceedings where the defendant has the right to be present; to be heard, when relevant, at all critical stages of the criminal justice process as defined by the General Assembly; to be informed of all proceedings, and of the release, transfer or escape of the accused or convicted person; to a speedy trial or disposition, and a prompt and final conclusion of the case after the conviction or sentence; to restitution from the offender; and, to be informed of each of the rights established for victims. Information related to these rights may be found on the [Tennessee District Attorney website](http://www.tennessee.gov/districtattorney).

Protection from abuse orders may be available through the [Tennessee State Courts website](http://www.tn.gov/courts) and additional information related to such orders may be found on the [Tennessee Coalition website](http://www.tncoalition.org).

**Resources for Victims of Sexual Misconduct**

The resources listed below are not exhaustive or limited to victims who wish to make an official report or participate in an institutional investigation, police investigation or criminal prosecution. However, in cases where a victim wishes to maintain complete confidentiality, the victim should review carefully the information related to the limits on the University’s ability to maintain confidentiality. The complainant should also understand that the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited under those circumstances.

Information concerning sexual violence is available on the [Sexual Violence webpage](http://www.mtsu.edu/sv).

**Main Campus Resources:**

<table>
<thead>
<tr>
<th>Service</th>
<th>Address/Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>MTSU Counseling Services</td>
<td>Keathley University Center #326-S</td>
</tr>
<tr>
<td></td>
<td>(615) 898-2670</td>
</tr>
<tr>
<td>MTSU Student Health Services</td>
<td>1848 Blue Raider Drive</td>
</tr>
<tr>
<td></td>
<td>(615) 898-2988</td>
</tr>
<tr>
<td>University Police</td>
<td>(615) 898-2424</td>
</tr>
<tr>
<td></td>
<td>Emergencies: 911</td>
</tr>
<tr>
<td>Office of the Title IX Coordinator</td>
<td>Marian V. Wilson, Ph.D.</td>
</tr>
<tr>
<td></td>
<td>116 Cope Administration Bldg.</td>
</tr>
<tr>
<td></td>
<td>(615) 898-2185</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:Marian.wilson@mtsu.edu">Marian.wilson@mtsu.edu</a></td>
</tr>
<tr>
<td>MTSU Student Affairs</td>
<td>Keathley University Center #212</td>
</tr>
<tr>
<td></td>
<td>(615) 898-2440</td>
</tr>
<tr>
<td></td>
<td><a href="mailto:stuaff@mtsu.edu">stuaff@mtsu.edu</a></td>
</tr>
<tr>
<td>Employee Assistance Program</td>
<td>(855) 437-3486</td>
</tr>
<tr>
<td>June Anderson Center for Women and Nontraditional Students</td>
<td>Student Union Building #330</td>
</tr>
<tr>
<td></td>
<td>(615) 898-5812</td>
</tr>
</tbody>
</table>
### In Shelbyville/Bedford County:

<table>
<thead>
<tr>
<th>Service</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shelbyville Police Department</td>
<td>(931) 684–5811</td>
</tr>
<tr>
<td>Bedford County Sheriff’s Department</td>
<td>(931) 684–3232</td>
</tr>
<tr>
<td>Heritage Medical Center</td>
<td>(931) 685–5433</td>
</tr>
<tr>
<td>Contact Lifeline 24-Hour Crisis Line</td>
<td>(800) 454-8336, (931) 247-0754 – Business</td>
</tr>
</tbody>
</table>

### In the Murfreesboro Area:

<table>
<thead>
<tr>
<th>Service</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murfreesboro City Police</td>
<td>302 S. Church Street, (615) 893-1311, Emergency: 911</td>
</tr>
<tr>
<td>St. Thomas Rutherford Hospital</td>
<td>1700 Medical Center Parkway, (615) 396-4100 – General Information, (615) 396-6902 – Emergency Room</td>
</tr>
<tr>
<td>Domestic Violence and Sexual Assault Program</td>
<td>2106 East Main Street, (615) 896-7377, 24-hour Crisis Line: (615) 494-9262</td>
</tr>
</tbody>
</table>

### On-line Resources:

<table>
<thead>
<tr>
<th>Resource</th>
<th>URL</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Coalition Against Rape</td>
<td><a href="http://tncoalition.org/">http://tncoalition.org/</a></td>
</tr>
<tr>
<td>State Coalition Against Domestic Violence</td>
<td><a href="http://tncoalition.org/">http://tncoalition.org/</a></td>
</tr>
<tr>
<td>Website for LGBT survivors of sexual or domestic violence and minority women survivors of sexual or domestic violence</td>
<td><a href="http://www.thehotline.org/">http://www.thehotline.org/</a></td>
</tr>
<tr>
<td>Website for male survivors</td>
<td><a href="http://www.pandys.org/malesurvivors.html">http://www.pandys.org/malesurvivors.html</a></td>
</tr>
<tr>
<td>Rape, Abuse and Incest National Network</td>
<td><a href="http://www.rainn.org">http://www.rainn.org</a></td>
</tr>
<tr>
<td>Department of Justice</td>
<td><a href="http://www.justice.gov/ovw/sexual-assault">http://www.justice.gov/ovw/sexual-assault</a></td>
</tr>
<tr>
<td>Department of Education, Office of Civil Rights</td>
<td><a href="http://www2.ed.gov/about/offices/list/ocr/index.html">http://www2.ed.gov/about/offices/list/ocr/index.html</a></td>
</tr>
</tbody>
</table>
**Bystander Intervention**

We all have a role to play in eliminating sexual violence on our campus. When you see someone becoming aggressive or demanding in a public or social setting, or notice someone who is at risk of being taken advantage of, it's your responsibility to intervene. Getting involved doesn't mean necessarily becoming confrontational or combative. Getting involved simply means noticing what is happening around you and then taking action to protect both parties so that bad behavior doesn't cross the line from socializing to sexual assault.

Crossing the line into sexual assault can ruin the lives of both the aggressor and the victim. When you observe a social interaction that appears to be headed for trouble, you will do your friends a favor by speaking up, providing a distraction, or simply leading one of the parties to another, safer location or activity. Both men and women can be effective in protecting their friends. You may need to be direct, and call it like you see it: "Hey—I'm not going to let you go home with him. It's time for us to leave." Or maybe, "Come on—you need to leave him alone." Sometimes all it takes is something simple, and humor can help break the tension. When you see that an interaction is getting too intense, it's ok to break into the conversation and lead your friend away as you explain that someone wants to talk with him or her, or make up some other story to interrupt before things get out of hand. Or turn the music off and the lights on. Take some action to disrupt, distract, and redirect what's going on.

**LGBT Community**

The crimes of sexual assault, dating violence and domestic violence are not limited to the heterosexual community. These crimes also impact the Lesbian, Gay, Bisexual, Transgender (“LGBT”) community and individuals are encouraged to report these crimes. All processes and resources discussed in this Section are equally available to the LGBT community.

**Safe Zone**

Safe Zone decals can be found on the doors or windows of a variety of offices on the MTSU campus indicating that it is a welcoming place for a student to feel free to talk about being lesbian, gay, bisexual, transgender, or a member of another community associated with the LGBT community, without fear of criticism or hatred. The Safe Zone symbol is a way for staff members to identify themselves as allies for the LGBT community. Contact the MTSU Center for Student Involvement and Leadership at (615) 898-5812 for more information.

**Tennessee Sex Offender Registry**

In accordance to the *Campus Sex Crimes Prevention Act of 2000*, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Clery Act* and the *Family Educational Rights and Privacy Act of 1974*, the University Police Department at MTSU is providing a link to the Tennessee Sex Offender Registry. The federal *Campus Sex Crimes Prevention Act of 2000* and the *Tennessee College and University Campus Sex Crimes Prevention Act of 2002* requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It
also requires sex offenders already required to register in a State to provide notice to each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. Furthermore, offenders are required to notify their respective reporting agency (Sheriff’s Department, Police Department, or Probation and Parole) of any changes in employment or enrollment.

In the State of Tennessee, convicted sex offenders must register with the Tennessee Sex Offender Registry maintained by the Tennessee Bureau of Investigation (“TBI”). T.C.A. § 40-39-206 requires persons who are required to register pursuant to the Tennessee Sexual Offender and Violent Offender Registration, Verification and Tracking Act of 2004 (T.C.A. § 40-39-201 et seq.) to disclose the name and address of any institution of higher education in Tennessee at which the offender is employed, carries on a vocation or is a student. TBI is responsible for maintaining the Tennessee Sex Offender Registry which is available online. Also available online via TBI is a link to the Dru Sjodin National Sex Offender Website (“NSOPW”). First established in 2005 as the National Sex Offender Public Registry (“NSOPR”), NSOPW was renamed by the Adam Walsh Child Protection and Safety Act of 2006 and is the only U.S. government website that links public state, territorial, and tribal sex offender registries from one national search site. In addition, NSOPW provides information about sexual abuse and how to protect oneself and loved ones from potential victimization.

In accordance with T.C.A. §40-39-201, members of the public should not use information from the Tennessee Sex Offender Registry to inflict retribution or additional punishment on offenders. Though much of the information in the records is of record, some of the information contained on the registry is obtained directly from offenders. Neither TBI nor University Police guarantees the accuracy or completeness of the information in the registry. The information contained in an offender’s record does not imply that the offender will commit a specific type of crime in the future, nor does it imply that if a future crime is committed by an offender what the nature of that crime may be. Neither TBI nor University Police makes any representation as to any offender’s likelihood of re-offending. If you believe that information concerning a specific offender is incorrect, please contact TBI at (888) 837-4170.

**Abusive Relationships and Domestic Violence**

Relationship violence, sometimes called intimate partner violence, domestic violence or dating violence, is the use of abusive behavior in order to have power and control in the relationship. The violence can be physical, sexual, emotional, mental, verbal, spiritual, or any combination of these.

**Signs of an abusive relationship include being with someone who:**

- wants to keep you away from your friends and family
- makes all the decisions
- gets angry over small things
- wants to control how you dress
- threatens to hurt you, your children, or him/herself when angry
- criticizes and name-calls – insults and humiliates you in front of others
- hits, shoves, throws objects, or uses other physically intimidating behavior
- forces sex or other use of physical force in sexual activity

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If you are in an abusive relationship, you may feel embarrassed, ashamed, afraid, or even guilty. These feelings and many other conflicting emotions are common in such relationships. Violence can happen in long-term or newly-formed relationships. Relationship violence can occur regardless of socio-economic status, ethnicity, color, creed, sexual orientation, or age.

MTSU Counseling Services, (615) 898-2670, has trained counselors with whom you can talk about your concerns. The Domestic Violence and Sexual Assault Program, (615) 896-7377 (24-hour crisis line: (615) 494-9262 or (615) 896-2012) also provides counseling for individuals who are in violent or abusive relationships.

**Alcohol and Illegal Drugs**

**Possession, Use and Sale of Alcoholic Beverages and Enforcement of State Underage Drinking Laws**

The following information is presented in compliance with the *Drug-Free Schools and Communities Act Amendment of 1989*:

The use, distribution and/or possession of alcoholic beverages on University owned, leased or otherwise controlled property is prohibited pursuant to [TBR Policy 3:05:01:01](#), *Alcoholic Beverages and Smoking* and [MTSU Policy I:13:02](#), *Alcoholic Beverages*.

Tennessee statutes provide that it is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of employment), or consume alcoholic beverages, wine, or beer, such offense being classified a Class A misdemeanor punishable by imprisonment for not more than 11 months, 29 days or a fine of not more than $2,500 or both. The receipt, possession, or transportation of alcoholic beverages without the required revenue stamp is also a misdemeanor punishable by imprisonment of not more than thirty (30) days or a fine of not more than $50 or both.

Information about how use of alcohol affects health is available on the main campus at the MTSU Health Promotion Office or online.

MTSU does not currently provide alcohol counseling, treatment, or rehabilitation programs for students. Referral to community treatment facilities may be made in appropriate cases.

MTSU will impose sanctions against individuals who are determined to have violated rules prohibiting the use, possession, or distribution of alcohol. Sanctions for students using or possessing alcohol include disciplinary probation and, in appropriate cases, suspension or expulsion from the University. Referral for criminal prosecution may be made in appropriate cases. All employees, including students, agree as a condition of employment to abide by this policy. Sanctions against employees for use or possession of alcohol in the workplace include termination of employment.
Possession, Use and Sale of Illegal Drugs and Enforcement of Federal and State Drug Laws

The following information is presented in compliance with the *Drug-Free Schools and Communities Act Amendment of 1989*:

MTSU prohibits the possession, use, or distribution of illegal drugs and drug paraphernalia on the campus property or on institutionally owned, leased, or otherwise controlled property.

Various federal and state statutes make it unlawful to manufacture, distribute, dispense, deliver, or sell or possess with intent to manufacture, distribute, dispense, deliver, or sell controlled substances. The penalty imposed depends upon many factors which include the type and amount of controlled substance involved, the number of prior offenses, if any, and whether any other crimes were committed in connection with the use of the controlled substance. Possible sanctions include incarceration up to and including life imprisonment and imposition of substantial monetary fines.

MTSU will impose sanctions against individuals who are determined to have violated rules prohibiting the use, possession, or distribution of illegal drugs.

Sanctions for students using or possessing illegal drugs include disciplinary probation and, in appropriate cases, suspension or expulsion from the University. Referral for criminal prosecution may be made in appropriate cases. Individuals involved in the sale or distribution of illegal drugs will be suspended from the University and referred to the appropriate authorities for criminal prosecution. All employees, including students, agree as a condition of employment to abide by this policy. Sanctions against employees for use or possession of illegal drugs in the workplace include termination of employment. Additionally, employees are required to notify the institution of any drug convictions resulting from a violation in the workplace no later than five (5) days after the conviction.

Drug-Free Workplace

It is the policy of MTSU that a drug-free workplace be maintained. See *MTSU Policy IV:07:19, Drug-Free Workplace*. The unlawful manufacture, distribution, possession, or use of any controlled substance (including prescription drugs) is banned in the workplace. Controlled substances are defined in 21 USCA 812 (listing available in the Office of Human Resource Services) and include such things as opium, hallucinogens (like marijuana, mescaline, etc.), cocaine, amphetamines, heroin, and morphine. This policy does not prohibit the lawful use of prescribed drugs which are taken under a doctor’s care.

MTSU strives to maintain a workplace environment for all employees who are safe and free of illegal drugs, in compliance with the *Drug-Free Workplace Act of 1988* and the *Drug-Free Schools and Communities Act Amendments of 1989*. 
**Assistance or Counseling Programs Available to Employees and Students**

The Employee Assistance Program (“EAP”) is a short-term counseling service available to MTSU employees and immediate family members who may be experiencing personal or workplace problems.

Eligible employees may participate in the statewide EAP to receive consultation and referral for alcoholism or substance abuse. All University employees are eligible for referral assistance through the MTSU EAP, coordinated by MTSU Human Resources Services, which maintains a list of campus and community agencies which provide referral information, and/or counseling to students and employees.

MTSU Heath Promotion, a division of Student Affairs, offers online assessments for risk related to alcohol or marijuana use. These assessments will provide personalized feedback regarding risk reduction techniques when appropriate and will express how your use or non-use compares to other MTSU students. These assessments may be accessed [online](#).

**Drug and Alcohol Abuse Education Programs**

MTSU recognizes that the use of alcohol and drugs can have a negative impact on students and the learning process. In order to inform students of these hazards, MTSU provides educational information that is available online at the links below:

- MTSU Health Promotion provides educational outreach and drug/alcohol education programs. More information is available [online](#).
- The Biennial Report on Alcohol and Drugs may be obtained at MTSU Student Health Services, or viewed [online](#).

MTSU does not currently provide drug/alcohol counseling, treatment, or rehabilitation programs for students. Referral to community treatment facilities may be made in appropriate cases.

**Sanctions for Disciplinary Violations**

A range of disciplinary sanctions up to and including suspension or expulsion from the University are possible depending upon circumstances and are applicable to both individuals and organizations. Upon a determination that a student or student organization has violated any disciplinary offense set forth in [MTSU Policy III:00:03, Student Disciplinary Rules](#), or the general policies of the University, the sanctions listed below may be imposed, either singly or in combination, by the appropriate Institution or school officials.

**Restitution:**

Restitution may be required in situations which involve destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. When restitution is required, the student
or student organization is obligated by the appropriate judicial authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). Any such payment in restitution shall be limited to actual cost of repair, replacement or financial loss;

**Warning:**

The appropriate Institutional official may notify the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;

**Reprimand:**

A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of these policies and provides notice that any further violation(s) may result in more serious penalties;

**Service to the Institution or Community:**

A student, or student organization, may be required to donate a specified number of service hours to the Institution performing reasonable tasks for an appropriate Institution office, official(s), or the local community. The service required shall be commensurate to the offense (e.g., service for maintenance staff for defacing Institutional property). Community service hours must be approved by the Office of Judicial Affairs and Mediation Services prior to a student beginning the service;

**Specified Educational/Counseling Program:**

A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;

**Apology:**

A student or student organization may be required to apologize to an affected party, either verbally or in writing, for the behavior related to a disciplinary offense;

**Fines:**

Penalties in the form of fines may be imposed against a student or student organization whenever the appropriate Institutional authority deems appropriate. The sanction of fines may be imposed in addition to other forms of disciplinary sanctions. Failure to pay fines may result in further disciplinary action;

**Restriction:**

A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, for example, denial of the ability to represent the Institution at any event, ability to participate in Institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;
Probation:
Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to these policies. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon extracurricular activities, or any other appropriate special condition(s). Any conduct in further violation of these policies while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;

Suspension:
Suspension is the separation of a student or student organization from the Institution for a specified period of time and includes all instructional delivery methods (i.e., on ground, on-line, distance education, etc.). Suspension may be accompanied by special conditions for readmission or recognition. Any student receiving a sanction of suspension shall be restricted from the campus of MTSU during the period of separation unless on official business with the University verified in writing by the Dean of Student Life. A suspended student must submit a written request to be on campus to the Dean of Student Life a minimum of 48 hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. Students who have been suspended are not permitted to live or board in University facilities or housing unless otherwise approved or provided by the University;

Expulsion:
Expulsion entails a permanent separation from the Institution. The imposition of this sanction is a permanent bar to the student's admission, or a student organization's recognition to the Institution. A student or organization that has been expelled may not enter Institution property or facilities without obtaining prior approval from an appropriate campus official with knowledge of the expulsion directive. Any student receiving a sanction of expulsion shall be restricted from the campus of MTSU unless on official business with the University verified in writing by the Dean of Student Life. An expelled student must submit a written request to be on campus to the Dean of Student Life a minimum of 48 hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. Students who have been expelled are not permitted to live or board in University facilities or housing unless otherwise approved or provided by the University;

Revocation of Admission, Degree, or Credential:
Any alternate sanction deemed necessary and appropriate to address the misconduct at issue;

Interim Involuntary Withdrawal or Suspension:
As a general rule, the status of a student or student organization accused of violation of MTSU Policy III:00:03, Student Disciplinary Rules should not be altered until a final determination has been made in
regard to the charges. However, interim involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed upon a finding by the appropriate Institutional official that the conduct or attempted conduct of the student poses a direct threat to the safety of any other member of the Institution, its guests, property, or if the student's behavior is materially and substantially disruptive of the institution’s learning environment or other campus activities. In any case of interim involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the interim involuntary withdrawal or suspension. During an interim suspension, the student shall be denied access to residence halls, campus (including classes), and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Student Life or a designee may determine to be appropriate. A preliminary hearing will be held by a designee of the Dean of Student Life in consultation with appropriate University officials and the Vice President for Student Affairs, within four (4) working days of the interim involuntary withdrawal or suspension to determine if the interim involuntary withdrawal or suspension should continue until a formal hearing of the charges by a University adjudicating body can be held. During this preliminary hearing, the student will be given notice of the allegations supporting the imposition of interim involuntary withdrawal or suspension against him/her and a summary of the evidence that supports the allegations. The student will be afforded an opportunity to respond to the allegations. If the interim involuntary withdrawal or suspension is upheld, the formal hearing concerning withdrawal, suspension or expulsion shall be held as soon as practical. The student also has the option of having the case adjudicated by a Student Life Dean;

**Housing Probation:**

Continued residence in campus or student housing may be conditioned upon adherence to this policy as well as Institutional housing policies. Any resident placed on housing probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon the activities of the resident, including any other appropriate special condition(s);

**Involuntary Reassignment:**

A student may be involuntarily moved to another housing assignment if warranted by his/her behavior;

**Housing Suspension and Forfeiture:**

A resident suspended from housing may not reside, visit, or make any use whatsoever of a housing facility or participate in any housing activity during the period for which the sanction is in effect. A suspended resident shall be required to forfeit housing fees (including any unused portion thereof and the Housing Deposit). A suspended resident must vacate the housing unit. Housing suspension shall remain a part of the student resident's disciplinary record.
APPENDIX A


<table>
<thead>
<tr>
<th>Crime Classification</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>On Campus</td>
<td>Non-Campus</td>
<td>Public Property</td>
</tr>
<tr>
<td>Murder / Non-Negligent Manslaughter</td>
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<td>0</td>
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<tr>
<td>Negligent Manslaughter</td>
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<td>0</td>
</tr>
<tr>
<td>Rape</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Fondling</td>
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<td>Incest</td>
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</tr>
<tr>
<td>Robbery</td>
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<td>Larceny</td>
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<td>Simple Assault</td>
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<tr>
<td>Liquor Violation</td>
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<td>Violation Disciplinary Referral</td>
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<td>Drug Violation</td>
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<tr>
<td>Weapons Violation</td>
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<td>Arrest</td>
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<td>Violation Disciplinary Referral</td>
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<tr>
<td>Domestic Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Dating Violence</td>
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<td>0</td>
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</tr>
<tr>
<td>Stalking</td>
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<td>0</td>
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</tr>
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</table>

1. In 2013, the reporting of 2012 sex offenses for the crime classifications of Forcible Rape, Forcible Sodomy, Sexual Assault with Object, and Forcible Fondling were included together under the general crime classification of “Sex Offenses – Forcible.” Similarly, the crime classifications of Statutory Rape and Incest were included together under the general crime classification of “Sex Offenses – Non-Forcible.”
2. Change in Reporting Requirement: In 2014, the reporting of 2013 sex offenses for the crime classifications of Forcible Rape, Forcible Sodomy, Sexual Assault with Object, and Forcible Fondling were no longer reported under the general crime classification of “Sex Offenses – Forcible.” Each sex offense was to be reported as an individual crime.
3. Institutions are required to publish the number of “Unfounded” crimes beginning with calendar year 2015 crime statistics. MTSU has elected to voluntarily report that information for 2014 crime statistics in advance of the requirement taking affect.
4. Crimes required to be reported by the Clery Act when motivated by a hate or bias of the offender. In an effort to better inform the community, MTSU voluntarily discloses incidents of these crimes whether they have been motivated by hate/bias or not.
5. The elements of domestic violence and dating violence are very similar. Therefore, in order to differentiate between the two crimes for classification purposes, University Police counted incidents as “domestic violence” that could have been classified as “dating violence” if the persons involved lived together at the time of the incident (to include roommates).
Hate Crimes: January 1, 2012 – December 31, 2014

The Clery Act requires that MTEC disclose hate or bias motivated offenses. A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin or gender identity.

<table>
<thead>
<tr>
<th>Bias Motivated Offenses (Hate Crimes)</th>
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</thead>
<tbody>
<tr>
<td>2012</td>
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<tr>
<td>2013</td>
</tr>
<tr>
<td>2014</td>
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</table>
APPENDIX B

Crime Prevention and Security Awareness Programs

Conducted by University Police in 2014
### Crime Prevention and Security Awareness Programs Conducted by University Police in 2014

<table>
<thead>
<tr>
<th>DATE</th>
<th>LOCATION</th>
<th>TOPIC</th>
<th>ATTENDANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-01-25</td>
<td>Student Union Building</td>
<td>Keep Safe in a Confrontation/General Safety Tips</td>
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<tr>
<td>2014-03-19</td>
<td>Scarlett Commons Clubhouse</td>
<td>Campus Safety</td>
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<td>2014-04-01</td>
<td>Student Union Building</td>
<td>Campus Police/Campus Safety</td>
<td>38</td>
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<td>2014-04-08</td>
<td>MTSU Campus</td>
<td>R.A.D. Program</td>
<td>15</td>
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<tr>
<td>2014-04-21</td>
<td>Business Aerospace Building</td>
<td>Safety on Campus</td>
<td>123</td>
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<td>2014-04-29</td>
<td>College Heights Building</td>
<td>Workplace Watch</td>
<td>3</td>
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<td>2014-04-30</td>
<td>College Heights Building</td>
<td>Workplace Watch</td>
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<tr>
<td>2014-05-01</td>
<td>Fairview Building</td>
<td>Safety</td>
<td>15</td>
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<tr>
<td>2014-06-04</td>
<td>MTSU Campus</td>
<td>R.A.D. Program</td>
<td>19</td>
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<td>2014-06-11</td>
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<td>R.A.D. Program</td>
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<td>MTSU Campus</td>
<td>Crime Prevention &amp; Security</td>
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<td>2014-10-17</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td><strong>1,373</strong></td>
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</table>

Total Programs – **48**

1 This was recorded as an estimated number of attendees.
2 Beginning in September 2014, the University Police R.A.D. Instructors expanded their class instruction to 5 days (from 3 days as indicated previously).
APPENDIX C

Definitions of Terms Used in this Report
**Aggravated Assault:**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

**Arrests and Disciplinary Referrals:**

In accordance with the Clery Act, MTSU is required to (1) disclose the number of arrests for liquor law, drug law, and weapon law violations, and (2) disclose the number of individuals referred to MTSU Judicial Affairs and Mediation Services (or “Judicial Affairs”) for liquor law, drug law, and weapon law violations. The numbers include incidents that are reported via University Police reports and reports provided to Judicial Affairs from other members of the university community:

**Drug Law Violations:**

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (enzedrines, enzedrine).

**Liquor Law Violations:**

The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities (Public intoxication and driving under the influence are not included in this definition).

**Weapons Law Violations:**

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

**Arson:**

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Burglary (Breaking or Entering):**

The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.
**Clery Geography:**

**Non-Campus:**

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is being used in direct support of, or in relation to, the institution’s educational purposes, is frequented by students and is not within the same reasonably contiguous geographic area of the institution.

**On-Campus:**

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and any building or property that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

**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.

NOTE: The Clery Act does not require disclosure of crime statistics for public property that surrounds Non-Campus buildings or property.

**Student Residence:**

For purposes of the Clery Act, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

**Consent**

An informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep, unconscious, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

**Dating Violence** (Tenn. Code Ann. § 36-3-601(5)(c))

Violence against a person when the accuser and accused are dating, have dated, or have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two (2) individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to:
Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
Placing the accuser in fear of physical harm;
Physical restraint;
Malicious damage to the personal property of the accuser, including inflicting, or attempting to
inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
Placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by
the accuser.

**Domestic Violence** (Tenn. Code Ann. § 36-3-601)

Violence against a person when the accuser and accused:

- Are current or former spouses;
- Live or have lived together as a spouse or intimate partner;
- Are related by blood or adoption;
- Are related or were formally related by marriage; or,
- Are adult or minor children of a person in a relationship described above.

Violence includes, but is not necessarily limited to:

- Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
- Placing the accuser in fear of physical harm;
- Physical restraint;
- Malicious damage to the personal property of the accuser, including inflicting, or attempting to
  inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
- Placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by
  the accuser.

**Destruction/Damage/Vandalism of Property:**

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.

**Forcible Fondling:**

The touching of the private body parts of another person for the purpose of sexual gratification,
forcibly and/or against the person’s will; or, not forcibly or against the person’s will where the victim is
incapable of giving consent because of his/her youth or because of his/her temporary or permanent
mental incapacity.

**Forcible Sodomy:**

Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not
forcibly or against that person’s will where the victim is incapable of giving consent because of his/her
youth or because of his/her temporary or permanent mental or physical incapacity.
Hate Crime:
A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias (i.e., preformed negative opinion or attitude toward a group of persons based on their:

**Disability:**
A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Ethnicity:**
A preformed negative opinion or attitude toward a group of persons of the same ethnicity.

**Gender:**
A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

**Gender Identity:**
A preformed negative opinion or attitude toward a group of persons because of their actual or perceived gender-related characteristics.

**National Origin:**
A preformed negative opinion or attitude toward a group of persons who share the same national origin.

**Race:**
A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind.

**Religion:**
A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation:**
A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
**Incest:**
Non-forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

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

**Larceny-theft (Except Motor Vehicle Theft):**
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article which is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Motor Vehicle Theft:**
The theft or attempted theft of a motor vehicle. A motor vehicle is self–propelled and runs on the surface and not on rails. Specifically excluded from this category are motorboats, construction equipment, airplanes, and farming equipment.

**Murder / Non-Negligent Manslaughter:**
The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter:**
The killing of another person through gross negligence.

**Rape:**
Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

**Robbery:**
The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Sexual Assault**
The nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without
consent of the accuser, and the accused knows or has reason to know at the time of the contact that
the accuser did not or could not consent. “Sexual contact” includes, but is not limited to, the intentional
touching of the accuser’s, the accused’s, or any other person’s intimate parts, or the intentional touching
of the clothing covering the immediate area of the accuser’s, the accused’s, or any other person’s
intimate parts, if that intentional touching can be reasonably construed as being for the purpose of
sexual arousal or gratification.

**Sexual Assault with Object:**

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal
opening of the body of 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 because of his/her youth or
because of his/her temporary or permanent mental or physical incapacity. An object or instrument is
anything used by the offender other than the offender’s genitalia.

**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.

**Stalking** (Tenn. Code Ann. §39-17-315)

A willful course of conduct involving repeated or continuing harassment of another individual that would
cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or
molested, and that actually causes the accuser to feel terrorized, frightened, intimidated, threatened,
harassed, or molested. “Harassment” means conduct directed toward the accuser that includes, but is
not limited to, repeated or continuing unconsented contact that would cause a reasonable person to
suffer emotional distress, and that actually causes the accuser to suffer emotional distress. Harassment
does not include constitutionally protected activity or conduct that serves a legitimate purpose.

**Statutory Rape:**

Non-forcible sexual intercourse with a person who is under the statutory age of consent.