



Jeanne Clery Act Crime and Fire Report 2020

(Activity Reported for Calendar Year 2019)



Presented by:
Morehead State University Police Department – Division of Student Affairs

100 Laughlin Health Building
Morehead, KY 40351
606-783-2035
police@moreheadstate.edu
www.moreheadstate.edu/police
www.facebook.com/msupd
Twitter: @MSU_POLICE

Morehead State University

The 2020 Jeanne Clery Act Crime & Fire Report Activity Reported for Calendar Year 2019

PREPARATION OF THE ANNUAL SECURITY REPORT

AND DISCLOSURE OF CRIME STATISTICS

The Morehead State University Police Department publishes the Annual Security and Fire Safety Reports to inform the Morehead State University community about campus security policies, initiatives to prevent and respond to crime and emergencies, the occurrence of crime on campus and required fire safety and education information. This report complies with the Jeanne Clery Act and uses information maintained by the University Police, information provided by other University offices such as Student Affairs, Athletics, Human Resources/Title IX Coordinator, Residence Life, and information provided by local law enforcement agencies surrounding MSU campuses. Each of these offices provides updated policy information and crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by MSU. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol, and other drugs.

The University distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1st of each year to every member of the University community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the University Police at (606) 783-2035 or by visiting:
http://www.moreheadstate.edu/crime_stats

Morehead State University is located in the scenic natural beauty of the foothills of eastern Kentucky. The University and surrounding city of Morehead is a safe community. It is an ideal setting to live, work, study and raise a family. However, bad things can occur in even the safest places. With this in mind, MSU has and continues to take action to reduce, and prevent crime, fires and other life threatening incidents.

MSU is a "Storm Ready University" through the National Weather Service, indicating that MSU is better prepared to save lives from severe weather through advanced planning, education and awareness. MSU maintains, updates and exercises an Emergency Operation Plan in order to respond to major incidents, both natural and man-made.

Section 1: Campus Security Authority

List campus security authority personnel (definition at KRS 164.948(2)):

Campus Security Authority, also known as CSA, is defined as an official of an institution who has significant responsibility for student and campus activities or monitoring university property, or, an individual who a student could reasonably believe has the authority or responsibility. As part of this designation, ***CSA's are obligated to report allegations of Clery Act crimes that are reported to them in their capacity as a CSA.*** This definition includes but is not limited to, persons holding the following positions or roles at MSU.

Morehead State University Police officers and staff, including student staff
President, Vice Presidents, Department Chairs, and Directors
Assistant or Associate Vice Presidents, Deans, Associate Deans, and Provost
Director of Athletics
All athletic coaches and professional staff
Faculty advisors
Housing professional staff
Student resident advisors or assistants
Student Affairs professional staff
Title IX Coordinator and Assistant Coordinators
University/Campus Advisor to Registered Student Organizations

Describe the extent and nature of enforcement authority of campus security authority personnel:

The Morehead State University Police Department is a public safety and security department organized in accordance with KRS 164.950 - KRS 164.980. Police officers are serving at the pleasure of and appointed by the MSU Board of Regents. In accordance with KRS 164.955, Morehead State University police officers have general police powers. The police officers possess all of the Common Law and Statutory powers, privileges and immunities of Sheriffs. Morehead State University police officers exercise police powers upon any real property owned or occupied by the institution, including streets passing through and adjacent thereto. The powers may be exercised in any court of the Commonwealth where Morehead State University owns or occupies property. In addition, MSU police officers have jurisdiction in Rowan County in accordance with an agreement signed by the Sheriff of Rowan County as provided for in KRS 164.955. Also, MSU police officers have jurisdiction to conduct investigations anywhere on the property controlled by Morehead State University. Morehead State University police officers must successfully complete a basic police training course approved by the Kentucky Law Enforcement Council. In addition, each police officer must complete an annual forty (40) hour in-service course conducted and approved by the Kentucky Law Enforcement Council.

Describe the working relationship of campus security authority personnel with state and local police agencies:

Morehead State University Police Department works with state and local law enforcement agencies within Rowan County. Under a mutual aid agreement, other agencies respond to campus situations and the university police assist with off campus situations. Morehead State University has established the following policies and procedures to enhance the security of the campus community:

Academic and administrative buildings have normal operating hours posted on entrances. Persons remaining after the posted hours must have appropriate identification and authorization. Faculty and staff members are permitted within facilities twenty-four (24) hours per day.

Faculty and staff will be required to produce their Medeco key and a University ID card, when so requested by a member of the MSU Police Department. Students must obtain the approval of the department chairperson and possess an approved "After Hour Facility Utilization Slip". Students must have their copy of the slip and a valid University ID card in their possession and present same upon request.

Residence halls permit entry through the main entrance requiring card access twenty-four (24) hours a day. MSU Police employ student workers as cadets that operate the Student Shuttle and perform other support roles. Anyone present in a residence hall may be asked to show an MSU ID card to prove residency and their right to use the facilities. Failure to produce proper identification upon request by MSU Police or any MSU employee may result in disciplinary action.

Section 2: Description of Information Programs

Describe programs that inform students and employees about:

(a) Campus safety and security

The University Division of Student Affairs utilizes both on-campus and off-campus resources to make students aware of the dangers they may encounter throughout their college experience. The Morehead State University Police Department presents regularly scheduled programs at orientations and in residence halls promoting crime prevention and security awareness. Topics include, but are not limited to; theft, rape, drugs, alcohol and personal & property security. Crime reporting is stressed in all programs by the MSU Police Department. Engravers are made available for students, faculty, and staff to engrave valuable personal property. A crime alert program provides for campus notices to be posted in specific areas. Voice and e-mail bulletin systems are used to make announcements to the University community as needed. Media releases to the campus population are made in coordination with the Office of Communication and Marketing.

(b) How to report a crime:

The Morehead State University Police Department maintains a twenty-four (24) hours a day, seven (7) days per week operation. Sworn police officers and state certified dispatchers are on duty to respond to any crime, suspected crime, or incidents, requiring police attention. Emergency phones are available throughout the campus. The MSU Police Department actively participates in programs to promote crime awareness and reporting. If you are the victim of a crime, suspect that a crime has been committed, or have witnessed a crime, report this to the MSU Police Department at 100 Laughlin Health Building or by calling (606)783-2035 or 911.

Beginning in the spring of 2016 MSU students and staff can utilize the LiveSafe app. This free app allows users to directly communicate with MSU Police personnel via text and voice calls. More information at: www.moreheadstate.edu/livesafe

(c) How to prevent crimes:

Unauthorized persons are not permitted in residence halls and should be reported to the residence hall staff or the MSU Police Department at 606-783-2035. If you believe a crime has been or is about to be committed, contact the MSU Police Department immediately. Specific guest and visitation policies are contained in the Eagle Student Handbook. Campus safety and assessment surveys will be conducted twice annually (normally May and September).

The Chief of Police, the Director of Risk & Compliance, or their designated representatives, shall conduct a campus survey at night to determine lighting adequacy needs. They will accomplish the survey on foot and make every effort to observe all possible routes used by the University community, including parking lots. The Chief of Police will create a comprehensive report of all items identified and share the report with the Director of Risk & Compliance, the Assistant Vice President for Facilities Management, and the Vice President for Student Affairs.

Section 3: Statements of Policies and Procedures

(a) Provide the institution's policy statement on making special reports to the campus community of crimes that present a safety or security threat to students or employees. KRS 164.9481(d)

The Morehead State University Police Department is designated to inform the University community in a timely manner of crimes committed on campus and to heighten safety awareness, as well as to request information that will assist University Police and the local police departments in arresting and convicting the perpetrator when crimes have been committed against persons or property. When a crime that represents a threat to the safety of the members of the University community is reported to University Police or the local police department, the University Police Department will issue a Campus Crime Alert. Every attempt will be made to issue the alert within 24 hours of the incident being reported, however, the release of the alert is subject to the availability of facts concerning the incident. The alert will be distributed through a network of on-campus offices, buildings, and

residence halls. To also provide the University with a more immediate notification, this information may be viewed on our website. To access this alert, please visit our website at www.moreheadstate.edu/police.

(b) If the institution provides student housing facilities, describe the institution's procedure for disclosing the existence or nonexistence of automatic fire suppression systems in on-campus housing facilities. KRS 164.9492

As each student checks into housing, they must sign a form that is in accordance with Kentucky Senate Bill No.63 passed during the 2004 Regular Session as enacted on March 26, 2004. It states that Morehead State University has equipped all residential facilities with automatic fire suppression systems with the exception of the University Farm Housing. The University Farm Housing are equipped with smoke-detector systems and meets all state fire codes for buildings of their size. All other residential facilities include both fire detection and suppression systems.

(c) If the institution provides student housing facilities, provide the institution's policy for giving students with disabilities priority for first-floor housing. KRS 164.9495 (1)

Application and Appeals Process for Students with Disabilities Who Have Special Housing Needs:

The Housing Office strives to provide and maintain safe housing accommodations for students with disabilities. The following steps are taken if special accommodations are needed:

Housing Application Process

1. Applicants with disabilities who have special housing needs should request either special accommodations or an exemption to live off campus (if required by University regulations to live on campus).
2. The Housing Office will make the appropriate room assignment, with regard to any special accommodations request.
3. If the room assignment is not acceptable or if a waiver to live off campus is not granted, the student, their parent/ guardian, or their advocate (as defined in the 504/ADA Guidebook) may appeal the assignment.

(d) If the institution provides student housing facilities, describe the institution's policy for maintaining a record of any on-campus housing assignment for students with disabilities, and the procedure for alerting safety and emergency personnel of the location of students with disabilities. KRS 164.9495 (2)

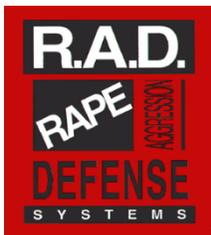
Each semester a list of students is compiled that are living on campus and have disclosed a disability to housing staff. This list is distributed to various campus officials and to the Morehead Fire Department.

Daily Crime Log

The Morehead State University Police Department maintains a Daily Crime Log of all reported crimes, which is updated on a daily basis. The log includes the nature, date and time reported, and general location of each crime reported to our department.

The University Police Department's Daily Crime Log contains information on all crimes and arrests, which occur on campus property and its geographical area of responsibility in accordance with federal laws. The Daily Crime Log is available 24 hours a day to review at our main office, located at 100 Laughlin Health Building and available on the web at www.moreheadstate.edu/police. The University Police Department strongly recommends that you remain alert and aware of what is going on around you, and remain security conscious and involved. If you see or hear something suspicious, please report the situation immediately. Thefts and other violations do at times occur. However, all of us can reduce the risk by thinking about our personal safety and taking practical precautions.

Crime Prevention and Awareness Programs



The Morehead State University Police Department offers the Rape Aggression Defense program. This self-defense class, designed specifically for women, is a national recognized course that gives women the skills they need to prevent and survive a violent attack. The University Police Department officers a RAD program each semester with two certified RAD instructors. Please visit the University Police Department for more information about course scheduling.



The Morehead State University Police Department monitors Emergency Phones in various locations throughout the campus. The Emergency Phones may be used for any emergency situations, information, or for requesting the evening shuttle van. After the button has been pushed, one of our certified Police Dispatchers will answer and take any necessary action to assist you. If there is no reply to the 911 Telecommunications Center after the phone has been activated, a Police Officer will be sent to check the area for a reason for the activation.

Notification to the University Community

All currently enrolled students and employees are encouraged to register their cell phones for emergency text messages through **EAGLE ALERTS**, located at:
<http://www.moreheadstate.edu/e2campus/>

In the event of an emergency (including weather and safety alerts), Morehead State University will utilize a number of communications tools and strategies to communicate with the campus community. Depending upon the nature of the announcement, any or all of the following methods may be used:

- Text messaging and e-mail alert system (**EAGLE ALERTS**); sign up is voluntary but is strongly recommended.
- Campus-wide e-mail
- Campus-wide voicemail
- Posting on University Web site and portals
- Radio, TV and other media outlets, including Morehead State Public Radio
- Digital information system/digital signs
- Posted printed notices in residence halls and in administrative/academic buildings.
- LiveSafe app, sign up is voluntary but is strongly recommended.

Timely Warnings/Safety Alerts

The Morehead State University Police Department is designed to inform the University community in a timely manner of crimes committed on campus and heighten safety awareness as well as request information that will assist University Police and local police departments in arresting and convicting the perpetrator when crimes have been committed against persons or property.

When a crime that represents a threat to the safety of the members of the University community is reported to the University Police or the local police department, the University Police Department will issue a Campus Crime Alert. Every attempt will be made to issue the alert within 24 hours of the incident being reported, however, the release of the alert is subject to the availability of facts concerning the incident. The alert will be distributed through a network of on-campus offices, buildings and residence halls and via the MSU website at www.moreheadstate.edu

Evening Shuttle Service

To promote safety after dark, the University Police Department provides uniformed student cadets to drive the evening shuttle van to parking lots or vehicles, depending upon the availability of resources. Students, faculty and staff who need this service should call the main office number at (606) 783-2035, (606) 783-8747 (3-TRIP), or via the LiveSafe app. Escorts to an off campus location will only be provided in the event of an emergency situation

or other mitigating circumstances with the approval of the Chief of Police. We also recommend that you use the “buddy system”, organize groups and walk together to your destination. These small measure can make a big different in your personal safety.

Sex Offender Registry

In accordance with the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Morehead State University Police Department provides a link to the Kentucky State Police Sex Offender Registry. The Kentucky State Police has full responsibility for maintaining this registry. To access the registry, visit <http://www.kentuckystatepolice.org/sor.htm>

Campus Map

Morehead State University’s campus map is available on-line to view. If you would prefer to have a hard copy of this map, you may stop by the Morehead State University Police Department between the hours of 8:00 am – 4:00 pm, or you may print this map from the web at www.moreheadstate.edu/campusmap. Visitors are required to obtain a Visitor’s Pass, at no charge, when visiting the campus. These passes may be obtained at the University Police Department (100 Laughlin Health Building).

Lost and Found

Lost & Found property can be turned over to the nearest uniformed officer on duty or brought directly to the University Police Department. Inquiries about lost and found property should be made at the Laughlin Health Building, room 100. Lost articles will be kept for a period of at least 90 days depending on the value of the item.

Reporting a Crime Anonymously

Individuals with any information that may lead to the conviction or arrest of a suspect(s) are urged to contact the Morehead State University Police Department *immediately*. You may do this anonymously by calling our anonymous tip line at (606) 783-2111 or by visiting our web site at www.moreheadstate.edu/police and clicking on “Anonymous Tip”. All information will remain confidential with the Morehead State University Police Department.

Morehead State University Regional Campuses

If you are a current Morehead State University student and attend classes at any of the following regional campuses and you need to report a crime or emergency, do so by contacting local law enforcement agencies.

- Morehead State University at Ashland Regional Campus
Ashland City Police Department: (606) 327-2020
- Morehead State University at Mt. Sterling Regional Campus
Mt. Sterling City Police Department: (859) 498-8720
- Morehead State University at Prestonsburg Regional Campus
Prestonsburg City Police Department: (606) 886-1010
- Morehead State University at Hazard Regional Campus
Hazard City Police Department: (606) 436-2222

Morehead State University Statement of Compliance as a Drug-Free Institution

Morehead State University is committed to providing a healthy and safe environment for its students, faculty and staff. The University has defined conduct in relation to the possession, use, dispensation, distribution, or manufacture of alcohol and/or other drugs. Conduct violating this definition poses unacceptable risks and disregard for the health, safety and welfare of members of the University community and shall result in disciplinary action up to and including suspension or termination.

As a recipient of federal grants and contracts, Morehead State University gives this notice to students, faculty and staff that it is in compliance with and shall continue to be in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendment of 1989. Students, faculty and staff are herein notified of the standards of conduct which shall be applicable while on Morehead State University property, on University business, and/or at University sponsored activities.

Alcohol/Other Drugs Policy

No student or visitor shall have in his or her possession or consume alcoholic beverages in public or on University-owned or controlled grounds or exhibit drunken behavior on University-owned or on controlled property, except at events as pre-approved by the President and in accordance with state licensing requirements. The use, possession, transfer, or sale of drug paraphernalia, marijuana, controlled and/or illegal substance on University-owned or controlled property, including residence halls is prohibited.

Weapons Policy

The Morehead State University Deadly Weapons on Campus Policy sets forth the University's prohibitions as it relates to weapons on campus. In Kentucky Revised Statute §237.115, the Kentucky General Assembly explicitly recognizes the authority of the University to control the possession of deadly weapons on any property owned, leased or controlled by the University, including the right to prohibit possession of such weapons by any person or entity using University property or premises.

For purposes of this policy, "deadly weapon" means:

- A weapon of mass destruction;
- Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged;
- Any knife other than an ordinary pocket knife;
- Billy, nightstick, or club;
- Blackjack or slapjack;
- Nunchaku karate sticks;
- Shuriken or death star; and,
- Artificial knuckles made from metal, plastic, or other similar hard material.

The Kentucky Supreme Court issued an opinion in *Mitchell vs. University of Kentucky* defining the parameters of an institution's ability to control weapons on its campus. To comply with expressed legal mandates set forth in the opinion, a comprehensive campus weapons policy is recommended.

Possession, concealed or otherwise, use or storage of deadly weapon as defined above such as firearms, explosives, dangerous chemicals or other dangerous weapons or the brandishing of any weapon or any other object in a menacing or threatening manner is strictly prohibited on any property owned, leased, operated, or controlled by Morehead State University, including University housing and University vehicles.

The following are exceptions to this policy:

- Possession of deadly weapons by peace officers acting in the course of official duties;
- Possession of deadly weapons as a part of legitimate academic, athletic, or work-related activities (e.g., historical preservation, law enforcement training, ROTC activities, rifle team, etc.);
- Possession of a knife as part of a legitimate cutlery set (or individual piece of cutlery) as may be reasonably necessary by the possessor for food preparation;

- Possession of a deadly weapon by a person licensed to carry a concealed deadly weapon pursuant to KRS 237.110, if the firearm is contained in his or her vehicle and is not removed from the vehicle (KRS 527.020(4));
- Possession of a deadly weapon if it is located in a non-University motor vehicle and in an enclosed container, compartment, or storage space installed as original equipment in the motor vehicle by its manufacturer, including but not limited to a glove compartment, center console, or seat pocket, regardless of whether said enclosed container, storage space, or compartment is locked, unlocked, or does not have a locking mechanism (KRS 527.020(8));
- Possession of a deadly weapon by persons who are specifically authorized by KRS 527.020 to carry concealed deadly weapons on or about their persons at all times and at all locations within the Commonwealth. Such persons include but are not limited to: Commonwealth's Attorneys, judges of the Court of Justice, conservations officers of the Department of Fish and Wildlife, elected sheriffs, and peace officers from other jurisdictions. For a complete listing of persons authorized to carry concealed deadly weapons within the Commonwealth and the conditions for which the carrying of the deadly weapon is authorized, see KRS 527.020;
- Possession of deadly weapons by a person specifically authorized in writing to have such possession by the President, or his or her designee, but only if such person fully complies with any and all restrictions imposed upon such possession by the President, or his or her designee. Authorization for possession shall be for a time certain, but in no case longer than six months unless specific written authorization is again obtained.

Students who possess deadly weapons in violation of this prohibition are guilty of violations of the Student Conduct Code and are subject to disciplinary action under that Code, including expulsion from the University, and all other appropriate legal actions. Faculty and staff employees who possess deadly weapons in violation of this prohibition are guilty of misconduct and subject to corrective action under the appropriate University Policy, including termination of employment and all other appropriate legal actions. Others who possess deadly weapons in violation of this prohibition shall be directed to remove their weapons or themselves from the University's property or premises and shall be subject to all other appropriate legal actions.

Morehead State University's policy on Title IX

UAR NUMBER: 337.02

Policy: PG-6

TITLE: Sexual Misconduct

Approval Date: 07/01/85

Revision Date: 04/30/93; 09/15/05; 09/24/15; 02/27/20; 8/06/20; 12/03/20

PURPOSE:

Morehead State University is committed to complying with Title IX and related laws. This policy is adopted to prevent, investigate and respond to incidents of sexual misconduct, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking in violation of Title IX. These guidelines apply to all members of the University community. The University will respond promptly to reports of sexual misconduct in a manner that is not deliberately indifferent.

APPLICATION:

This policy applies to all faculty, staff, students, affiliates, volunteers, guests and subcontractors of the University.

Morehead State University is committed to creating and maintaining a community where all individuals who participate in University education programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Morehead State University will not tolerate sexual misconduct as defined in this Policy, in any form. Such acts are prohibited by University policy, as well as state and federal laws. Individuals who the University determines more likely than not engaged in these types of behaviors are subject to penalties up to and including dismissal or separation from Morehead State University, regardless of whether they are also facing criminal or civil charges in a court of law.

Nothing contained in this policy shall be construed to supplant or modify existing laws of the Commonwealth of Kentucky and the United States. This policy shall not be used to remedy acts which are crimes under the laws of the Commonwealth of Kentucky or the United States.

DEFINITIONS:

A. MSU POLICY DEFINITIONS

MSU policy prohibits gender discrimination. Sexual misconduct is a form of gender discrimination which violates state and federal law and University policy. Different forms of sexual misconduct are explained in this policy. The determination of what constitutes sexual misconduct will vary with the facts and circumstances of each case. For acts of gender discrimination that is not covered by one of the forms of sexual misconduct addressed in this policy, please see MSU's other policies on discrimination.

Actual Knowledge Actual knowledge means notice of sexual harassment or allegations of sexual harassment to the University's Title IX Coordinator or any official of the University who has the authority to institute corrective measures on the University's behalf.

Complainant means an individual who has reported being or is alleged to be the victim of conduct that could constitute sexual harassment,

Consent as used in this policy is defined as follows:

Consent is **informed**. Consent is an affirmative, knowing, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is **voluntary**. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will. Even though consent does not necessarily need to be verbal, relying purely on non-verbal communication can lead to misunderstandings. A spoken agreement is the most clearly indicated form of consent. It may not, in any way, be inferred from silence, passivity, lack of resistance or lack of an active response alone. Consent cannot be assumed to be given by the absence of a "no".

Consent is **revocable**. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is **incapacitated**. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment. Consent must be given with rational and reasonable judgment, so if the alleged victim was physically incapacitated from the consumption of alcohol or drugs, unconsciousness, or any other kind of inability, consent cannot be obtained.

Consent cannot be given when a person is:

- Less than sixteen (16) years of age;
- Sixteen (16) or seventeen (17) years of age and the actor is at least ten (10) years older than the victim at the time of the sexual act;
- Unable to communicate consent or lack of consent, or unable to understand the nature of the act or its consequences, due to an intellectual disability or mental illness;

- Mentally incapacitated;
- Physically helpless; or
- Under the care or custody of a state or local agency pursuant to court order and the actor is employed by or working on behalf of the state or local agency unless the persons are lawfully married and no court order prohibits the contact.

Dating Violence means violence committed by a person:

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

Deliberate Indifference is unreasonableness in light of the known circumstances.

Domestic Violence includes felony or misdemeanor crimes of violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of Kentucky; or
- Any person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Kentucky.

Education Program or Activity includes locations, events, or circumstances within the United States over which the University exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the institution.

Formal Complaint is a document signed and filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent about conduct within the University's education program or activity and requesting initiation of the University's

grievance procedures consistent with this policy that the University investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the University. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed by the University for the Title IX Coordinator, and by any additional method designated by the University. As used in this policy, the phrase “document filed by a complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the recipient) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal Complaint. Where the Title IX Coordinator signs a formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Sexual Harassment Sexual harassment is conduct based on sex that satisfies one or more of the following:

- An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution’s education program or activity; or
- Sexual assault (as defined in the Clery Act), or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

Stalking occurs when someone engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

Supportive Measures means nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve access to the University’s education program or activity, without unreasonably burdening the other party; protect the safety of all parties or the recipient’s educational environment, or deter sexual harassment. The University must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective

implementation of supportive measures.

Unwelcome Conduct on the basis of sex is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.

TITLE IX COORDINATOR

The Title IX coordinator has a responsibility to coordinate the University's efforts to comply with its obligations under Title IX, the Title IX regulations, this Policy and University Administrative Regulations. These responsibilities include coordinating any investigations of complaints received pursuant to Title IX and the implementing regulations and Policy.

The Title IX Coordinator, Deputy Title IX Coordinator and Title IX Investigators shall be appointed by the President and identified in the Appendix to this Policy.

REPORTING:

***Special reporting requirements for minors (individuals under 18 years old).** MSU **requires reporting** to the educational institution's Title IX Coordinator(s) **and** to either law enforcement or child protective services any sexual abuse of a minor by faculty, staff, volunteers and contractors affiliated with the institution.

MSU strongly encourages persons who have experienced sexual misconduct, or knows of someone 18 years or older who has experienced sexual misconduct, to report the incident to MSU per this policy. Any person may report sex discrimination including sexual harassment whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment. The report may be made in person, by mail, by telephone or electronic mail using the contact information listed for the Title IX Coordinator, official of the University who has the authority to institute corrective measures on the University's behalf or may be reported by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time including during nonbusiness hours by using the telephone number or electronic mail address or by mail to the office address listed for the Title IX Coordinator.

In case of an emergency or ongoing threat, a victim should get to a safe location and call 911 or 606-783-2035. Calling 911 will put the caller in touch with local police. Calling 606-783-2035 will put the caller in touch with university police.

Any official of the University who has the authority to institute corrective measures on the University's behalf and who has received information of alleged misconduct under this Policy shall notify and provide such to the Title IX Coordinator. University officials deemed

to have such authority shall be designated pursuant to University Administrative Regulation.

A. Reporting Timeframe

Any person may file a report of sexual misconduct at any time. Timely reporting is encouraged to preserve evidence and provide the alleged victim and the respondent with information regarding rights, options and resources available under this policy and federal/state laws.

The Title IX Coordinator or Deputy Coordinator will provide alleged victims of sexual misconduct and respondents with information about available support services and resources, and also assist alleged victims in notifying law enforcement, including the local police, if the person elects to do so. **Alleged victims are not required to report to area law enforcement in order to receive assistance from or pursue options within MSU.** Reporting sexual misconduct to the police does not commit the alleged victim to further legal action. However, the earlier an incident is reported, the easier it will be for the police to investigate if the alleged victim decides to proceed with criminal charges.

B. Reporting Options

This section addresses options for reporting sexual misconduct. MSU may investigate sexual misconduct even without a formal complaint whenever it knows or there is reasonable cause to believe that sexual misconduct in violation of this policy has occurred.

1. Confidential Disclosure: Despite MSU's strong interest in having persons report complaints of sexual misconduct, it is understood that not everyone is prepared to make an official report to MSU. Help may be sought from certain resources that are not required to reveal private, personally identifiable information unless there is cause for fear for the survivor's safety or the safety of others. If a person desires that details of the incident be kept confidential, contact should be made with counselors or other providers who can maintain confidentiality, such as the Caudill Health Clinic. Such professionals generally are not legally required to report personally identifiable information given in confidence unless given permission or unless the allegations involve a minor. If the survivor chooses not to pursue a judicial process option (e.g., criminal charges), generally no further action will be taken unless the professional who receives the concern believes there is an imminent threat to the survivor or others. Persons who disclose incidents of sexual misconduct to counselors, clergy or other providers who can legally maintain confidentiality should discuss whether to have that counselor, advocate or provider report the misconduct to MSU and request interim measures required by Title IX, or request discretionary support measures from MSU without reporting the nature of the conduct.

2. Requests via a Counselor, Clergy or other Provider: A victim may have his/her counselor, clergy or other provider who can legally maintain confidentiality request interim measures from MSU on the victim's behalf. The request may trigger MSU's obligation to investigate. To the extent a counselor, clergy or other provider makes a disclosure but, consistent with the victim's wishes, asks MSU not to investigate or otherwise notify the accused of the report, the Title IX Coordinator or Deputy Coordinators will consider whether he/she can honor the request while still providing a safe and nondiscriminatory environment for all students, faculty and staff, and to take interim measures to protect the victim as needed.

C. Required Confidentiality

The University shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Education Rights & Privacy Act and regulations, or as required by law or to carry out Title IX including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

D. Drug, Alcohol and other Code of Conduct Amnesty

MSU offers amnesty (immunity) to students who may have violated MSU's policies concerning the use of drugs and/or alcohol and other student code of conduct violations at the time of the incident when he or she became a victim of, a respondent or witnessed, sexual misconduct. Therefore, no MSU alcohol or drug charges or other code of conduct violation for involvement in or reporting shall be made if the violation does not involve sex discrimination or sexual harassment but arises out of the same facts or circumstances as a report, complaint or formal complaint of sexual harassment.

The purpose of this section is to encourage reporting. Alleged victims or witnesses should not let their use of alcohol or drugs or other code of conduct violations deter them from reporting an incident. When conducting the investigation, MSU's primary focus will be addressing the sexual misconduct violation and not other violations that may be discovered or disclosed. However, MSU may provide referrals to counseling and may require educational programming on drugs and alcohol, rather than disciplinary sanctions, in such cases.

INTERIM AND SUPPORTIVE MEASURES

The Title IX Coordinator or Deputy Coordinator has the right to determine which, if any, supportive measures should be issued in an individual case. Such measures are designed to restore or preserve access to the University's education program or activity, without unreasonably burdening the other party. Supportive measures shall be available to complainants and respondents equitably. The measures shall protect the safety of all parties and the University's educational environment including deterring sexual harassment. Supportive measures shall be kept confidential except as necessary to facilitate enforcement.

The Title IX Coordinator or Deputy must promptly contact the complainant to discuss the availability of supportive measures and consider the complainant's wishes as to the measures. The complainant shall be advised that supportive measures are available whether or not a formal complaint is filed. Additionally, the Title IX Coordinator/Deputy shall explain to the Complainant the process for filing a formal complaint.

The Title IX Coordinator/Deputy shall similarly advise the respondent as to the availability of supportive measures and consider the respondent's wishes as to same.

Supportive measures may include but are not limited to changes in class schedules; living or working arrangements; safety escorts; parking arrangements; dining arrangements; no contact orders and resources for professional counseling.

The University may remove a respondent from any of its education programs and/or activities on an emergency basis. The University must undertake an individualized safety and risk analysis and determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

For a respondent who is a student, the Title IX Coordinator/Deputy may recommend to the Dean of Students that the student respondent be removed from an education program and/or activity. The Dean may issue the removal notice based upon the above criteria. The notice may initially be issued verbally, by email or other electronic means or in writing by in person or mail delivery. If the initial notice is not in writing, a written notice shall be issued as soon as possible. The notice shall state the removal parameters and the specific reason for the decision. The notice shall also provide the respondent the right to challenge the removal immediately by requesting an in person hearing with the Dean. The respondent may present his/her position orally and/or in writing and may be represented at the hearing.

For an employee, the Title IX Coordinator/Deputy may recommend to the employee's Vice President that the employee be placed on administrative leave during the pendency of the investigation. The Vice President may issue the leave order and provide written notice, or verbal notice followed by written notice, to the employee.

MSU shall enforce any orders of protection issued by a court. If any member of the MSU community obtains an order of protection or restraining order, he/she should promptly

inform the Title IX Coordinator or Deputy Coordinator and provide a copy of that order. A copy of the order shall also be provided to MSU Police.

ADVISORS

A party may be accompanied by an advisor of the party's choice at any related meeting or proceeding. The advisor may or may not be an attorney except as provided by law. The advisor may consult with the party but may not speak for the party.

Notwithstanding the above, the advisor shall be allowed to be at the hearing to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

If a party does not otherwise have an advisor, at the time of the hearing the University must provide without fee or charge to the party, an advisor of the University's choice to conduct cross examination on behalf of that party.

CONFLICT OF INTEREST

The University requires that no Title IX Coordinator/Deputy, investigator, decision maker, or any person designated to facilitate an informal process may have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent.

INFORMAL RESOLUTION

At any time after a formal complaint has been filed, but prior to a determination regarding responsibility, an informal resolution process may be utilized to resolve a complaint. The University may facilitate the informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Either party may request informal resolution, or the Title IX Coordinator/Deputy or the Investigator may suggest the informal process to the parties. The University will use its best efforts to conduct the informal resolution within ten (10) days of agreement to enter into the process.

Both parties shall sign a voluntary written consent to participate in the informal resolution process. The parties shall be provided a written notice setting forth the allegations and the requirements of the informal resolution process and notice of finality of the resolution. At any time prior to a signed written resolution agreement, a party has the right to withdraw from the informal resolution process and resume the formal complaint process. Once the written resolution agreement is signed by both parties, they are both precluded from

resuming the processing of the formal complaint arising from the same allegations. The parties shall further be given written notice of any resolution records that will be maintained or could be shared.

The informal resolution process may not be offered or facilitated to resolve allegations that an employee sexually harassed a student.

INVESTIGATION PROCESS

MSU's Title IX Coordinator/Deputy and/or investigators shall investigate alleged violations of this policy. Each report must be evaluated on a case-by-case basis, taking into account the relevant circumstances of each case. The investigation process shall include interviews, reviewing student and/or employee files, and gathering and examining other relevant evidence, as appropriate. The investigation process will be balanced and fair and give both the accused and the complainant the chance to discuss his/her involvement in the reported incident. It is presumed the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the policy's process.

Notice of Allegations. Upon receipt of a formal complaint, the University must provide the following written notice to the parties who are known:

- Notice of the University's Title IX process including notice of the informal resolution process;
- Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this policy including sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Sufficient details include the identities of the parties involved in the incident, if known, conduct allegedly constituting sexual harassment under this policy, and the date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX process;
- Notice that the parties may have an advisor of the party's choice, who may be but is not required to be, an attorney; except as provided by law;
- Notice of rights of inspection and review of evidence;
- Notice of any student conduct code provision prohibiting knowingly making false statements or knowingly submitting false information during the grievance process.

If in the course of an investigation the Title IX Coordinator/Deputy and or investigators decide to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations previously provided, the University must provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint. The University must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy, even if proved, did not occur in the University's education program or activity, or did not occur against a person in the United States, then the University must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. Such a dismissal does not preclude action under another provision of the University's code of conduct.

The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the University; or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a required or permitted dismissal, the University must promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties including rights of appeal.

Consolidation of Formal Complaints. The University may consolidate formal complaints as to the allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Investigation of a Formal Complaint. When investigating a formal complaint and throughout the investigative process the University must:

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not on the parties provided that the University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains the party's voluntary, written consent to do so for the investigative and hearing process.
- Provide an equal opportunity for the parties' witnesses, including fact and expert, and other inculpatory and exculpatory evidence.
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- Provide the parties with the opportunity to have an advisor throughout the investigative process as provided in this policy.
- Provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the University must send to each party and the party's advisor, if any, the evidence subject to inspection and review in electronic format or a hard copy, and the parties must have at least ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report. The University must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity

MSU will use best efforts to complete the investigation within ninety (90) calendar days from receipt of a report. Limited extensions of all timeframes may be granted for good cause with written notice to the complainant and the respondent for the reason of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Investigative Report. The University shall create an investigative report that fairly summarizes relevant evidence. At least ten (10) days prior to a hearing, the report shall be sent to each party and the party's advisor, if any. The report shall be in an electronic format or hard copy for the parties' review and written responses.

HEARING AND APPEAL OFFICERS

Post investigative hearings and appeals conducted pursuant to this policy shall be conducted by a hearing or appeals officer as provided through University Administrative Regulation. The officers shall be trained pursuant to this policy and may be university employees or hired through contract.

The Title IX Coordinator/Deputy shall assign officers to hearings and appeals.

HEARING PROCESS If a case has not been dismissed or resolved in the informal process, the Title IX Coordinator/ Deputy, upon completion of or receipt from an investigator of an investigative report, will refer the case for a live hearing.

The Title IX Coordinator/Deputy shall provide the parties the name of the hearing officer. The parties shall have seven days to provide in writing to the Title IX Coordinator any objection to the officer due to bias which shall be specifically set forth.

Each party will have the following hearing rights:

- The right to notice of the specific allegations at issue, including notice of anticipated witnesses and evidence to be addressed at the hearing. Each party shall submit to the

Title IX Coordinator and to all other parties a list of all witnesses the party may call at the hearing and a copy of all exhibits to be introduced.

- The right to access information and evidence directly related to him/her within a reasonable time before the hearing.
- The right to attend the hearing and speak on his/her own behalf. Invoking the right not to speak will not be considered an admission of responsibility.
- The right to have an advisor as set forth in this policy.
- The right to introduce evidence and question witnesses at the hearing, provided, however, that the complainant and the accused will not be allowed to directly question each other. Cross examination shall only be conducted by a party's advisor.
- The hearing officer may ask questions of the witnesses at the hearing.

Hearings will be closed to the public. Hearings shall be recorded, by video, audio, or transcript with a copy of same made available to both parties for inspection and review. Testimony shall be sworn.

Live hearings may be conducted with all parties physically present in the same geographic location. At the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. At the request of either party, the University must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and parties to simultaneously see and hear the party or the witness answering questions.

The hearing officer shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.

Only relevant direct questions and cross examination may be asked of a party or witness. Prior to a party or witness answering a question, the hearing officer shall determine whether the question is relevant and explain any decision to exclude a question as not relevant.

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

Evidence that does not rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, shall not be admitted at the hearing unless the person holding such privilege has waived the privilege.

If a party or witness does not submit to cross-examination at the live hearing, the hearing officer must not rely on any statements of that party or witness in reaching a determination

regarding responsibility.

The hearing officer shall not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Following a hearing, the hearing officer must issue a written determination regarding responsibility. The hearing officer shall determine whether, given the evidence and testimony presented, it is more likely than not that a violation of this policy occurred (preponderance of evidence). If it is found a violation occurred, remedies must be designed to restore or preserve equal access to the University's education program and/or activities. Possible hearing outcomes for students include, but are not limited to, changes to class schedules; changes to living arrangements; limitations on participation in activities, community service, suspension, separation or expulsion from MSU. Faculty and staff, among other possible remedies, may be formally reprimanded, be limited in participation in academic and campus activities, suspended without pay, or removed from employment. The measure taken will depend upon the individual circumstances.

The hearing officer's written determination must include:

- Identification of the allegations potentially constituting sexual harassment under this policy;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the party, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the University's policies and regulations to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A description of the disciplinary sanctions, if any;
- A statement of any remedies to restore or preserve equal access to the University's education program and/or activities; and
- The University's procedures and permissible basis for the parties to appeal.

The Title IX Coordinator will inform both parties simultaneously in writing of the outcome the investigation and/or hearing within seven (7) business days of the investigation and/or hearing's conclusion. If the measure taken by the hearing officer includes suspension or removal of a faculty or staff member, the Title IX Coordinator will also forward the decision to the President. If the measures involve a student, the outcome will be reported to the Vice President for Student Affairs

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of an appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer

be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

APPEAL PROCESS

An appeal may be filed from either dismissal of a formal complaint or any individual allegations of the complaint or from a decision of the hearing officer.

Once a decision has been made and both parties have been notified of the outcome, either party may appeal that outcome (including punishment). Appeals must be received by the Title IX Coordinator no later than ten (10) calendar days after the date the underlying decision is issued to both parties. Appeals received after the deadline will not be processed. Appeals should be marked “confidential” and submitted by hand delivery or by email or mail to the Title IX Coordinator. The appeal shall state with particularity the basis therefore.

Both parties will be notified in writing by the Title IX Coordinator that an appeal was received. The notice shall include the basis for the appeal. Both parties shall have ten (10) days from the date of the notice to submit a written statement to the Title IX Coordinator in support of, or challenging, the outcome. A copy of the statement shall be provided by the Title IX Coordinator to the other party.

The Title IX Coordinator/Deputy shall provide the parties the name of the Appeals Officer. The parties shall have seven (7) days to provide in writing to the Title IX Coordinator/Deputy any objection to the appeals officer appointed due to bias on behalf of the officer which shall be specifically stated.

After the statements have been received, or the time to file the statements has run, the time for objection to the appeals officer has expired, and the record for appeal is assembled, the Title IX Coordinator shall submit the appeal to the Appeals Officer.

MSU Appeals Officer will assess and decide the appeal based on the record within twenty-one (21) calendar days of receiving the appeal, unless circumstances require more time, in which case the Title IX Coordinator will advise the parties of the need for more time. For appeals of dismissal or partial dismissal of a formal complaint, the record shall consist of the full case record of the complaint. Appeals following a hearing, shall consist of the hearing record and exhibits considered by the hearing officer. Grounds for appeal are limited to the following:

- MSU made a procedural error, which affected the outcome.
- New evidence has been discovered that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter.

- The determination of whether a violation occurred was arbitrary and unjustified by the evidence presented at hearing.
- The Title IX Coordinator/Deputy, investigator(s), or hearing officer had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. Such objection must have been previously raised in a timely manner by the party.
- The penalties imposed or other protective measures taken are too severe based on the evidence of record.

The Appeals Officer shall issue a written decision describing the result of the appeal and the rationale for the result.

The Title IX Coordinator will notify the parties simultaneously of the outcome of the appeal. All decisions by MSU Appeals Officer are final with the exception of the following:

- Sanctions which include student suspension or expulsion, which may be further appealed to the President and Board of Regents in the same manner as provided by the MSU Eagle Student Handbook for Student Disciplinary Committee decisions.
- Sanctions which include suspension or dismissal of a staff member which may be appealed to the President who will review the record and determine if dismissal or another penalty is appropriate. The President's decision shall be final.
- Sanctions which include faculty termination/removal, which may be further appealed to the President and Board of Regents. Sanction involving suspension without pay, may be appealed to the President. The President shall review the record and determine whether suspension or dismissal is appropriate. The decision of the President shall be final if he/she determines suspension or another penalty is appropriate. If the President determines removal is appropriate, he/she shall refer the case to the Board of Regents who shall review the case on the record de novo. The Board may either remove the faculty member or may determine if a lesser penalty is appropriate. The decision of the Board shall be final.

NO RETALIATION OR DETERRENCE FOR PARTICIPATION IN THE TITLE IX PROCESS

Neither the University nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privileges secured by Title IX or its regulations. This protection shall include reporting, filing a complaint, testifying, assisting, participating or refusing to participate in any manner in an investigation, proceeding or hearing under this policy. Retaliation includes intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment for the purpose of

interfering with any right or privilege secured by Title IX or its regulations.

Retaliation does not include the exercise of rights protected by the First Amendment to the U.S. Constitution. Likewise, charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy, does not constitute prohibited retaliation. However, the fact of a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination.

DISSEMINATION OF POLICY AND INFORMATION

The University shall notify applicants for admission and employment as well as current students of the title, office address, electronic mail address, and telephone number of the Title IX Coordinator and Deputy Coordinator.

Notification that the University does not discriminate on the basis of sex in education programs and activities shall be made to applicants for admission and employment as well as students. The notice shall advise that the University is required by Title IX and regulations thereunder not to discriminate and that these requirements extend to admission and employment. The notification shall further provide that inquiries as to the application of Title IX and regulations thereunder may be referred to the University's Title IX Coordinator, the Assistant United States Secretary of Education or both.

The University shall prominently display contact information for the Title IX Coordinator and this policy on the University's website and in all handbooks and catalogs made available to current students and applicants for admission and employment.

RECORDKEEPING

The University must maintain the following records for a period of no less than seven years:

1. Each sexual harassment investigation, including any determination regarding responsibility, and any audio or audiovisual recording or transcript of a hearing, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the University's education program or activity;
2. Any appeal and decision;
3. Any informal resolution and result therefrom;
4. All materials used to train Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process. The University shall make these training materials publicly available on its website.

For each response to a formal complaint, the University shall create and maintain for a period of no less than seven years, records of any actions including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the University must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's educational program and/or activity. If no supportive measures are provided the complainant, then the University shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The University may continue to update additional explanations and/or detail additional measures taken.

TRAINING AND EDUCATION

All students, faculty, staff and others as designated by the Title IX Coordinator must complete MSU-sponsored training on sexual misconduct issues within the dates and times arranged by the Title IX Coordinator as frequently as designated by the President. This shall include training as relates to minors on campus and reporting of abuse. Failure to do so may result in corrective action.

The University must ensure that the Title IX Coordinator/Deputy, investigators, decision makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the University's education program and activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudice of the facts at issue, conflicts of interest, and bias. The University must ensure that decision makers receive training on any technology to be used at a live hearing, on issues of relevance, of questions of evidence, including when questions and evidence about the complainants sexual predisposition or prior sexual behavior are not relevant. The University also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinator/Deputy, investigators, decision makers, and any person who facilitates an informal process must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

RESOURCES

Numerous resources both on and off campus are available and shall be set forth in the Appendix to this policy. The resources shall be updated as appropriate without necessity to amend this policy.

APPENDIX

Title IX Coordinator

Lora Pace
217 ADUC
Morehead, KY 40351
606-783-2517
titleixcoordinator@moreheadstate.edu

Deputy Title IX Coordinator

Andrea Stone
Rice Service Bldg.
606-783-5272

Investigators

Richard Fletcher
186 Academic Athletic Center
606-783-5136

William Grise
105C Lloyd-Cassity Bldg.
606-783-2424

Sara Larson
307 Allie Young Hall
606-783-9453

Dr. Robert Royer
307D Breckinridge Hall
606-783-2734

RESOURCES

Health

MSU Health Clinic (606) 783-2055

112 Allie Young Hall

Morehead, KY 40351

St. Claire Regional Medical Center

222 Circle Drive (606) 783-6500 (Emergency Department)
Morehead, KY 40351

Mental Health/Counseling/Advocacy

MSU Counseling Center (606) 783-2123
112 Allie Young Hall
Morehead, KY 40351

After hours, evenings, weekends contact (606) 783-2035

This is the MSU Police Dept. and they have the on-call schedule for licensed counselors.

St. Claire Regional Medical Center (606) 783-6805
Counseling
475 Clinic Drive
Morehead, KY 40351

Pathways (606) 784-4161 ext. 4401
321 East Main Street
Morehead, KY 40351

Pathways Rape Crisis Center (606) 784-4161 ext. 4401
325 East Main Street (800) 562-8909
Morehead, KY 40351

DOVES of Gateway, Inc. (606) 784-6880
P.O. Box 1012 (800) 221-4361 (Crisis #)
Morehead, KY 40351

KCADV (502) 209-5382
Kentucky Coalition Against Domestic Violence
111 Darby Shire Circle
Frankfort, KY 40601

24-hour Crisis Line (800) 273-8255

National Domestic Violence Hotline (800) 799-SAFE

National Sexual Assault Hotline (800) 656-HOPE

Police Department Contacts

MSU Police Department (606) 783-2035 or 911 on campus
100 Laughlin Bldg.
Morehead, KY 40351

Morehead Police Department (606) 784-7511
105 East Main Street
Morehead, KY 40351

Kentucky State Police (Post 8)

(606) 784-4127

1595 Flemingsburg Road

Morehead, KY 40351

Online Resources

If a person feels the need to pursue further help and counseling, there are institutions and charity groups that are specialized and specifically trained to aid survivors of different violent crimes. A formal report is not required to access these resources. These are some nationwide websites that provide help:

National Domestic Violence Hotline

www.thehotline.org/

Stalking Resource Center

www.victimsofcrime.org/our-programs/stalking-resource-center

National Sexual Assault Hotline

www.rainn.org/get-help/national-sexual-assault-online-hotline

Girls Health Website

www.girlshealth.gov/safety/saferrelationships/daterape.html

Clery Center for Security on Campus

clerycenter.org/help-victims

When a Sexual Assault Occurs

The victim should take one of the following actions **immediately**:

Report to the Morehead State University Police Department by calling 911 from a campus phone or 606-783-2035; the Morehead City Police 911 or 606-784-7511; the Kentucky State Police 911 or 606-784-4127 as appropriate.

Seek Medical Attention at the Caudill Health Clinic on campus, or at St. Claire Regional Medical Center or through EMS (911). Tests are administered that will alleviate fears about sexually transmitted diseases and pregnancy. Evidence will be collected which can be used if the victim chooses to prosecute.

Contact a Crisis Counselor by calling the University Counseling Center at (606) 783-2123 or after hours by calling the Morehead State University Police Department at (606) 783-2035 or 911 and request to speak with a crisis counselor. A crisis counselor will be able to provide immediate psychological support and refer the victim for medical attention. Additional support will be provided should the victim choose to report the crime to a law enforcement agency.

Statements to Victims of Sexual Assaults

1. *We will treat you and your particular case with courtesy, sensitivity, dignity, understanding, and professionalism.*
2. *If you feel more comfortable talking with a female or a male officer, we will do our best to accommodate your request.*
3. *We will meet you privately, at a place of your choice in this area to take a complaint report.*
4. *We will consider your case seriously, regardless of your gender or the gender of the suspect.*
5. *Our officers will not prejudge you and you will not be blamed for what occurred.*
6. *We will assist you in arranging for any hospital treatment or other medical needs.*
7. *We will assist you in privately contacting a counselor and/or other available resources.*
8. *We will fully investigate your case and will help you to achieve the best outcome. This may involve arrest and full prosecution of the suspect responsible. You will be kept up-to-date on this progress of the case.*

9. *We will continue to be available for you, answer your questions, explain the systems and process involved, and be a willing listener.*

Counseling and Health Services

Victims of a sexual assault, who are MSU students, are eligible to the services at the Office of Counseling and Health Services, located on the first floor of Allie Young Hall. This Caudill Health Clinic is open 8:00 am – 4:30 pm, Monday through Friday during the fall and spring semesters.

Sexual Assault Policy

Morehead State University will not tolerate sexual offenses in any form. Where there is probable cause to believe that University regulations prohibiting sexual offenses have been violated, campus disciplinary action can be pursued. Campus disciplinary action can include suspension or dismissal from the University.

If the victim chooses not to prosecute, the University can pursue disciplinary action at the request of the victim. It should be remembered that Morehead State University has an obligation to uphold the laws of the larger community of which it is a part.

While the activities covered by the laws of the larger community and those covered by MSU's Code of Student Conduct may overlap, it is important to note that the community's laws and MSU's Code of Student Conduct operate independently and that they do not substitute one for another. Morehead State University may pursue enforcement of its own rules whether or not legal processing are underway or may use information from a third party source, such as law enforcement agencies and the courts, to determine whether University rules have been broken.

At the request of the victim, MSU will make every reasonable effort to change a victim's academic and living situation after an alleged sex offense. The victim will be notified of these options by University officials in the reporting and counseling process.

SART (Sexual Assault Response Team)

Counseling and Health Services at Morehead State University will be home to the Sexual Assault Response Team. C/H Services is working with Police Chief Merrell Harrison (S.A.R.T. trained) and Pathways to provide a comfortable, safe environment for victims. Sexual assault examination and counseling services from licensed therapists are available for students, faculty and staff on campus. The services provided by the Health Clinic are free of charge and are available 24 hours a day. The Sexual Assault Response Team consists of law enforcement, victims advocate and a health care professional. The health care professional has been

licenses as a sexual assault nurse examiner and can perform physical examinations and forensic-medical examination if necessary.

Victims have the right to determine whether to report the assault to law enforcement, except when reporting abuse and neglect of a child, spouse and other vulnerable adult as set forth in Kentucky law. No victim shall be denied an examination because the victim chooses not to file a police report, cooperate with law enforcement, or otherwise participate in the criminal justice system.

If the victim decided to prosecute (which is not required), a prosecutor will also be a part of the SART. All services are confidential. There are also free services available through the rape advocacy office at Pathways at (606) 784-4161. To learn more about the resources for victims of sexual assault in Kentucky, visit <http://kyasap.brinkster.net/>. To request a sexual assault exam, call (606) 776-0076 or for more information contact (606) 783-2123.

Monitoring & Recording Off-Campus Criminal Activity

The Morehead State University Police Department maintains an excellent relationship with City of Morehead Police Department, Rowan County Sheriff's Office, Kentucky State Police and other Public Safety organizations. MSUPD meets with these agencies and others monthly to share information. Additionally, MSUPD attends regularly Rowan County Risk Assessment meetings. MSUPD is notified about incidents involving students, staff and property from local agencies.

Campus Safety, Facility Access and Security Policies

Morehead State University has established the following policies and procedures to enhance the security of the campus community:

- Academic and administrative buildings have normal operating business hours posted on entrances. Persons remaining after the posted hours must have appropriate identification and authorization. Faculty and staff members are permitted within facilities 24-hours per day.
- Faculty and staff will be required to show their Medeco key and a University ID card when so requested by a member of the Morehead State University Police Department. Students must obtain the approval of the department Chairperson and possess an approved "After Hour Facility Utilization Authorization Slip". Students must have their copy of the slip and a valid University ID card in their possession and present same upon request.

Residence halls normally permit entry through the main entrance and require key access after midnight Sunday-Thursday and 1:00 am on weekends.

- The Morehead State University Police Department employs student workers as Student Cadets to enhance residence hall security, campus security and at special events.
- Uniformed Security Personnel check security related issues, including the security of doors and public areas. Anyone present in a residence hall may be asked to show a MSU ID card to prove residency and their right to use the facilities. Failure to produce proper identification upon request of residence hall staff, Morehead State University Police Department or any Morehead State University staff member may result in disciplinary action.
- Unauthorized person are not permitted in residence halls and should be reported to the residence hall staff or the Morehead State University Police Department by calling (606) 783-2035. If you believe a crime has been or is about to be committed, contact the Morehead State University Police Department immediately. Specific guest and visitation policies are contained in the *Eagle Handbook* for students.
- Campus safety and security surveys will be conducted twice annually (normally in May and September). The Chief of Police and the Director of Risk & Compliance, or their designed representatives, shall make a campus survey at night to determine lighting adequacy and needs.
- They will accomplish the survey on foot and make every effort to observe all possible route used by the University community, including parking lots. A list of needs will be identified to the Vice President of Administration and Fiscal Services for forwarding to the Vice President for Facilities Management. This survey will also cover shrubs, sidewalks and other issues impacting the overall safety and security of the campus.

Missing Person Policy & Procedures

The following procedures will be implemented prior to and when a student living on campus is determined to be missing in accordance with the Higher Education Opportunity Act of 2008:

Student Notification

On an annual basis, all students living in campus housing facilities will be informed of their right to identify a person as a confidential contact in the event the student is reported as a missing person. In addition, off-campus students may use established methods to identify a person as a confidential contact in the event the student is reported as missing person. The Assistant Vice President/Dean of Students or designees will notify the confidential contact no later than 24 hours after the time a student has been classified as missing by the Morehead State University Police Department.

If a student does not identify a confidential contact, designated University personnel may contact parents/guardians as deemed necessary and/or appropriate if the student is classified as missing by the Morehead State University Police Department.

Registration

Students who wish to submit information related to a confidential contact may do so by following the directions outlined via the student portal and distributing by housing staff members.

Definition of a Missing Person

A student will be defined as “missing” when a report has been made with the Morehead State University Police Department, they have investigated the circumstances and validity of the allegation, and they determine a student should be classified as a missing person.

Contact Notification

If a student has been classified as a missing person by the Morehead State University Police Department, the Assistant Vice President/Dean of Students or designee will communicate with the confidential contact person within a 24 hour period. For non-emancipated students under the age of 18, the Assistant Vice President/Dean of Students or designee will notify a custodial parents or guardian (as listed in official University records) no later than 24 hours after the time a student has been classified as missing by the Morehead State University Police Department.

The classification of a student as missing may activate the Emergency Operations Plan and result in the notification of other personnel as designated by established University protocol.

Information Accuracy

Once a student submits the name of a contact, he/she is responsible for providing information updates as appropriate or necessary via e-mail at missingperson@moreheadstate.edu

Procedures

- Any allegations that a student is missing must be immediately reported to the Morehead State University Police Department (606) 783-2035.
- The Morehead State University Police Department will conduct an investigation to determine the credibility of the allegations and if the student should be classified as a missing person.
- If a student is classified as a missing person, the Morehead State University Police Department will contact the Assistant Vice President/Dean of Students.
- Within a 24 hour time period, the Assistant Vice President/Dean of Students or designee will attempt to communicate with the confidential contact or parent/guardian via telephone. If the Assistant Vice President/Dean of Students or designee is unsuccessful in communicating via telephone, an e-mail message will be sent to the confidential contact or parent/guardian. If an e-mail is sent, the Assistant Vice President/Dean of Student or designee will continue to call the confidential contact or parents/guardian until successful.

Questions related to this policy should be directed to the Assistant Vice President/Dean of Students via e-mail (missingperson@moreheadstate.edu) or telephone at (606) 783-2070.

Fire Safety Policy

Morehead State University emphasizes the important of fire safety and fire prevention to all residents. All residential facilities with the exception of the University Farm are equipped with automatic fire suppressing systems that will activate in the event of a fire. Additionally, all residential facilities are equipped with smoke detector systems. Each residence hall has emergency procedures, which students should know. Emergency evacuation procedures are posted for each residence hall, and fire drills are held each semester to keep residences familiar with the process. For everyone's safety, students must cooperate completely with the staff when an evacuation occurs. Because of the serious nature of fire, the following regulations are necessary:

- A person who pulls a fire alarm or falsely reports an emergency to police or the fire department will be punished under the Kentucky Revised Statute 512.040. If convicted of this Class B misdemeanor, it means up to a \$500 fine and/or 90 days in jail.
- Students must follow emergency evacuation procedures.
- Due to fire hazards, students may not possess or burn candles, incense, etc., except in connection with a hall program, which required prior approval from the residence hall director.

- Flammable fluids may not be used or store in the residence halls.
- No loft construction or overstuffed furnishings are permitted.
 - Torchiere-style halogen lamps manufactured prior to March 1997 are not permitted in residence halls. Halogen lamps manufactured after March 1997, which meet the Underwriter’s Laboratories (UL 153) safety standards, are permitted for student use in residence halls.
- Items such as clothes hangers, decorations, etc. must not be placed on the sprinkler device in the residence hall room. Doing so can activate the sprinkler system, resulting in water damage.

Appliances

Because more than one residence hall room/apartment share the same circuit, there is a possibility of an electrical overload; students should be considerate and conscious of the number and frequency of appliances they use. Students should also limit the number of extension cords used in a room. Microwave ovens (700 watts maximum) and student owned refrigerators with a size capacity of 4.5 cubic feet are permitted (one per room). Small hand appliance, such as coffee pots, blenders, mixers, crock pots, grills (Like the George Foreman Grill) and other personal care appliance are permitted in rooms. These appliances should have enclosed heating elements and the Underwriters Laboratory approval.

When using a cooking appliance, students must always be in the room and appliances must be turned OFF before leaving the room in order to prevent fires. Electric skillet are not included in this category and are not permitted in residence halls. Residents may have a television with a power usage limitation of 1.6 amps or 175 watts or less. No appliances with open heating elements are permitted in residence halls. During fire and safety inspections, University officials will require the removal of prohibited appliances or materials. Also, sun lamps and personal air conditioners are not allowed.

Tobacco

In accordance with University Policies, the use of tobacco products in any University residential facility is prohibited. Students found in violation of University and/or residence hall policies and regulations can expect appropriate disciplinary measures to be imposed. Disciplinary measures for violations include community restitution assignments, education programming assignments, residence hall dismissal, loss of visitations, or other appropriate sanctions. Students who are found in violation of residence hall policies and are issued the sanction of dismissal from the residence hall will forfeit residence hall fees.

Tobacco Policy

In an effort to promote healthy employees and a healthy environment, Morehead State University implemented UAR 902.01 in the summer of 2011. Specifically, UAR 902.01 prohibits the use of all tobacco products on University owned or controlled property. This policy is in effect for all persons, at all times, who are attending classes, working, living, visiting, attending/participating in athletic events, programs, and all activities and programs on University owned, leased, or controlled property and in campus owned, leased, or rented vehicles. This includes University property outside the main campus such as farm facilities, golf courses, art galleries, parking lots, performance venues, and sporting venues, and functions that are held in these facilities and venues.

While Morehead State University remains committed to maintaining a healthy campus environment and encouraging members of the campus community to engage in healthy behaviors there are two designated tobacco use areas for the campus. This has become necessary as members of the University community have not respected private and city property adjacent to the campus, portraying a less than positive image of Morehead State University to our neighbors, visitors, and guests.

Two areas have been developed as designated tobacco use areas. ***It is in these areas only that tobacco use will be permitted.*** The areas have seating and receptacles for the proper disposal of trash and tobacco waste.

The locations are:

- On the west end of campus - the concreted area in the backyard of the faculty house on the corner of Second Street and MSU Way, across Second Street from Lappin Hall. This area is accessed from Second Street. Stairs enter the yard from the south side of the Second Street sidewalk. Gravel will designate a walkway to the tobacco use area until concrete can be poured as weather allows.
- In the east-central area of campus – an area on the south-west corner of Alumni Tower. The area will be restricted to the paved surface in order to maintain the existing green space bordering the parking area.

Violators of the Tobacco Use Policy are subject to fines and progressive disciplinary actions. Alleged violations which involve employees will be addressed through the Office of Human Resources and appropriate supervisory personnel. Alleged violations which involve students will be addressed by the Assistant Vice President/Dean of Students as outlined in the on-line version of the *Eagle Student Handbook* (See “*Scope of Authority*”, page 27 and “*SCC 3200*”, pages 68-69).

It is expected that all MSU faculty, staff, and students will adhere to and assist in the enforcement of the University Tobacco Use Policy. Tobacco use must be confined to the designated areas. Individuals who utilize the designated areas should be mindful of cleanliness, disruptions, and University image. Individuals should use proper receptacles to dispose of all tobacco waste, garbage, etc... In addition, designated tobacco use areas should not be utilized in a manner which could cause disruption to others (i.e. amplification of music, etc...) or create a negative image for the University (i.e. littering, obstruction of pedestrians or vehicles, etc...).

Violations of the University Tobacco Policy should be reported to the Office of Human Resources (employees) and the Assistant Vice President/Dean of Students (students).

Reporting Violations of the MSU Tobacco Policy

It is expected that all MSU faculty, staff, and students will adhere to, and assist in the enforcement of UAR 902.01 (Tobacco Use Policy). Individuals who witness violations of UAR 902.01 are expected to file a report with the Office of Human Resources (employees) or the Assistant Vice President/Dean of Students (students).

Confronting others regarding behaviors that are contrary to University policies can be a difficult task. However, it is a critical element of the educational environment in which we live and work. The following is an outline of how faculty, staff, and students should address violations of UAR 902.01:

If you are a direct witness to the behavior:

- Initiate a conversation with the person by introducing yourself.
- Ask the individual if s/he is an employee or a student.
- If the person answers in the affirmative, ask him/her if s/he is aware of the campus Tobacco Policy.
- If the individual states that s/he is not aware, share that MSU is a tobacco-free campus.
- If the person is an employee or student, ask him/her to provide his/her name and ID number.
- If the person refuses to cooperate, call MSUPD (783-2035)
- If the person is not an employee or student, ask him/her to provide his/her name.
- Share with the person that we have two designated tobacco use areas on campus.
- If the person is an employee, share the information with the Office of Human Resources.
- If the person is a student, or has no connection to MSU, share the information with the Assistant Vice President/Dean of Students (m.ammons@moreheadstate.edu).

If you are not able to address the behavior in person:

An example of this would include seeing a person smoking in a non-designated zone while driving in your car. You would not stop to confront the person; however, you are still encouraged to report your observation.

- If you know the name of the person, and s/he is an employee, share the information with the Office of Human Resources.

- If you know the name of the person, and s/he is a student, share the information with the Assistant Vice President/Dean of Students (ammons@moreheadstate.edu).
- If you know nothing about the person, share the information with the Assistant Vice President/Dean of Students (m.ammons@moreheadstate.edu).

Consequences of Violating the Tobacco Use Policy

Alleged violations of UAR 902.01 will be addressed by the Office of Human Resources (employees) and the Assistant Vice President/Dean of Students (students) using established University policies and protocol. Students found to be in violation of UAR 902.01 are subject to the following sanctions:

- First Violation - \$50.00 Fine
- Second Violation - \$100.00 Fine
- Third Violation - \$200.00 Fine

In addition to the aforementioned fines, students may be required to complete other sanctions as outlined in the on-line version of the *Eagle Student Handbook*. Employees found to be in violation of UAR 902.01 are subject to the following sanctions: Individuals will meet with their supervisors and/or the Office of Human Resources to determine an appropriate course of action. Each alleged incident, and subsequent decision, will be documented in the personnel file of the employee as maintained by the Office of Human Resources.

Fire/Arson

If any staff member observes anything that has been burned or sees a student light something on fire anywhere on the MSU campus, this is considered arson. Please contact the University Police Department immediately and block off the area. If no students are around, the University Police Department will confiscate the burned property.

If the students, who lit fire to the object is/are still around, do not let the student(s) leave the scene. Arson is a felonious offense along with possible dismissal from MSU.

Fire Alarms

In the events of a fire alarm all RA's (Resident Advisor) whether on-duty or not should immediately report to the front office of their assigned building. If the supervisor of the building is not present, the Housing Response Team (HRT) should be called for assistance. RA's should put their name tag on and an emergency vest so emergency response personnel will know they are a resource person who can assist with the evacuation of the building. Residents will need to exit the building and report to their assigned evacuation point.

The supervisor of the building or the HRT will access the black box that stores the master keys and will issued the keys to staff. Once the fire department has given the ok to the

building supervisor, RA's will go to each floor and check rooms in a fast but thorough manner. RA's should do a visual sweep of the room once they have entered and make a note of any policy violations that are seen. The RA should not be opening closets/drawers, etc. If a student is found in a room the RA should document his/her name and send the student to the lobby.

All staff members should lock the resident's room once the room has been checked. Once all rooms have been cleared, the RA should return to the lobby and give the master keys back to the professional housing staff member who is there to assist. At the conclusion on the fire alarm, RA's should remain at the front desk to assist students with any lock outs that may have results from the fire alarm. Lockouts should not be assessed to the student at this time. Evacuation locations; each residence hall has a designated area where residents should report to when there is a fire alarm. Residents of the floor should be informed of the reporting location during the first floor meeting. Do not post the location on your floor or in the building.

Statistics for 2019 Calendar Year

| Residence Hall | Number of Fires | Cause of Fire | Number of Deaths | Number of Injuries | Property Damage |
|-----------------------|------------------------|----------------------|-------------------------|---------------------------|------------------------|
| Alumni Tower | 1 | Unknown | 0 | 0 | 0 |
| Andrews Hall | 0 | 0 | 0 | 0 | 0 |
| Cartmell Hall | 0 | 0 | 0 | 0 | 0 |
| Padula Hall | 0 | 0 | 0 | 0 | 0 |
| Lundergan Hall | 0 | 0 | 0 | 0 | 0 |
| Fields Hall | 0 | 0 | 0 | 0 | 0 |
| Thompson Hall | 0 | 0 | 0 | 0 | 0 |
| East Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Mignon Tower | 0 | 0 | 0 | 0 | 0 |
| West Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Nunn Hall | 0 | 0 | 0 | 0 | 0 |
| Eagle Lake Apts. | 0 | 0 | 0 | 0 | 0 |
| Mays Hall Apts. | 0 | 0 | 0 | 0 | 0 |
| Normal Hall Apts. | 0 | 0 | 0 | 0 | 0 |

Although MSU is only required to report Fire Safety for Residence Halls, for 2019, MSU had a total of 1 actual reported fires from all properties owned, leased or controlled by the institution.

- MSUPD Incident#2019-4721: Small fire in trash can in Alumni Tower laundry room. Fire extinguished with bottle of water by student. No injuries or deaths, no damage to structures or

personal property. State Fire Marshal notified. Investigation concluded the fire was accidental and likely caused by disposing of cigarette butt.

Statistics for 2018 Calendar Year

| Residence Hall | Number of Fires | Cause of Fire | Number of Deaths | Number of Injuries | Property Damage |
|-----------------------|------------------------|----------------------|-------------------------|---------------------------|------------------------|
| Alumni Tower | 0 | 0 | 0 | 0 | 0 |
| Andrews Hall | 0 | 0 | 0 | 0 | 0 |
| Cartmell Hall | 0 | 0 | 0 | 0 | 0 |
| Padula Hall | 0 | 0 | 0 | 0 | 0 |
| Lundergan Hall | 0 | 0 | 0 | 0 | 0 |
| Fields Hall | 0 | 0 | 0 | 0 | 0 |
| Thompson Hall | 0 | 0 | 0 | 0 | 0 |
| East Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Mignon Tower | 0 | 0 | 0 | 0 | 0 |
| West Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Nunn Hall | 0 | 0 | 0 | 0 | 0 |
| Eagle Lake Apts. | 0 | 0 | 0 | 0 | 0 |
| Mays Hall Apts. | 0 | 0 | 0 | 0 | 0 |
| Normal Hall Apts. | 0 | 0 | 0 | 0 | 0 |

Although MSU is only required to report Fire Safety for Residence Halls, for 2018, MSU had a total of 1 actual reported fires from all properties owned, leased or controlled by the institution.

- MSUPD Incident#2018-0994: Small fire in mulch at Educational Services Building. Fire extinguished with bottle of water by faculty/staff member. No injuries or deaths, no damage to structures or personal property. State Fire Marshal notified.

Statistics for 2017 Calendar Year

| Residence Hall | Number of Fires | Cause of Fire | Number of Deaths | Number of Injuries | Property Damage |
|-------------------|-----------------|---------------|------------------|--------------------|-----------------|
| Alumni Tower | 0 | 0 | 0 | 0 | 0 |
| Andrews Hall | 0 | 0 | 0 | 0 | 0 |
| Butler Hall* | 0 | 0 | 0 | 0 | 0 |
| Cartmell Hall | 1 | Unknown | 0 | 0 | 0 |
| Padula Hall | 0 | 0 | 0 | 0 | 0 |
| Lundergan Hall | 0 | 0 | 0 | 0 | 0 |
| Fields Hall | 0 | 0 | 0 | 0 | 0 |
| Thompson Hall | 0 | 0 | 0 | 0 | 0 |
| Cooper Hall** | 0 | 0 | 0 | 0 | 0 |
| East Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Mignon Tower | 0 | 0 | 0 | 0 | 0 |
| West Mignon Hall | 0 | 0 | 0 | 0 | 0 |
| Nunn Hall | 1 | Toaster Oven | 0 | 0 | 0 |
| Eagle Lake Apts. | 0 | 0 | 0 | 0 | 0 |
| Mays Hall Apts. | 0 | 0 | 0 | 0 | 0 |
| Normal Hall Apts. | 0 | 0 | 0 | 0 | 0 |

Although MSU is only required to report Fire Safety for Residence Halls, for 2017, MSU had a total of 3 actual reported fires from all properties owned, leased or controlled by the institution.

- MSUPD Incident#2017-0480: Morehead Fire Department responded. Brush fire at location bordering MSU campus property. Fire contained before reaching main campus structures. No injuries or deaths, no damage to structures or personal property. State Fire Marshal notified.
- MSUPD Incident# 2017-2183: Morehead Fire Department responded. Small fire in toaster oven on **Campus Property**, Location Nunn Hall, no injuries, deaths or MSU property damage. Fire was extinguished prior to Fire Department's arrival. State Fire Marshal notified.
- MSUPD Incident#2017-3193: Morehead Fire Department responded. Trash can fire on **Campus Property**, Location Cartmell Hall, no injuries or deaths, and no MSU property damage. State Fire Marshal notified.

*Butler Hall was in service 01/17 - 06/17 during the calendar year.

**Cooper Hall was in service 01/17 - 06/17 during the calendar year.

Clery Act Crime Definitions

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

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

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

Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

Date Rape Drug - Under Clery, the administration of a date rape drug in an unsuccessful attempt to incapacitate and sexually assault the victim, and investigation determines that the perpetrator's attempt was to commit a sex offense, is a sexual assault. Administration of a date rape drug in which intent cannot be proven is an Aggravated Assault.

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

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

Domestic Violence:

Federal Definition - A felony or misdemeanor crime of violence committed, by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or a partner, by a person similarly situated to a spouse of the victim under the domestic violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence:

Federal Definition - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For purposes of this definition - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking:

Federal Definition: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to 1) fear for the person's safety or the safety of others; or 2) suffer substantial emotional distress. For the purposes of this definition; the course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

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.

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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed. Aggravated assault includes poisoning (date rape drug, etc.)

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

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

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

Drug Abuse 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 (barbiturates, Benzedrine).

Weapon 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; all attempts to commit any of the aforementioned.

Crime definitions are from the [Uniform Crime Reporting Handbook](#). Sex offense definitions are from the National [Incident-Based Reporting System](#) edition of the Uniform Crime Reporting Program.

Clery Act Hate/Bias Crimes

A hate crime is defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's perceived race; gender; gender identity;

religion; sexual orientation; ethnicity; national origin or disability, the crime is classified as a hate crime.

Bias

Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin. Although there are many possible categories of bias, under Clery, only the following eight categories are reported:

Race - A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

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 person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

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, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation - A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.

Ethnicity - A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin - A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and/or traditions.

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.

If a hate crime occurs during an incident involving larceny, simple assault, intimidation or vandalism, Clery law requires that the statistic be reported as a hate crime even though these four crime classifications by themselves are not Clery-reportable crimes. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, religion, ethnicity, national origin, gender, gender identity, sexual orientation, or disability, the crime is classified as a hate crime.

The below listed crimes are not Clery reportable crimes unless the crime was motivated by bias.

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

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

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.

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously destroy, injure, disfigure, or deface any public or private property.

Geographical Locations

On-Campus – Defined as (1) any building or property owned or controlled by an institutional 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 (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor). Dormitories or other residential facilities for students on campus is a subset of the on-campus category.

Non-Campus Building or Property – Defined as (1) any building or property owned or controlled by a student organization that is officially recognized by the institutional; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property – Defined as all public property, including thoroughfares, streets, sidewalks and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

| Type of Offense | Year | On Campus | Residential Facility | Non-Campus | Public Property | Unfounded |
|--|------|-----------|----------------------|------------|-----------------|-----------|
| Murder & Non-Negligent Homicide | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Arson | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Rape | 2017 | 7 | 6 | 0 | 0 | 2 |
| | 2018 | 8 | 6 | 0 | 0 | 1 |
| | 2019 | 1 | 0 | 1 | 0 | 0 |
| Sodomy (<i>Forcible</i>) | 2017 | 1 | 1 | 0 | 0 | 1 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Sexual Assault With an Object | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Fondling (<i>Forcible</i>) | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 1 | 1 | 0 | 0 | 0 |
| | 2019 | 2 | 1 | 1 | 0 | 0 |
| Incest | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Burglary (<i>Forcible Entry</i>) | 2017 | 2 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Burglary (<i>Unlawful Entry-No Force</i>) | 2017 | 2 | 1 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 2 | 2 | 0 | 0 | 0 |
| Burglary (<i>Attempted Forcible Entry</i>) | 2017 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|---------------------|------|---|---|---|---|---|
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |

| Type of Offense | Year | On Campus | Residential Facility | Non-Campus | Public Property | Unfounded |
|-------------------------------|------|-----------|----------------------|------------|-----------------|-----------|
| Dating Violence | 2017 | 7 | 5 | 2 | 0 | 0 |
| | 2018 | 3 | 3 | 0 | 0 | 0 |
| | 2019 | 2 | 2 | 0 | 0 | 0 |
| Domestic Violence | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 2017 | 1 | 0 | 0 | 0 | 0 |
| | 2018 | 1 | 1 | 1 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Arrests/Citations | | | | | | |
| Liquor Law Violations | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 3 | 3 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Drug Violations | 2017 | 24 | 18 | 2 | 0 | 0 |
| | 2018 | 28 | 12 | 0 | 0 | 0 |
| | 2019 | 18 | 11 | 0 | 0 | 0 |
| Weapons Violations | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals | | | | | | |
| Liquor Law Violations | 2017 | 36 | 36 | 0 | 0 | 0 |
| | 2018 | 37 | 37 | 0 | 0 | 0 |
| | 2019 | 22 | 21 | 0 | 0 | 0 |
| Drug Law Violations | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 14 | 7 | 0 | 0 | 0 |
| | 2019 | 6 | 6 | 0 | 0 | 0 |
| Weapon Law Violation | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |

Universities starting in 2014 are required to list the number of unfounded complaints for the above Clery Crimes. Unfounded complaints are those cases in which appropriate law enforcement officials conclude that the crime did not occur based on the results of an investigation and evidence.

The Clery Act was amended to include the following as reportable categories of hate crimes. These new reporting categories are only reported if motivated by bias as determined by the one of six biases categories above.

| Hate/Bias Crimes – Main Campus | Year | On Campus | Residential Facility | Non-Campus | Public Property | Unfounded |
|---|------|-----------|----------------------|------------|-----------------|-----------|
| Larceny/Theft | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Simple Assault | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Intimidation | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |
| Destruction/Damage/Vandalism of Property (Except Arson) | 2017 | 0 | 0 | 0 | 0 | 0 |
| | 2018 | 0 | 0 | 0 | 0 | 0 |
| | 2019 | 0 | 0 | 0 | 0 | 0 |

Reported Crime at MSU Regional Campuses

| Regional Campuses | Year | Year | Year |
|-------------------|-----------|-----------|-----------|
| | 2019 | 2018 | 2017 |
| Ashland | No Crimes | No Crimes | No Crimes |
| Mt. Sterling | No Crimes | No Crimes | No Crimes |
| Prestonsburg | No Crimes | No Crimes | No Crimes |
| Hazard | No Crimes | No Crimes | No Crimes |

There were no reportable Hate/Bias Crimes reported to any of Morehead State University’s Regional Campuses for 2019, 2018 and 2017.

**Morehead State University Police Department
The Jeanne Clery Act Report for 2020
Activity Reported for Calendar Year 2019
Morehead State University Regional Campuses**

Ashland Regional Campus
Mt. Sterling Regional Campus
Prestonsburg Regional Campus
Hazard Regional Campus

There were no reportable crimes for any of the Morehead State University Regional Campuses for 2019.

Notes for Preceding Charts

1. Page 14 of this document provides guidance in defining crimes committed.
2. Assistance in defining campus property may be found in 34 CFR § 668.46(a).
3. Number of crimes that occurred in institution residence halls, student apartment housing, or Greek sponsored housing facilities, if appropriate. These numbers are included in the on-campus property totals.
4. Non-Campus Property is any of the officially recognized/owned/leased/controlled institution properties that are located off the main campus area. Assistance in defining non-campus property may be found in 34 CFR § 668.46(a).
5. Assistance in defining public property may be found in 34 CFR § 668.46(a).
6. Category of Prejudice - These are not additional crimes. These are crimes already reported in the various crime categories that also fall into one of the reportable categories as required by KRS 164.948(3), or other crimes in which the victim was intentionally selected because of an actual or perceived prejudice.