

**THE UNIVERSITY OF MISSISSIPPI**  
**ANNUAL SECURITY AND**  
**FIRE SAFETY REPORT**

**2020**



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This report is available online and on the website of the University of Mississippi Police Department at [upd.olemiss.edu](http://upd.olemiss.edu). For any additional information relating to campus safety and security concerns, please contact the University of Mississippi Police Department in Kinard Hall-Wing C, call (662) 915-7234, FAX (662) 915-5371, or email [upd@olemiss.edu](mailto:upd@olemiss.edu).

2020 Annual Security Report .....	5
Preparation of the Annual Security Report and Disclosure of Crime Statistics .....	6
Timely Warnings.....	9
Security of and Access to University Facilities .....	11
Crime Prevention Unit/Other Educational Programming.....	11
Timely Reports.....	13
Drug and Alcohol Policy .....	13
Workplace and Health Risks .....	13
Notification of Convictions .....	14
Higher Education Opportunity Act Information.....	15
Health Risks .....	16
Policies .....	16
Alcohol and Other Drugs .....	16
Tobacco Use Policy .....	18
Missing Student Notification .....	19
The Campus Sexual Violence Elimination Act .....	21
Interpersonal Violence and Sexual Misconduct Policy .....	22
Violence Intervention and Prevention Services .....	29
UMatter: Student Support & Advocacy.....	43
Mississippi State Law Related to Prohibited Conduct .....	44
Resources .....	48
Policy for Reporting the Annual Disclosure of Crime Statistics.....	49
Campus Security Authorities .....	50
Crime Statistics Location Definitions .....	51
Definitions of Crimes.....	51
Hate Crimes.....	52
Arrests and Referrals for Disciplinary Actions.....	53
Crimes Reported to the University Police Department .....	54
Number of Arrests by the University Police Department for Selected Offenses.....	55

Number of Referrals by the University Police Department for Selected Offenses.....	55
Hate Crimes Reported On Campus.....	56
Crimes Reported to Other University Officials .....	57
Number of Referrals by other University Officials.....	58
Crimes Reported to the University Police Department Relating to the Violence Against Women Act.....	58
Programs and Educational Events .....	59
Local Agencies Reporting Numbers .....	60-63
Campus Fire Safety Annual Compliance Report .....	64
Fire Safety .....	64
Fire Services.....	65
Fire Drills.....	65
Fire Alarms.....	65
Fire Alarm Monitoring Service .....	66
Arson, Explosive Devices, and Emergency Equipment .....	67
Fire and Safety Equipment .....	69
Fire Safety .....	69
Fire Drills.....	69
Fire Inspections .....	69
Fire Safety Training .....	70
Policy on Open Flames in Greek Houses.....	70
Fire Statistics.....	71
Fire Alarm System Residential Area .....	72
Fire Log.....	74
Greek House Sprinkler System.....	76
Greek House Fire Alarm Systems.....	78

## 2020 ANNUAL SECURITY REPORT

On November 8, 1990, President George H.W. Bush signed the “Student Right to Know and Campus Security Act of 1990”. The Act applies to every institution of higher education that receives federal financial aid. Title II of the Act was called the “Campus Crime Awareness and Campus Security Act of 1990”. It requires institutions of higher education to distribute to all current students, employees, and applicants for enrollment or employment, two types of information: (1) descriptions of policies related to campus security, and (2) statistics concerning specific types of crimes. Amendments were enacted in 1998 renamed Title II, and it is now known as the “Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act”. The amendments require the disclosure of crimes that are reported to police and campus officials other than police, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall, or public property.

Prior to the passage of the Act, approximately 350 institutions of higher education voluntarily reported crime statistics to the FBI Uniform Crime Report (UCR). The University of Mississippi Police and Campus Safety Department (UPD) has voluntarily reported to the UCR since the early 1970s. While students pursue their academic goals on campus, the University of Mississippi serves as their home, and the University wants to make the environment as comfortable and crime free as possible.

The University Police and Campus Safety Department and the other departments within the Division of Student Affairs are prepared to provide the kind of safe environment that promotes interaction and goodwill among the University community. There is a genuine concern today about personal safety in a college setting. The University of Mississippi strives to offer a myriad of services and prevention programs to continuously improve the safety of the University community. Ultimately, each individual is responsible for his/her own personal safety, but the learning and practicing of preventive measures can serve to substantially reduce the probability of someone becoming a victim. UPD offers a variety of workshops and presentations on crime prevention; students are encouraged to attend these events, and it is always a good idea to simply be aware and be careful.

The University Police and Campus Safety Department publishes this report to inform the University of Mississippi community about campus security policies, initiatives to prevent and respond to crime and emergencies, and the occurrence of crime on campus.



## **PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS**

This report complies with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act and uses the information maintained by the University Police, information provided by other University offices such as Student Affairs, Residence Life, Office of Conflict Resolution and Student Conduct, Campus Security Authorities, and information provided by local law enforcement agencies surrounding campus. 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 the University of Mississippi. 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 on or before October 1 of each year to every member of the University community. However, due to the COVID-19 pandemic, this year's Annual Security and Fire Safety Report has been delayed to December 2020. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting UPD at (662) 915-7234 or by visiting [upd.olemiss.edu](http://upd.olemiss.edu).

For additional information relating to campus safety and security concerns, please contact the University of Mississippi Department of Police and Campus Safety in Kinard Hall – Wing C: call (662) 915-7234, FAX (662) 915-5371, or email [upd@olemiss.edu](mailto:upd@olemiss.edu).

### **UNIVERSITY DEPARTMENT OF POLICE AND CAMPUS SAFETY (UPD)**

#### **Role and Authority**

The safety and security of all students, faculty, staff, and visitors are of great concern to the University of Mississippi. UPD, a full-service law enforcement agency operating 24 hours a day, seven days a week, is responsible for campus police and security related matters.

UPD Officers are certified by the state of Mississippi, have arrest powers, and are armed. Officers conduct vehicle, bicycle, motorcycle, and foot patrols on campus and enforce state laws as well as the University policies and regulations.

#### **Working Relationship with Local, State, and Federal Law Enforcement Agencies**

UPD works closely with other community law enforcement agencies such as the Oxford Police Department and the Lafayette County Sheriff's Department in investigations of shared concern. UPD has agreements with the Oxford Police Department and the Lafayette County Sheriff's Department to receive reports of criminal activity at off-campus student organization events whose participants are University students. Off-campus organizations are those recognized by the University, including student organizations with off-campus student housing facilities.

## Reporting Crimes and Other Emergencies

The University community is encouraged to report to UPD for investigation all criminal activity occurring on campus. To report on-campus emergency situations from on-campus telephones:

Phone System	University Phone System, 915 prefix.	Non-University Phone System
Police, Emergency	4-4911	(662) 915-4911
Police, Non-Emergency	7234	(662) 915-7234
Fire	9-911	911
Ambulance	9-911	911

If a crime occurs **off-campus**, it should be reported to the law enforcement agency having legal jurisdiction of that area.

### **Oxford Police Department (if in the city)**

Emergency 911  
Non-Emergency (662) 232-2400

### **Lafayette County Sheriff's Office (if in the county)**

Emergency 911  
Non-Emergency (662) 234-6421

If you are unsure which department has legal jurisdiction, please call UPD for assistance.

## Emergency Phone Towers

The University has installed emergency phone towers throughout campus. Phones are located in public areas of buildings including residence halls, academic/administration buildings, and numerous outdoor locations. Emergency phones provide direct voice communications to the University Police Communication's Office.

## Campus and Community Notification of Criminal Activity

If there are crimes occurring on the University of Mississippi campus or surrounding area that may endanger or affect the campus community, public safety bulletins (crime alerts) are published and posted on bulletin boards across the campus and social media. The bulletins allow members of the campus community to know what is currently happening so they can better protect themselves. Public safety bulletins are also available on the web page maintained by UPD. Information about the department, services provided, and related resources concerning safety and security can be found here ([upd.olemiss.edu](http://upd.olemiss.edu)).

UPD maintains a daily log of all department activity; the log is available for viewing at the Police Department in Kinard Hall – Wing C. Summaries of campus crime incidents may be published in University newspapers and/or newsletters, and in local, state,



or national newspapers at the discretion of the news organizations. Other media such as radio and television may broadcast summaries of incidents at their discretion.

### **Mississippi Sex Offender Registry**

In connection with the federal Campus Sex Crimes Prevention Act, effective October 28, 2002, the University of Mississippi Department of Police and Campus Safety announces to the University community, law enforcement information provided by the State of Mississippi related to registered convicted sex offenders in the state may be obtained through the Mississippi Department of Public Safety, Sex Offender Registry, Post Office Box 958, Jackson, MS 39205, (601) 368-1740, email at [msor@mdps.state.ms.us](mailto:msor@mdps.state.ms.us) or website MS Sex Offender Registry.

The essence of this Act requires that convicted sex offenders, who are required to register under Mississippi state law, provide notice of enrollment or employment at any institution of higher education in Mississippi where the offender resides, along with notice of any change of enrollment or employment status at an institution of higher education in the state. The Mississippi Department of Public Safety, Sex Offender Registry, maintains and regulates this information in Mississippi. The Registry in turn notifies the local law enforcement agency that has jurisdiction where the institution of higher education is located. In our case, this means the Registry contacts the Lafayette County Sheriff and UPD in the event a registered offender notifies the Registry of enrollment or employment, or any change in status, at the University of Mississippi in Oxford, Mississippi. The format for the Mississippi Sex Offender Registries is set up on a “county” search basis whereby the

individual registered offenders are listed. To request information regarding registered sex offenders, including those whom UPD has been notified by the Mississippi Sex Offender Registry are enrolled and/or employed at the University of Mississippi’s Oxford Campus, call UPD at (662) 915-7234; write UPD, Kinard Hall Wing-C, University, MS 38677; or email UPD at [upd@olemiss.edu](mailto:upd@olemiss.edu).

### **Crime Alerts**

The University may, in some circumstances, issue Crime Alert advisories. When a situation is not an emergency or does not pose an immediate threat to the campus community, but is of significant interest to the campus, the University may issue an informational message in the form of a Crime Alert. The intent is to make the campus community aware by providing information about a situation such as a crime or series of crimes that have been committed on or off campus, the potential for inclement weather, flooding, or a major utility disruption. For incidents involving off-campus crimes, the University may issue a Crime Alert if the crime occurred in a location used and frequented by the University population. In these situations, the University communicates by sending a campus-wide email message to students, staff, and faculty to keep the University community informed.

The Chief of University Police or his or her designee makes the determination if a timely warning or crime alert is required or needed.

Anyone with information regarding criminal activity or information that could warrant a Crime Alert warning should report the circumstances to the University Police immediately by phone at (662) 915-4911.



## TIMELY WARNINGS

UPD is responsible for issuing timely warnings in compliance with the Jeanne Clery Act, 20 U.S.C. 1092(f). Timely warnings are issued in response to reported crimes committed either on campus or, in some cases, off campus that, in the judgment of the University, constitute an ongoing or continuing threat to students, faculty, and staff. These crimes are mainly those addressed in the “Clery Act”, but other crimes can be included.

When a situation arises, either on or off campus, which, in the judgment of the Chief of the University of Mississippi Police Department or his or

her designee, constitutes an ongoing or continuing threat, a campus wide “timely warning” is issued. The warning is issued through a campus wide email to all faculty, staff, students. An emergency banner containing a link for the message will appear on the university’s official website for a determined length of time. Community members who are also signed up for Livesafe will receive a notification through the app.

The decision to issue a timely warning is made on a case-by-case basis after consideration of the available facts, including factors such as the nature of the crime, the continuing

danger or risk to the campus community, and the possible risk of compromising law enforcement efforts.

Timely warnings are considered for the following classifications of reported crimes: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. Timely warnings may also be issued for other reported crimes as deemed appropriate under the circumstances. The decision is made in compliance with the Clery Act and in an effort to prevent similar crimes from occurring.

## Procedure

When a determination is made that a timely warning should be issued, the Police Department takes one or more appropriate steps to ensure timely notification of the campus community. Options for notification include, but not limited to, these mechanisms available to communicate with faculty, staff, students, and others:

- Announcement made on campus and commercial radio and television stations
- Ole Miss Homepage banner (University of Mississippi)
- UPD's Website (UPD or [olemiss.edu/emergency](http://olemiss.edu/emergency))
- iOS App Alerts
- Twitter (@RebAlert)
- UM Today Posting
- Email (sent via UM Today)
- Text messaging via 2SMS (Reb Alert)
- Emergency sirens with public address capability.

Other communication options to be used as needed:

- Information by calling (662) 915-1040
- Channel 99 (Campus Cable Television System)
- Emergency Alert System (EAS) – all televisions on campus interrupted for announcements
- Voice Mail Broadcast
- Emergency Phone Towers
- Loudspeakers on University Police vehicles

The warnings may include some or all of the following information:

- Date, time, location of the reported crime
- Summary of the incident
- Description of the suspect and/or vehicle, if available
- Any other special instructions or incident specific safety tips



Anyone with information about an emergency situation or other situation warranting a timely warning should contact the University of Mississippi Police Department immediately at (662) 915-7234 or (662) 915-4911.

## Notification and Alerting for a Campus Emergency

Notification that an emergency incident is occurring on campus may come from a variety of sources. Usually, the University Police Department (UPD) Communications Center is the first official University entity to know. Additionally, members of the CAT, IRT or Senior Leadership may be made aware through daily communications or be notified directly by an involved individual. Notifications of emergency conditions are essential to preserve the safety and security of the university community and critical to an effective response and recovery. The University utilizes multiple forms of communications for emergency notifications to best reach the greatest number of persons as possible. Campus emergency information communications may come through the following sources: RebAlert texts, RebAlert emails, RebAlert social media, LiveSafe App push alerts, PA systems, UM Websites, TV/radio, digital signage, etc. University Emergency Management Services and UPD, along with support from UM Marketing and Communications, is responsible for ensuring that notifications are issued and received when necessary to help best prepare the University for all threats and hazards.

## SECURITY OF AND ACCESS TO UNIVERSITY FACILITIES

The Facilities Management Department and Landscaping Services Department maintain the University buildings and grounds with a concern for safety and security. UPD routinely makes reports to Facilities Management and Landscaping Services Department of potential safety and security hazards noted on campus. Faculty, staff, and students are encouraged to make such reports as well.

Residents of on campus housing should always keep the doors and windows of their residence locked to ensure a greater degree of safety

for person and property. In addition to regular police patrols, UPD provides extra coverage to all residence halls from 10:00 PM to 6:00 AM by the assignment of Campus Safety Officers.

The residence halls have 24-hour security of perimeter doors by way of a card access system (except Minor Hall), which houses the administrative offices of the Department of Student Housing and is open from 08:00 AM to 5:00 PM weekdays. Residents gain access to their hall by use of their assigned magnetic card.

Community guests must be registered by the student host and escorted at all times while in the building. A visitor's sign in policy is enforced.

### **Personal Responsibility**

All students, faculty, and staff members must assume responsibility for their own personal safety and security of their personal property by practicing caution and common sense. The cooperation and involvement of the university community in a campus safety program are essential to its success.

## CRIME PREVENTION UNIT/OTHER EDUCATIONAL PROGRAMMING

UPD has an active crime prevention unit that strives to minimize or eliminate criminal opportunities when possible, and encourages faculty, staff, and students to be responsible for their own security and the security of others. Crime prevention presentations are routinely scheduled or as requested for campus residents, as well as faculty and staff groups.

### **Description of Programs**

**Active Shooter Response** is a personal safety program taught to all faculty, staff, and students. Its purpose is to outline the nationally recognized principles for responding to an armed intruder on campus. This program is led by UPD Active Shooter Certified Instructors.

**Active Shooter Risk Assessment** is a crime prevention program taught to faculty and staff in their work environments. The purpose of the program is to identify physical and procedural improvements that would

limit the opportunity for a violent intruder to enter the work environment.

**Adopt-a-Cop** is a program in which UPD officers act as liaisons between the police department and members of fraternities and sororities. Each officer is assigned to a Greek organization.

**Alcohol and Drug Abuse Prevention** program is designed to help students understand the dangers of alcohol and drug abuse.

**Blue and U** is a dialogue series that focuses on relationships between police and underrepresented groups in the community. This program was designed to open communication and bridge the gap between law enforcement and the community.

**Campus Safety** outlines general safety tips for life on campus. This program has several versions including Residence Life Safety and Campus Safety for summer camps.

**Dating Violence Prevention** is taught to the



general Ole Miss community. UM Policies on alcohol and sexual misconduct are key elements of this program. Relationship violence, stalking, and sexual assault laws are covered in this program.

**Item Identification** is a complimentary engraving or marking with a special pen applied to a valuable (laptop, cell phone, bicycle, etc.). This free service increases the likelihood of identifying the owners of recovered items.

**Mock Traffic Stop** is a program taught to incoming freshman and high school juniors and seniors. The purpose of the program is to teach people how to interact with police officers during traffic stops. It emphasizes the use of good communication skills.

**Responsible Rebel** is presented to all incoming freshmen during every student orientation session. It is team taught by the Title IX Office, U Matter, Wellness Education, and UPD. UPD covers its services, programs, and general expectations for student conduct.

**Risk Management for Social Events** is a risk management program taught to organizational leaders. Its purpose is to outline effective planning procedures and safe practices for hosting social events on campus. UM Policies on alcohol and sexual misconduct are key elements of this program. Relationship Violence, Stalking, Sexual Assault are covered in this program. Versions of this program are

presented to the general membership minus the planning tools.

**Self Defense and Personal Safety** is a program in which UPD provides the community with personal safety and situational awareness principles and how they are applied in different situations.

**Social Event Safety** is considered a personal safety, alcohol and drug awareness, and violence prevention program. Its purpose is to (1) outline general safety tips for attending social events, (2) outline the UM Alcohol Policy and the UM Sexual Misconduct Policy, and (3) teach students to recognize and respond to behavior caused by the abuse of alcohol and drugs that places them at risk.

For more information or to schedule programs, please call UPD at (662) 915-7234 or email [upd@olemiss.edu](mailto:upd@olemiss.edu).

**Other educational programs** to promote prevention and awareness of rape, acquaintance rape, and other sexual offenses are routinely provided by other university departments such as the University Counseling Center, Department of Student Housing, U Matter (Violence Intervention and Prevention), Office of Wellness Education, and the off-campus Family Crisis Services of Northwest Mississippi, Inc. (662) 234-9929.

The Crime Prevention Unit of UPD coordinates the Rebel Patrol Student Safe Walk Service. Rebel Patrol escorts offer on campus walk along escorts for anyone concerned about walking alone on campus. UPD Officers are available to provide on campus escorts when Rebel Patrol escorts are not on duty. For an escort call (662) 915-7234.

The University has an emergency phone towers system that provides strategically located emergency telephones on campus. By depressing the button on the emergency telephone unit pole, students are immediately in contact with UPD for assistance. The locations of the emergency phone towers are shown on the campus map located here.

## TIMELY REPORTS

Police activity is recorded daily and can be found on UPD's Daily Crime Log. When a particular crime trend is noted or a significant criminal matter occurs, a crime prevention alert sheet is posted in a timely manner, is provided to campus media, posted on UPD's web page, and sent to faculty, staff, and students via email listservs.

## DRUG AND ALCOHOL POLICIES

University of Mississippi Drug-Free Workplace and Workforce Policy

**Summary/Purpose:** The University of Mississippi is committed to maintaining a drug-free workplace and workforce in conformity with federal laws as set forth in the Drug-Free Workplace Act of 1988 and the Department of Defense (DOD) Drug-Free Workforce Rule of 1988.

The University of Mississippi is committed to maintaining a drug-free workplace and workforce in conformity with federal laws as set forth in the Drug-Free Workplace Act of 1988 (41 U.S.C.A. Section 8101 et seq.), as amended, and the Department of Defense (DOD) Drug-Free Workforce Rule of 1988. In the interest of a healthy workforce, and as a result of the law, the University of Mississippi is a drug-free workplace. Faculty and staff members are specifically prohibited possessing, using, manufacturing, selling, distributing, or in any other way involving themselves with controlled substances both on and off campus, except as permitted in the relevant legislation.

For purpose of this policy, the term "faculty and staff members" specifically includes all personnel employed by the University, whether full time or part time. The terms "controlled substances" means those drugs and substances set forth in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812), and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15. The term "workplace" is any location where a faculty or staff member is functioning within his or her job capacity.

## WORKPLACE AND HEALTH RISKS

The University is committed to providing a safe work environment and a workplace free from the use of controlled substances and misuse of prescribed medications; therefore, such activities are prohibited. Employees must refrain from the use of controlled substances while on duty, which includes on call assignments and University business conducted at off site locations. Substance abuse may affect the workplace as well as

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impose harm to the individual. Impairments may affect job performance, increase absenteeism, cause serious accidents, and result in decreased morale. The use of controlled substances may cause health risks such as, stroke, cardiovascular and lung disease, seizures, miscarriage, and birth defects.

## **NOTIFICATION OF CONVICTIONS**

Any faculty or staff member who has been convicted of a criminal drug statute violation occurring in the workplace must notify the Department of Human Resources no later than (5) days after the conviction.

1. Upon notification of such a conviction, the University will initiate appropriate personnel action within thirty (30) days of such notification.
2. Upon notification of such a conviction, the University is required by law to notify the applicable funding agency(s) within ten (10) days if the faculty or staff member is working in a position that is funded by federal monies.

### **Sanctions**

1. Depending upon the facts relating to any drug conviction or use, the employee may be: suspended pending further investigation; required to participate satisfactorily in a drug abuse assistance or rehabilitation program; issued a formal warning; or terminated. For disciplinary actions, up to and including termination, applicable procedures apply, based upon the status of the employee (i.e. faculty/staff, within probationary period/outside probationary period, temporary/permanent, level or responsibility, etc.) Any action is initiated within thirty (30) days after the facts have become known to the University.

When made aware of illegal activity, the University may be obligated to notify the appropriate University, municipal, state, and/or federal law enforcement agency. Employees convicted of violations of federal or state criminal drug statutes may be subject to fines and/or imprisonment.

2. If a faculty or staff member fails to notify the Department of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days after such conviction, he or she will be suspended pending investigation with termination possible.
3. For purposes of this policy, “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

## Drug-Free Awareness Program

The University has established a Drug-Free Awareness Program which is administered through the University Counseling Center and the Department of Human Resources. This program provides supervisory training programs in the identification of illegal drug use, drug counseling for any student or employee, and confidential referrals to rehabilitation programs approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

The Employee Assistance Mental Health Program provides a range of short-term, outpatient services to faculty and staff. Employees who need long-term mental health services to achieve the goals of their treatment plan are referred to a community provider. Information about the Employee Assistance Mental Health Program is disseminated to employees at new hire orientation and during the annual University Health Fair and University Benefits Fair. Additional information about the Employee Assistance Program is available on the University of Mississippi Counseling Center website and in Employee Assistance Program policy which can be accessed on the University's Policy website.

Faculty and staff who seek services through the Employee Assistance Program shall be protected from abuse and retaliatory action. The University respects the rights of its employees and protects the confidentiality of medical information to the fullest extent possible.

To ensure compliance with the Drug-Free Workplace Act of 1988 notification requirement, this policy is distributed annually to faculty and staff. All newly employed faculty and staff, whether exempt or non-exempt, temporary or permanent, receive a copy of this policy during in-hire processing.

## HIGHER EDUCATION OPPORTUNITY ACT INFORMATION

The University of Mississippi is committed to maintaining a drug-free workplace and workforce in conformity with federal laws (see University of Mississippi Drug-Free Workplace and Workforce policy HRO.FR.200.020). Also, in compliance with the federal Drug-Free Schools and Communities Act Amendments of 1989, the University of Mississippi adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on

school premises or as a part of any of its activities, and declares such possession, use or distribution a violation of University policy.

The policy applies to all students (both full-time and part-time) and every faculty and staff member (whether full-time or part-time). It is the personal responsibility of each student, faculty, or staff member to adhere to this policy.

This information has been prepared to ensure that each member of the University

of Mississippi community understands the rationale behind its provisions and his or her responsibilities under the University's policy and the laws of the state of Mississippi. Because the University's foremost concern is the health and well-being of its students and employees, this publication also details resources that are available on campus for counseling and education about the use, misuse, and abuse of alcohol and other drugs.

## HEALTH RISKS

The use and misuse of alcohol and other drugs and other drugs can lead to behaviors or problems for individuals that affect all aspects of wellness: social health, environment health, physical health, emotional/mental health, spiritual health, and intellectual health. Alcohol, especially in high doses, and when rapidly consumed, or in combination with other drugs, can lead to illegal and/or violent behaviors and actions, drinking and driving, injury, or medical emergencies. Research shows that the use of alcohol and/or drugs negatively affects academic performance, relationships, communication, well-being, and risk of dependence. In the case of an overdose emergency, immediately dial x4911, (662) 915-4911 on campus, and 911 if off campus. For more information, please contact the Office of Wellness Education to speak with a health educator (662) 915-6543.

## POLICIES

Search for the following policies on the University of Mississippi Policy Directory: [policies.olemiss.edu](http://policies.olemiss.edu).

- University of Mississippi Drug-Free Workplace and Workforce (HRO.FR.200.020)
- Drug and Alcohol Testing (HRO.FR.200.040)
- Commercial Driver’s License Drug Testing (HRO.FR.200.010)
- Employee Assistance Program (HRO.BE.600.130)
- Convicted of Possession/Sale of Drugs (DSA.FA.600.130)
- Alcohol and Other Drug Sanction Policy (DSA.SC.300.025)
- Alcohol (CHA.AM.100.101)
- Student Housing – Alcohol (DAS.SH.400.003)
- Hazing (DSA.SC.200.035)
- Alcohol Service (CHA.AM.100.103)

## ALCOHOL AND OTHER DRUGS SANCTIONING POLICY

**Summary/Purpose:** The purpose of this policy is to set forth the sanctioning philosophy and range of possible outcomes for students and recognized student organizations found in violation of any University alcohol or drug policy.

Alcohol and illegal drugs are inherently dangerous. The University recognizes that the abuse and misuse of alcohol and drugs can cause significant harm to students, student organizations, and the University community. The University





values a safe and welcoming learning environment. As a result, the philosophy of the Alcohol and Other Drugs Sanctions Policy is based upon education, rehabilitation, and the health and safety of students and the larger university community.

**Policy:** Any student or student group found in violation of a University policy regarding the use of alcohol or other drugs shall be subject to a range of possible outcomes that include but are not limited to: expulsion, suspension, probation, suspension of a student groups' social activities, community service, and/or participation in an alcohol/drug education program for which there could be fees or fines.

To determine the appropriate sanction for a particular student or student organization, the Office of Conflict Resolution and Student Conduct will consider the totality of the circumstances giving rise or related to the infraction, along with the following factors:

- the severity of the infraction,
- the likelihood that alcohol and drug education will minimize the risk of repeat violations,
- the scope of the damage or harm the infraction caused,
- the likelihood that substance abuse/misuse education will encourage responsible behavior,
- the benefits gained from restorative reconciliation where the student or student group: (i) accepts and acknowledges responsibility for the violation, and (ii) works to rebuild trust with the university community through positive social behaviors, such as community service and other rehabilitative exercises, and
- whether the removal of the student or student group from the University community on a permanent or temporary basis is necessary to sustain a healthy and safe campus environment.

The above sanctions are appealable using the University's published student conduct process. Students who are suspended or expelled from the University should be aware that this action may impact the following:

- tuition, residence hall costs and fees (suspension does not forgive financial obligations)
- student financial aid
- athletics participation and eligibility
- health insurance (students are encouraged to contact their personal health care provider)
- University housing



- meal plan
- use of University resources and access to University facilities
- immigration status for international students
- veterans and dependents of veterans
- internships, assistantships, and study abroad

The above list is not a complete list and does not include all potential consequences for suspension or expulsion.

The University may bring a charge under this policy against any student or student group committing any alcohol or drug-related offense that is otherwise sanctionable under the University's conduct policy describing the authority and jurisdiction of the University's conduct system. For students, such offenses include but are not limited to any drug-related crime, public intoxication, and driving under the influence of drugs or alcohol when the University is made aware of such offenses.

If the University brings a charge against a student based upon the student's criminal conviction by any trial court of competent jurisdiction or other court proceeding that includes an admission or finding of guilt, the admission or finding may be accepted as a final factual determination that the student has violated applicable University policy, and the sole function of the University's conduct process will be to determine the appropriate University sanction under this and other University's policies.

## **TOBACCO USE POLICY**

Smoking is prohibited at all times, and at all locations of the University of Mississippi Oxford campus, including University-owned facilities, properties, and grounds. This includes but is not limited to the following:

- the interior of all university-owned buildings
- all outside property or grounds of the Oxford campus, including sidewalks, parking lots, recreational areas and partially enclosed areas such as walkways, breezeways, patios, porches, gazebos, tents, and bus shelters
- within any University of Mississippi-owned vehicles, including buses, vans, shuttles, golf carts, and all other University vehicles
- all indoor and outdoor athletics venues and facilities

This policy applies to all faculty, staff, students, visitors, and contractors.

For purposes of this policy, "smoking" means inhaling, exhaling, burning, carrying or possessing any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lit tobacco products, including electronic equipment.

The University also prohibits littering the campus with remains of any tobacco products.

Additionally, the University-controlled advertising, sale, and free sampling of tobacco products are prohibited on campus, regardless of the vendor. Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events, and athletic events using University-owned facilities, grounds, and properties are required to abide by University of Mississippi policy. Therefore, organizers of such events are responsible for communicating to attendees the policies of the University and for enforcing this policy.

### **Smoking Cessation Programs:**

The Student and Employee Pharmacy Health Services and University Counseling Center offer a range of smoking cessation and support programs for any member of the University community who desires to quit smoking. The University's employee health insurance plan covers the full cost for three months of cessation medications. To learn more about smoking cessation programs available to students and employees, please go to <https://healthcenter.olemiss.edu/pharmacy/>.

## **MISSING STUDENT NOTIFICATION**

**Policy Summary/Purpose:** To establish a set of procedures for the University of Mississippi regarding the reporting, investigating, and required emergency notification when a student is reported missing.

### **Definitions**

**Student:** For purposes of this policy, a student is any person currently enrolled on the Oxford campus.

**Residential Student:** a student who resides in on-campus housing under a housing contract/lease and is currently enrolled at the University.

**Fraternity/Sorority Residential Student:** a student who resides in an on-campus fraternity or sorority house.

**Missing:** A student may be considered missing if she or he is overdue in reaching home, campus, or another specific location past the expected arrival, additional factors lead University staff to believe she or he is missing, and a check of student's residence supports that determination.

### **Notification to Students**

Students are given an opportunity during the fall term matriculation process to designate an individual to be contacted by the University if the student is determined to be missing. Returning and transfer students are given an opportunity to provide this information during each fall term of their enrollment. The designation will remain in effect until changed or revoke by the student.

The form provided for designation states the circumstances in which the designated individual will be contacted and includes a statement that the University is required by law to also notify the student's custodial parent or guardian if the student is under 18 and not an emancipated individual at the time he or she is discovered to be missing. If a student is 18 years of age or older and has not designated an individual to be contacted in the event the student is missing, the University contacts the individual that the student listed as an "emergency contact" at the time of enrollment. When a student is missing and the student failed to designate an individual to be contacted under those circumstances, University officials, in their sole discretion, may contact any person who they believe may have information about the student's whereabouts.

## **Procedures for Reporting and for Investigating Missing Students**

### **Confirmed as a Student:**

Any University employee or student who receives information that a student who receives information that a student is missing, and believes she or he is a student, must immediately report the information or evidence to the University of Mississippi Police and Campus Safety Department (UPD).

### **If the person is a Student:**

UPD will conduct a preliminary investigation to verify the situation and to determine the circumstances that exist relating to the reported missing student. If UPD determines the student should be considered missing, an officer will contact the Dean of Students, the appropriate outside law enforcement agencies, and, if necessary, the Department of Student Housing, to provide the relevant information. The Dean of Students will relay pertinent information to the Office of the Vice Chancellor for Student Affairs.

All pertinent law enforcement agencies, including, if known, those operating in the student's normal routes of travel or hometown, are notified and requested to render assistance; all law enforcement agencies involved receive routine investigation status reports during the course of the investigation. If UPD determines that the student should be considered missing, the person making the initial report is encouraged to make an official missing person report to local police.

**If the student is a "residential student" or a "fraternity/sorority residential student,"** the Department of Student Housing or the Office of Fraternal Leadership and Learning (fraternity/sorority residential student) will conduct preliminary investigation to verify the situation and to determine the circumstances which exist relating to the reported missing student.

A staff member attempts to contact the student via her or his telephone by using the number(s) provided.

If the student cannot be reached by telephone, a staff member attempts to visit the on-campus room of the student in question to verify the student's whereabouts and/or wellness, and, in some cases, deliver a message to contact a parent or family member who is searching for the student.

If the student is not at the room, but the room is occupied, an attempt is made to gain information on the student's whereabouts and/or wellness from the occupants.

If there is no response to a knock on the door of the residence hall room or there are occupants who do not know of the student's whereabouts, a staff member will enter the room in question, by key if necessary, to perform a health and safety inspection. The staff member notes the condition of the room and looks for visible personal property (wallet, keys, cell phone, clothing, etc.) which might provide clues as to whether the student has taken an extended trip or leave from the residence hall.

If the student is not found in the residence hall room or fraternity or sorority house, an attempt is made to gain information on the student's whereabouts from roommates, other members of the residential community, or other friends.

Staff members, at any step in the process, immediately report any suspicious findings to UPD.

If these steps provide an opportunity to speak with the missing student, verification of the student's state of health and intention of returning to campus should be made. A referral, if needed, may be made to the University Counseling Center or other medical agency. Once the student is found, UPD will be contacted to apprise them of the student's state of health and well-being.

If all of these steps do not provide an opportunity to speak with the missing student or to learn her or his whereabouts, UPD will contact, within 24 hours of the student being reported missing, the designated contact person as outlined above.

## **THE CAMPUS SEXUAL VIOLENCE ELIMINATION ACT**

The Campus Sexual Violence Elimination (SaVE) Act increases transparency on campus about incidents of sexual violence guarantees victims enhanced rights, sets standards for disciplinary proceedings, and requires campus-wide prevention education programs. The Campus SaVE Act amends the Clery Act, which addresses campus sexual assault policies within the Higher Education Act of 1965. President Barack Obama signed SaVE into law on March 3, 2013, as part of the Violence Against Women Act (VAWA) Reauthorization.

The Campus SaVE Act amends the Clery Act, which requires campuses to provide annual statistics on incidents of campus crime, including sexual assaults occurring on campus and reported to campus authorities or local police. The Act broadens this requirement to mandate fuller reporting of sexual violence to include incidents of domestic violence, dating violence, and stalking.



## INTERPERSONAL VIOLENCE AND SEXUAL MISCONDUCT POLICY

### Policy Statement

The University of Mississippi is committed to fostering an environment that prevents violence, sexual harassment, and unwelcome sexual misconduct of employees, students, applicants for admission or employment, visitors to campus, or third parties. Prohibited conduct under this policy includes sexual harassment, sexual assault, and certain forms of relationship violence. Violations of this policy in any form will not be excused or tolerated. This policy is implemented and enforced in compliance with applicable law including: the relevant provisions of the Violence Against Women Reauthorization Act of 2013; Title VII of the Civil Rights Act of 1964; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; and other applicable federal and state laws. The University also follows all intervention and crime reporting requirements for policy violations under applicable law.

This policy protects all members of the University community. However, the procedures for formal complaints and subsequent actions are only applicable to students who reported interpersonal violence and/or sexual misconduct falls outside of the University's Title IX policies and procedures. The procedures for formal complaints and subsequent actions applicable to faculty and staff whose reported interpersonal violence and/or sexual misconduct falls outside of the University's Title IX policies and procedures is found in a separate policy, the University of Mississippi's Non-Discrimination and Sexual Harassment Policy and Complaint Procedure.

Violations of this policy in any form will not be excused or tolerated. The University adheres to effective, equitable, and fair procedures to investigate and adjudicate Interpersonal Violence and Sexual Misconduct complaints. The University reinforces this policy by educating the University community on the importance of recognizing, reporting, and

effectively responding to all forms of prohibited conduct. Special emphasis is placed on the rights, needs, and privacy of both parties to a complaint under this policy. The University's Equal Opportunity & Regulatory Compliance (EORC) Office operates in an impartial and unbiased manner and does not advocate on behalf of either party. The University also adheres to all federal, state, and local requirements for intervention for crime reporting and related to violations of this policy.

The University employs a grievance process that rests on fundamental notions of fairness and due process protections so that determinations as to responsibility made at the conclusion of its grievance process are founded on facts and evidence. There is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

### Purpose of Policy

The University of Mississippi is committed to fostering an environment that prevents violence, sexual harassment, and unwelcome sexual misconduct of employees, students, applicants for admission or employment, visitors to campus, or third parties. Students, faculty, and staff should be able to live, study, and work in an environment free from sexual misconduct and violence. The purpose of this policy is to provide students, faculty, and staff notice of the rights and protections afforded to them under this policy and their continuing obligation to respect the dignity of each person by refraining from prohibited behaviors. This policy outlines prohibited conduct, including unlawful discrimination based on sex and sexual harassment.

### Sexual Harassment and Other Sexual Misconduct

Pursuant to this policy, the University of Mississippi prohibits sexual harassment and



other forms of unwelcome sexual contact that occurs outside of the University’s educational programs or activities, or within University’s educational programs or activities outside the United States, in order to protect students, faculty, staff, and the University community as a whole. Sexual misconduct and sexual exploitation may vary in their severity and consist of a wide range of behaviors. These behaviors are serious violations and represent a threat to the safety of the University community.

The requirements of this policy apply regardless of the sexual orientation and/or sexual identity of the individuals engaging in sexual activity. The following sexual misconduct violates this policy, as well as the University’s community standards and values of respect, civility, and personal integrity. The conduct may also be unlawful under applicable state or federal law.

Under this policy, sexual harassment means either: (i) unwelcome sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an educational program or activity of the University; or (ii) sexual assault, dating violence, domestic violence, or stalking as defined below.

**Rape** is the carnal knowledge of a person, 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. Carnal knowledge exists if there is the slightest penetration of the sexual organ of the female (vagina) by the sexual organ of the male (penis).

**Sodomy** is oral or annual sexual intercourse with another person, 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.

**Sexual assault** with an object is the use of an object or instrument to penetrate, without the consent of the victim, however slightly, the genital or anal opening of the body of another person, 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 disability. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia, e.g. a finger, bottle, stick.



**Fondling** is the touching of the private body part 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 disability.

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

**Statutory rape** is intercourse with a person who is under the statutory age of consent.

**Dating violence** means violence committed by a person who is or has been in a social relationship or a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of a relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the applicable jurisdiction, 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.

**Stalking** is a course of conduct directed as a specific person that would cause a reasonable person to: (i) fear for his or her safety or the safety of others; or (ii) suffer substantial emotional distress.

The University's definitions above are adopted from the FBI's Uniform Crime Reporting Program.

**Sexual exploitation:** The University defines sexual exploitation to include the following behaviors that occur inside or outside a University program or activity, and includes but is not limited to:

Non-consensual videotaping, audiotaping, or photographing of sexual activity even if the sexual act is consensual

Non-consensual posting, publishing, sharing, or displaying photo, audio, or video of sexual activity even if the activity was originally recorded with effective consent

**Voyeurism**, which is a form of sexual exploitation in which one individual engages in secretive observation or non-consensual video or audio taping of another for personal sexual pleasure

Any disrobing of another or exposure to another without effective consent



## Consent

For the purposes of this policy, consent between two or more people is defined as an affirmative agreement- through clear actions or words – to engage in sexual activity. The person giving the consent must act knowingly, freely, voluntarily, and with an understanding of his or her actions when giving the consent. This definition of consent is premised on the idea that all persons in our University community have the right to feel respected, acknowledged, and safe during sexual activity.

Nonconsensual sexual activity is prohibited under this policy and requires a showing that a participant knew or reasonably should have known that the other party did not consent to the sexual activity.

A person who willingly participates in sexual activity is responsible for obtaining consent for that sexual activity. Consent must be present throughout the sexual activity. Consent can be withdrawn by any participant at any time during the sexual activity. Accordingly, a participant to sexual activity can revoke consent through actions conduct, or behavior, that communicates that he or she no longer wishes to continue the existing sexual activity. Once consent is withdrawn, the sexual activity must cease immediately.

Although consent can be non-verbal (e.g. nodding), consent should never be assumed or inferred from silence, passiveness, or lack of resistance. A lack of protest or the failure to resist does not constitute consent. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved and consent is obtained. No sexual activity should occur without consent.

Consent to engage in a particular sexual activity with an individual is not consent to engage in all sexual activity with that individual, and consent to engage in a sexual activity with an individual on one occasion is not consent to engage in sexual activity at a later time.

Consent to engage in sexual activity with one person is not consent to engage in sexual activity with any other person.

Consent cannot result from force, or threat of force, coercion, fraud, or intimidation. The use of force or threat of force to induce consent violates this policy whether the force is physical in nature, violent, or involves threats, intimidation or coercion.

Physical force includes but is not limited to: hitting, kicking, and restraining. Physical force may also involve physically exerting control of another person through any form of violence.

Threats or threatening behavior exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual activity to which he or she otherwise would not have consented.

Intimidation is an implied threat. Intimidation exists when a reasonable person would feel

threatened or coerced even though there may not be any threat made explicitly or physical force. Intimidation is evaluated based on the intensity, frequency, or duration of the comments or actions.

### **Incapacitation and Age of Consent**

An incapacitated person lacks the ability to make a voluntary, informed, rational decision about whether to consent to sexual activity. A person may be incapacitated as a result of the consumption of alcohol or other drugs, because of sleep, unconsciousness, or due to a physical or mental impairment or health condition. It is a violation of this policy if the initiator of a sexual activity has sex with someone the initiator knows, or reasonably should know, is incapacitated.

A person who is unconscious, unaware, or otherwise physically helpless cannot give effective consent to sexual activity. Someone is incapacitated when he or she engages in sexual activity when he or she cannot understand or appreciate who, what, when, where, why, or how with respect to the sexual interaction.

People manifest signs of incapacitation differently. Signs of incapacity may include but are not limited to: slurred or incomprehensible speech, a fixed gaze, incoherence, an unsteady manner of walking or the inability to walk or stand up straight, combativeness or emotional volatility, vomiting, or incontinence.

Age can be a form of incapacitation that renders a person unable to give consent. Under state law, a person between the ages of fourteen (14) and sixteen (16) lacks the legal capacity to consent to the sexual intercourse with an individual seventeen (17) years or older, where that individual is at least thirty-six (36) months older than the person. Similarly, a student under the age of eighteen (18) lacks the legal capacity to consent to sexual activity with a person in a position of trust or authority over the student, including, without limitation, the student's teacher, counselor, physician, psychiatrist, psychologist, minister, priest,

physical therapist, chiropractor, legal guardian, parent, stepparent, aunt, uncle, scout leader or coach.

If a person is unsure about the presence of consent or incapacitation, the safe thing to do, with respect to a sexual interaction, is to forego the sexual activity. A party may not assert his or her own intoxication as grounds for being unable to recognize that another person was wither incapacitated or did not otherwise give consent.

### **Reporting an Alleged Policy Violation**

Community members who believe they have, or believe someone they know has, experienced a potential policy violation may submit a report in writing, in person, by mail, by telephone, by electronic mail, or by any other means that results in the Office of Equal Opportunity & Regulatory Compliance ("EORC") receiving the report. Reports can be made at any time, including after business hours and on weekends, and by any person. The Office of Equal Opportunity & Regulatory Compliance ("EORC") can be reached by telephone at (662) 915-7735, by emailing the EORC Office at [eeo@olemiss.edu](mailto:eeo@olemiss.edu), or on campus at 120 Lester Hall. Additional contact information for EORC is provided at the end of 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), in person, by mail, by telephone, or by electronic mail, using the contact information listed for EORC, or by any other means that results in EORC receiving the report. Such a report may be made at any time.

The complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. The respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. Reporting a policy violation is not the same thing as filing a formal complaint. For more information on how to file

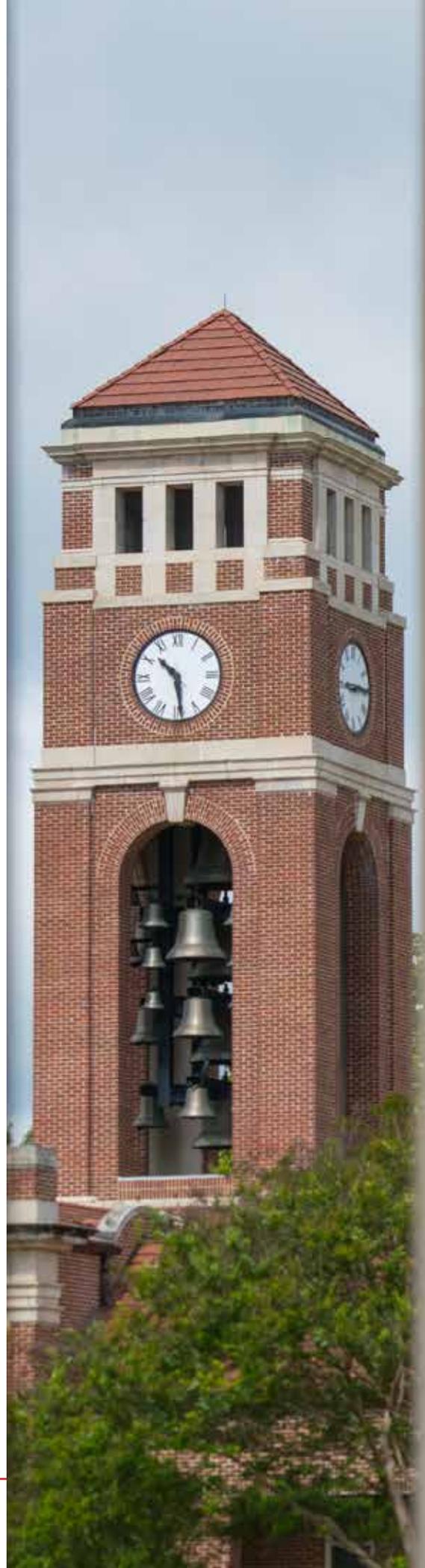
a formal complaint, please see the Filing a Formal Complaint section below.

Employees who are notified of an alleged incident involving a policy violation or allegations of sexual harassment must report the incident to EORC immediately (no later than two calendar days). Employees include all University faculty and staff, except those who work or volunteer in the on campus U Matter; Student Support and Advocacy Office or Violence Intervention and Prevention Services, and/or Psychological Services Center. Those University employees who work or volunteer in the University Counseling Center, Student Health Services, and/or Psychological Services Center are considered confidential employees for the purposes of this policy. Confidential employees are not required to report an alleged incident to EORC unless there is a reasonable threat to campus safety. However, those employees with a mandatory obligation under University policy or applicable law to report policy violation allegations to EORC must do so, even where an individual requests confidentiality.

While maintaining confidentiality, employees and staff within Violence Intervention and Prevention Services or the U Matter; Student Support and Advocacy Office must report the nature, date, and general location of an incident to EORC, along with a list of any supportive measures that were provided. This limited report – which includes no information that would directly or indirectly identify the student – helps keep EORC informed of the general extent and nature of the alleged sexual violence on and off campus so EORC can track patterns, evaluate the scope of the problem, if any, and formulate appropriate campus-wide responses, if necessary.

Although the Violence and Intervention and Prevention Services staff and the U Matter; Student Support and Advocacy staff generally maintain a person’s confidentiality and privacy within the University, they may have certain reporting or other obligations under the state or federal law, including an obligation to respond to lawfully issued subpoenas. If the Violence Intervention and Prevention Services staff or U Matter: Student Support and Advocacy staff believe that an individual may pose a serious and immediate threat to the University community, the University Police Department should be informed so that it can determine if a timely warning to the University community is appropriate. Any such warning should not include any information that identifies the person reporting the information.

Public awareness events such as “Take Back The Night,” “the Clothesline Project, candlelight vigils, protests, “survivor speak outs,” or other forums in which students disclose incidents



of sexual violence, are not considered reports or formal complaints for the purposes of this policy, nor are such events and forums notice to the University of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about students' rights at these events.

Students are encouraged to immediately seek medical attention and contact the University Police Department at (662) 915-7234 if they believe they have been sexually assaulted. Students are strongly encouraged to seek medical attention even if they do not wish to pursue criminal charges or otherwise pursue a complaint under this policy.

### Supportive Measures

Supportive measures are non-disciplinary, non-punitive, individualized services offered by the University as appropriate, as reasonably available, and without fee or charge, to either party 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 educational programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties and the University's educational environment, and deter sexual harassment.

#### Supportive measures may include, but are not limited to:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in work or housing locations
- Leaves of absence
- Temporary residence in a University safe room
- Parking accommodations
- Increased security and monitoring of certain areas of the campus
- Other similar measures

The University must maintain as confidential any measures provided to the complainant or the respondent to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures. Any potential party seeking supportive measures from the University may contact EORC. Alternatively, an individual who has filed a formal complaint or is considering filing a complaint may seek supportive measures through Violence Intervention and Prevention Services, while an individual who is responding to a formal complaint may seek supportive measures through U Matter: Student Support and Advocacy.





## **VIOLENCE INTERVENTION AND PREVENTION SERVICES**

Violence Intervention and Prevention Services at the University of Mississippi is an on-campus resource that promotes awareness of the realities of sexual assault, relationship violence, stalking and other forms of sexual misconduct. This program also provides education and training to students, faculty, and staff concerning these topics. Additionally, Violence Intervention and Prevention Services serves as a confidential advocacy to assist complainants and potential complainants of sexual misconduct and other interpersonal violence, and act as a liaison between the University of Mississippi and local resource groups.

The University is committed to an environment where all members utilize bystander intervention to prevent and end violence on campus and in the community. The University presents programming on prevention of sexual misconduct, relationship violence, and stalking to all students, staff and faculty at orientation and throughout the year. The University also educates all its members on awareness and intervention related to sexual misconduct, relationship violence and stalking, Education

includes University policy, state criminal laws, Title IX and federal laws, the impact of trauma, how to recognize and respond to incidents and the importance of reporting incidents. The University mandates training for all incoming students to increase awareness and foster prevention. The University also mandates training for all staff and faculty.

Individuals who work or volunteer in Violence Intervention and Prevention Services, including front desk staff and students, can generally talk to a complainant without revealing any personally identifying information about an incident to the University. A complainant can seek assistance and support from these individuals without triggering a University investigation that could reveal complainants identify or that the complainant has disclosed the incident.

For a listing of available resources, please visit the website <http://umsafe.olemiss.edu>. To request an educational program or for further assistance, please contact Violence Intervention and Prevention Services at (662) 915-1059.

## UMATTER: STUDENT SUPPORT AND ADVOCACY

The U Matter: Student Support and Advocacy Office at the University of Mississippi is an on-campus resource that serves as the official office for finding resources and information on how students can care for themselves and their peers when in distress. The U Matter: Student Support and Advocacy Office also serves as a confidential advocate to assist respondents and those alleged to have committed sexual misconduct, and as a liaison between the University of Mississippi and local resource groups. The U Matter: Student Support and Advocacy Office operates under the presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of this policy's grievance process. For a listing of available resources, please visit the website <http://umsafe.olemiss.edu>. For further assistance, please contact the U Matter: Student Support and Advocacy Office at (662) 915-7248.

### Filing a Formal Complaint

The complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. The respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. Under this policy, a complainant may file a formal complaint for sexual harassment against a respondent.

A formal complaint is a document alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment. For the purposes of this policy, "document" means a document or electronic submission (such as by electronic mail) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

A formal complaint may be filed with the Assistant Director of EORC in person, by mail, or by electronic mail, by using the following

contact information provided for the Assistant Director of EORC:

Honey Ussery  
Assistant Director of EORC  
University of Mississippi  
Post Office Box 1848  
120 Lester Hall  
P: (662) 915-7735  
F: (662) 915-1229  
[hbussery@olemiss.edu](mailto:hbussery@olemiss.edu)  
[eeo@olemiss.edu](mailto:eeo@olemiss.edu)

Complainants may file a formal complaint without meeting with the Assistant Director of EORC in person, so long as the complaint: (i) contains the complainant's physical or digital signature or otherwise indicates that the complainant is the person filing the formal complaint, (ii) alleges sexual harassment against the respondent, and (iii) requests that the University investigate the allegations.

Any individual seeking to file a formal complaint or looking to explore the option of filing a formal complaint should contact the Assistant Director of EORC.

For information on how to make a report of sexual misconduct or relationship violence with the Assistant Director of EORC, please see the Reporting an Alleged Policy Violation section above.

There are two situations in which the University may initiate its grievance procedures: (i) where a formal complaint has been filed by a complainant, or (ii) where the Assistant Director of EORC has decided to initiate the grievance process on behalf of the University after making a determination that an investigation is objectively warranted.

### A Formal Complaint Signed By The Assistant Director of EORC

The Assistant Director of EORC may sign a formal complaint against a respondent. Where the Assistant Director of EORC signs a formal complaint, the Assistant Director is

not a complainant or otherwise a party to the grievance process and must comply with the requirements of the grievance process outlined in this policy.

Any decision to initiate this policy's grievance process in situations where the complainant does not want an investigation or where the complainant intends not to participate is made thoughtfully and intentionally by the Assistant Director of EORC, taking into account the circumstances of the situation, including the reasons why the complainant wants or does not want the University to investigate. The Assistant Director of EORC is trained with the special responsibilities that involve interacting with complainants, enabling the Assistant Director of EORC to make these decisions. Other University administrators and community members may report sexual harassment incidents to the Assistant Director of EORC and may express to the Assistant Director reasons why the administrator or community member believes that an investigation is warranted, but the decision to initiate a grievance processes one that the Assistant Director of EORC must make. As such, the Assistant Director of EORC may determine that a fair, impartial investigation is objectively warranted as part of the University's obligation to respond to sexual harassment allegations.

### **The Right to an Advisor**

The complainant and the respondent have the right to have an advisor of their choice, who may be, but is not required to be, an attorney, present throughout the entire grievance process. Any time during the grievance process, both parties may choose their own advisors or may request that the University provide them and advisor at no cost or fee.

An advisor for either the complainant or respondent may: (i) accompany the party to any meeting or proceeding during this policy's grievance process; (ii) assist the party with the gathering of evidence during an investigation into a violation of this policy; (iii)

assist the party with inspecting and reviewing evidence gathered by the Investigator(s); (iv) be asked by the respective party to assist in making meaningful written responses to the information gathered throughout the investigative process; (v) attend the live hearing and conduct cross-examination, orally and in real time; and (vi) may be asked by the respective party to assist in submitting a written statement in support of, or challenging, the outcome of the live hearing, if necessary.

The University will not limit the choice or presence of the advisor for either the complainant or respondent in any meeting or grievance proceeding but may impose restrictions on the extent to which the advisor may participate in the proceedings. Any and all such restrictions will apply equally to the complainants and respondents. The Investigation Process and Hearing Process sections of this policy further discuss the roles and responsibilities of advisors with additional specificity.

### **Advisors During Live Hearing**

The right to have an advisor present throughout the hearing process extends to live hearings as well, if one occurs. If a party does not have an advisor present at the hearing, the University will provide that party an advisor. At the live hearing, each party's advisor will be permitted to ask the other party and other witnesses all relevant questions and follow-up questions, including those that challenge credibility.

### **The Investigation Process**

The EORC Office at the University operates in an impartial and unbiased manner and does not advocate on behalf of the individualized interests of the complainant or the respondent. Throughout the information gathering process, the Assistant Director of EORC and Investigator(s) maintain objectivity, and the Investigator(s) conduct any investigation resulting from a formal complaint under the presumption that the respondent is not responsible for the alleged conduct until a

determination regarding responsibility is made at the conclusion of the grievance process.

### **Receipt of a Formal Complaint**

Upon receipt of a formal complaint, the EORC Office will provide written notice to the parties of the allegations contained in the complaint, along with the notice of the University's grievance procedures. The notice of allegations will include sufficient details about the allegations potentially constituting sexual harassment under this policy and will provide the parties sufficient time to prepare a response before any initial interview. These details will include, to the extent known, the identities of the parties involved in the incident, the conduct allegedly constituting a policy violation, and the date and location of the alleged incident.

The notice of allegations will also specify that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The notice will additionally inform the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and that the parties may inspect and review evidence as provided for in this policy.

If, after the initial notice is disseminated, the University decides to investigate allegations about the complainant or the respondent that are not included in the initial notice of allegations, or if new details pertaining to the allegations are discovered, all known parties will be given notice of the additional allegations or the newly discovered details.

### **Information Gathering**

The Investigator(s) will attempt to interview the complainant and the respondent of the alleged incident. Additionally, the Investigator(s) will request from both parties any information and evidence that is directly related to the allegations under investigation, including the names of potential witnesses to interview. The complainant and respondent

will also be given equal opportunity to present witnesses during the investigation process, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Both parties will also have the ability to discuss the allegations under investigation with the Investigator(s) and to gather and present relevant evidence, and the EORC Office will not restrict these abilities. Similarly, the complainant and the respondent will be given the same opportunity to have others present during any meeting that takes place during the investigation process, which includes the opportunity to be accompanied by an advisor of their choice or an advisor provided by the University. While gathering information, the Investigator(s) will not make determinations regarding credibility of the parties or witnesses, and will objectively evaluate evidence.

With respect to parties or witnesses who participation is invited or expected, the EORC Office will provide written notice of the date, time, location, participants, and purpose of the investigative interview or other meeting, and will provide sufficient time for these individuals to prepare to participate.

The Investigator(s) will also provide both parties an equal opportunity to inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including 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 before the conclusion of the investigation.

### **The Investigative Report**

Prior to completion of the investigative report, the Investigator(s) will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have

ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report. The EORC Office will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing.

Once the Investigator(s) have considered the parties' written responses, if any, and the investigation process has concluded, the Investigator(s) will create an investigative report that fairly summarizes relevant evidence. The report will not contain finding of fact as to whether a policy violation did or did not occur but will instead contain a summary of the investigation and all relevant documents submitted by the parties and potential witnesses. The Assistant Director of EORC and/or Investigator(s) will determine whether a piece of evidence is relevant and thus included in the investigative report.

At least ten (10) days prior to a hearing, if a hearing is required or provided, or other time of determination regarding responsibility, the EORC Office will send to each party and the party's advisor, if any, the final investigative report in an electronic format or hard copy, for their review and written response.

### **Timeframes**

The University is committed to the reasonably prompt resolution of a formal complaint of sexual harassment so that parties to an Interpersonal Violence and Sexual Misconduct case are not required to wait longer than necessary to know the resolution of a formal complaint of sexual harassment. Accordingly, these cases will generally be adjudicated within the ninety (90) business days from the date that the Assistant Director of EORC is notified of the complaint.

The Investigator(s) will make every effort to investigate the allegations raised in a formal complaint but will not allow speed to interfere with the quality of the investigation. The time required to conduct a thorough and complete

investigation will vary depending upon, among other things, the complexity of the allegations, the availability or absence of the parties or witnesses, the number of witnesses, the volume of documentary evidence that must be reviewed or gathered, break periods and periods where the University is either on break or closed, or concurrent law enforcement activity that may require the University to suspend its investigation or other proceedings in deference to law enforcement activity.

The timeframe for the resolution of formal complaint may be extended for good cause with written notice to the parties and an explanation for the delay. Good cause includes, but is not limited to, considerations such as the absence of party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation or disabilities.

### **Informal Resolution Process**

At any time prior to the Independent Decision-Maker reaching a determination regarding the respondent's responsibility, the Assistant Director of EORC may offer to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication of the complainant's allegations. The information resolution process is only available after a formal complaint has been filed.

If the complainant and respondent are interested in pursuing informal resolution of a complaint both parties will be notified of the allegations, the requirements of the informal resolution process, including any circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participation in the informal resolution process, including what records will be maintained and shared. Before an informal resolution process may proceed, the complainant and the respondent must voluntarily agree to the process in writing. The parties cannot be compelled to



participate. Before reaching an agreement through the mediation process, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. If, however, the parties reach an agreement during this process, the terms of the mediation agreement will be memorialized in writing and will be binding upon the parties. Violation of the written agreement will result in the student being charged with Disregard for University Authority, DSA.SC.200.010, and may result in the agreement being voided.

If the parties are unable to reach an agreement through the informal resolution process, the investigation and/or adjudication process will resume.

### **Pre-Hearing Conference**

Once the investigative report has been made available to the parties and their advisor, if any, the EORC Office will schedule an individual pre-hearing conference with both the complainant and the respondent. During the pre-hearing conference, the parties will be informed of their right and will be instructed on the remainder of the Interpersonal Violence and Sexual Misconduct grievance process. In addition, both parties will be asked to provide

the names of any advisors and witnesses who they anticipate will participate in the live hearing, should a hearing take place. Additional meetings with the complainant or respondent will be scheduled if necessary.

### **The Hearing Process**

If the parties have not agreed to the informal resolution process, and other circumstances do not prevent a case from moving forward, the matter will be resolved by the University's designated Independent Decision-Making through a live hearing.

The Independent Decision-Maker reaches a determination as to the respondent's responsibility, but operates under the presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

### **Determining the Time and Location of the Hearing**

After the pre-hearing conference, the designated Hearing Clerk will work with the complainant, respondent, advisors, witnesses, and the Independent Decision-Maker for the University to determine the time and location of the live hearing.



### **The Live Hearing**

The live hearing will take place on the date and time agreed to by the complainant and respondent. A live hearing does not require that parties, the Independent Decision-Maker, or other individuals participating in the hearing process meet face to face at the same geographic location. Live hearings may be conducted with all parties physically present in the same geographic location or, 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. Additionally, at the request of either the complainant or the respondent, the University will facilitate the live hearing with the parties located in separate rooms with technology enabling the Independent Decision-Maker and the parties to simultaneously see and hear the party or witnesses answering questions. Live hearings are closed proceedings and not open to the public.

The Independent Decision-Maker will preside over the live hearing and is vested with the authority to maintain the order of the parties, participants, and proceedings. At the beginning of the live hearing, The Independent

Decision-Maker will give an overview of the hearing process. During the hearing, the complainant and respondent will have the opportunity to present and challenge evidence. If the Independent Decision-Maker makes any credibility determinations about a hearing participant, those determinations will not be based on a person's status as a complainant, respondent, or witness.

The complainant and the respondent are permitted to make an opening statement to the Independent Decision-Maker at the beginning of the live hearing. Similarly, both parties are permitted to make a closing argument to the Independent Decision-Maker at the conclusion of the live hearing. Either party may elect to have their advisor make their opening statement, closing argument, or both. The opening statement and closing argument each must not exceed ten (10) minutes in length.

The EORC Office will make any such evidence that was subject to the parties' inspection and review prior to the completion of the investigative report available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for the purposes of cross-examination.

## **Cross-Examination and Relevance of Evidence**

All evidence presented during the live hearing, as well as all questions asked during the cross-examination portions of the live hearing, must be relevant. A piece of evidence or cross-examination question is relevant if (i) it has any tendency to make a fact more or less probably than it would be without the evidence, and (ii) the fact is of consequence in determining the case.

The Independent Decision-Maker may ask questions and will permit each party's advisor to ask questions, and follow up questions, including those that challenge credibility, but all questions asked during such cross-examination must be relevant. Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor and never by a party personally. If a party does not have an advisor present at the hearing, the University will provide that party an advisor of the University's choice at no cost to that party. If the Independent Decision-Maker makes any credibility determinations about a hearing participant, those determinations cannot be based on a person's status as a complainant, respondent, or witness.

Before a complainant, respondent, or witness answers a cross-examination or other question, the Independent Decision-Maker must first determine whether the question is relevant and will explain any decision to exclude a question as not relevant. All questions and evidence about the complainant's sexual behavior or predisposition are irrelevant and therefore must be excluded from evidence during the live hearing, unless (i) such evidence about the complainant's sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or (ii) the evidence concerns specific incidents of the complainant's sexual behavior with respect to the respondent and is offered to prove consent.

## **If a Party or Witness Does Not Submit to Cross-Examination**

If a party or witness does not submit to cross-examination at the live hearing, the Independent Decision-Maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Independent Decision-Maker cannot 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.

If the Independent Decision-Maker asks questions, and a party or witness refuses to respond to the Independent Decision-Maker's questions, the Independent Decision-Maker is not precluded from relying on that party or witness's statements. The Independent Decision-Maker's neutral fact-finding questions are different than cross-examination questions.

## **Investigator as a Witness**

The Investigator(s) may be called as a witness by either party or the Independent Decision-Maker to present information regarding the investigation. As with any witness, the Investigator(s) will not testify whether a policy violation occurred nor be asked his or her opinion about the respondent's responsibility or lack thereof but will only testify to his or her first-hand knowledge of the facts gathered during the investigation. In addition, the Investigator(s) may testify as to any factual inconsistencies found during the investigation.

## **Standard of Evidence to be Applied**

In reaching a determination regarding responsibility, the Independent Decision-Maker will apply a preponderance of the evidence standard. This standard requires a showing that a particular party's evidence is more credible or convincing than that presented by the other party, or a showing that the fact to be proven is more probable than not.

The decision of the Independent Decision-Maker regarding the respondent's responsibility as well as possible sanctions will be determined within two (2) business days of the completion of the live hearing.

The Independent Decision-Maker will issue a written determination regarding responsibility, which will include: (i) identification of the allegations potentially constituting sexual harassment, (ii) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence, and hearings held; (iii) findings of fact supporting the determination; (iv) conclusions regarding the application of the University's Policy to the facts; (v) a statement of, and rationale for, the results as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University will impose on the respondent, if any, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant and (vi) the University's procedures and permissible bases for the complainant or the respondent to appeal the decision. The complainant and the respondent will be notified of the hearing panel's determination simultaneously.

The determination regarding responsibility becomes final on the date that the University provides the parties with the written determination of the result of the 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.

### **Recording the Live Hearing**

The Independent Decision-Maker will create an audio recording, audiovisual recording, or transcript, or any live hearing and make it available to the parties for inspection and review.

### **Disciplinary Sanctions**

The University's Interpersonal Violence and Sexual Misconduct Policy encompasses a wide range of prohibited conduct. As such, depending upon the facts and circumstances of a particular policy violation, sanctions resulting from a finding of responsibility may range from a verbal reprimand to expulsion from the University. Sanctions are enforced immediately upon determination of the violation.



The following list encompasses all possible sanctions that may be imposed by the University:

- Oral reprimand: An oral statement of disapproval with or without written follow-up communication.
- Written reprimand: A written notice to the respondent of the inappropriate nature of the conduct.
- Disciplinary probation: Probation accompanied by a written reprimand to the respondent for violation of the Interpersonal Violence Sexual Misconduct Policy Probation is for a definite period of time and includes the possibility of more severe sanctions if the respondent is found responsible for violating any other University rules and regulations during the probationary period.
- Loss of privileges: Denial of specified privileges for a designated period of time. This may include, but is not limited to, loss of visitation rights, denial of participation in specific programs, denial of participation in University-related organizations or groups, denial of the right to attend University-sponsored events, and denial of access to campus resources or facilities.
- Restitution: Reasonable compensation for loss, damage, or injury, to the appropriate party. Restitution may take any form of community service, monetary compensation, or material replacement.
- Community service: Assignment for the benefit of the University or community. Community service assignments must be approved by the Assistant Director of EORC.
- Assessment: A respondent may be required to attend sessions with a counselor for an assessment, either through the University's Counseling Center, Student Health Services or an outside provider.
- Substance abuse education: A respondent may be required to meet with a substance abuse educator or attend programs designed to help the student deal with substance abuse issues and learn from the experience.
- Educational project(s): A respondent may be required to participate in educational projects that will enhance the educational impact of the grievance process on the respondent, which may include oral or written reports to the Assistant Director of EORC Educational sanctions are designed to increase the respondent's understanding of how his or her behavior affects others.
- Suspension: Separation of the respondent from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified. This sanction will be noted on the academic transcript of the respondent. Academic coursework completed during a respondent's suspension will not be accepted as transfer credit.
- Expulsion: Permanent separation of the respondent from the University community without the possibility of readmission. This sanction will be noted on the academic transcript of the respondent.
- A combination of any of the above sanctions.

Other remedies: Though not a disciplinary sanction, the Independent Decision-Maker may order remedies which are designed to restore or preserve equal access to the University's education program or activity by the University to the complainant.

## **Appeals**

If a party wishes to appeal a determination regarding responsibility, including sanctions, and from the University's dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence 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 Assistant Director of EORC, Investigator(s), or Independent Decision-Maker 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;
- The grievance process described in the University's Interpersonal Violence and Sexual Misconduct Policy was not followed;
- The conduct alleged does not fall within the jurisdiction of the University's Interpersonal Violence and Sexual Misconduct grievance process; or
- The sanctions imposed by the Independent Decision-Maker were not appropriate for the violation that the respondent was found to have committed.

## **After an Appeal Has Been Filed**

The non-appealing party will be notified in writing when an appeal is filed. The complainant and respondent will be provided a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome of the grievance proceeding giving rise to the appeal. The decision-maker for the appeal will not be the Assistant Director of EORC, Investigator(s), nor the Independent Decision-Maker that reached the determination regarding responsibility or dismissal of a complaint giving rise to the appeal.

## **Review By The Appellate Consideration Board**

The Chancellor of the University has delegated final authority of review to the Appellate Consideration Board. The Appellate Consideration Board will review the written request for appellate consideration, the case file, and any audio recording audiovisual recording, or transcript of the live hearing. The Appellate Consideration Board may request new information or material from the complainant, respondent, Independent Decision-Maker, conduct officers, Assistant Director of EORC, Investigator(s), or witnesses. In determining the merit of an appeal, the Appellate Consideration Board will not substitute its judgment for the decision of the Independent Decision-Maker that presided over the live hearing.

## **The Decision of the Appellate Consideration Board**

After reviewing the appeal and the documents related to a case, the Appellate Consideration Board will make a decision based upon the basis or bases of the appeal.

For appeals based on a claim of procedural irregularity that affected the outcome of the matter, the Appellate Consideration Board may: (i) reduce or change the sanction to something similar or less than the original sanction, (ii) remand the case to the Independent Decision-Maker with specific questions and/or instructions to consider, or (iii) remand the case to a new designated Independent Decision-Maker for a new live hearing.

For appeals based on a claim of new evidence that was not reasonably available at the time the determination regarding responsibility was made, which affected the outcome of the matter, the Appellate Consideration Board may: (i) uphold the decision and/or sanction as the new evidence would not affect the rational of a designated Independent Decision-Maker, or (ii) remand to the Independent Decision-Maker with specific instructions concerning the review of the new material.

For appeals based on a claim that the Assistant Director of EORC, Investigator(s), or Independent Decision-Maker 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, the Appellate Consideration Board may: (i) uphold the decision and/or sanction as the conflict of interest or bias did not affect the outcome of the matter, or (ii) remand the case to a new designated Independent Decision-Maker for a new hearing.

For appeals based on a claim that the grievance process described in the University's Interpersonal Violence and Sexual Misconduct Policy was not followed, the Appellate Consideration Board may: (i) uphold the decision and/or sanction, (ii) remand the case to the Independent Decision-Maker with specific instructions, or (iii) remand the case to a new designated Independent Decision-Maker for a new hearing.

For appeals based on a claim that the grievance process described in the University's Interpersonal Violence and Sexual Misconduct Policy was not followed, the Appellate Consideration Board may: (i) uphold the decision and/or sanction, (ii) remand the case to the Independent Decision-Maker with specific instructions, or (iii) remand the case to a new designated Independent Decision-Maker for a new hearing.

For appeals based on a claim that the conduct alleged does not fall within the jurisdiction of

the University's Interpersonal Violence and Sexual Misconduct grievance process, the Appellate Consideration Board may: (i) uphold the decision and/or sanction, (ii) remand the case to the Independent Decision-Maker with specific instructions, or (iii) remand the case to a new designated Independent Decision-Maker for a new hearing.

For appeals based on a claim that the sanctions imposed by the Independent Decision-Maker were not appropriate for the violation that the respondent was found to have committed, the Appellate Consideration Board may: (i) reduce or change the sanction to something similar or less than the original sanction, or (ii) remand to the Independent Decision-Maker with specific questions and/or instructions to consider.

The Appellate Consideration Board will issue a written decision describing the appeal and the rational for the result, which will be provided to the parties simultaneously.

### **Emergency Removal of a Respondent**

The University maintains the authority to remove a respondent from its education programs or activities on an emergency basis if, after undertaking an individualized safety and risk analysis, it is determined that a respondent posed an immediate threat to the physical health or safety or any other students or other individual arising from the allegations of sexual harassment that justifies removal, and the University provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

### **Amnesty**

To encourage University community members to timely seek medical care and to promptly report allegations of sexual harassment and other conduct prohibited by this policy, the University offers amnesty to those individuals the EORC Office learns has voluntarily consumed alcohol or other drugs relating to the alleged incident under investigation. Students who have consumed or possessed

alcohol or drugs during the circumstances related to or involving the incident alleged in an Interpersonal Violence and Sexual Misconduct report or formal complaint will not face conduct proceedings nor be otherwise sanctioned for such conduct under the University's drug and alcohol policies. This amnesty extends to complainants, respondents, and any witnesses making a report, formal complaint, or participating in an investigation or proceeding in any manner pursuant to this policy.

The University may require an individual to undergo non-punitive alcohol or drug education or training if it appears to the Assistant Director of EORC that the individual may be at risk with regard to the health and safety and/or social complications that accompany the repeated and excessive use of alcohol or drugs.

### **Retaliation**

Retaliation against an individual who initiates a complaint alleging a violation of this policy, participates in an investigation, or pursues legal action, is prohibited. Accordingly, the University nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by law or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. 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 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 law or this policy, constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation

prohibited under this provision. 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 provision does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Any person, whether a complainant, respondent, or witness, who is concerned they have experienced retaliation may file a complaint under this policy, which the EORC Office will promptly investigate. The Assistant Director of EORC may implement supportive measures or take other remedial action in response to allegations or threats of retaliation prohibited by this policy. These measures may include, but are not limited to academic accommodations, No Contact directives, changes in course schedules, and modifications to housing assignments.

Disciplinary sanctions may be issued against anyone determined to have engaged in retaliation, including individuals who are acting on behalf of the respondent or complainant, with or without the knowledge of the complainant or respondent.



## **Confidentiality and Privacy**

The University will 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 or sexual harassment, any complainant under this policy, and individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness in an Interpersonal Violence and Sexual Misconduct grievance process. Confidentiality will be maintained, except where a disclosure is required by applicable law or necessary for the conduct of any investigation, hearing or proceeding under this policy.

Even where an individual requests privacy or confidentiality, employees who receive a report of sexual misconduct must share that information with the Assistant Director of EORC unless otherwise exempt by state or federal law or other university policy. This disclosure is necessary because the employee may have a continuing obligation to maintain campus safety. The Assistant Director of EORC will then determine whether further investigation is warranted, notwithstanding the request for privacy or confidentiality.

A complainant has the autonomy to decide whether or not to file a complaint and whether or not to participate in an Interpersonal Violence and Sexual Misconduct grievance process. However, the Assistant Director of EORC may determine that the circumstances of an alleged incident are so severe or that the allegations otherwise indicate there is an ongoing danger to the complainant and or members of the University community such that action must be taken on the part of the University beyond the action requested by the complainant. The Assistant Director of EORC has the discretion to proceed with an investigation into a potential violation of this

policy, without the complainant's involvement, by signing a formal complaint against the respondent.

When determining whether to proceed without cooperation from the complainant, the Assistant Director of EORC will weigh a number of factors. Examples of factors the Assistant Director of EORC will consider include: the risk of the respondent committing additional acts; if the respondent has threatened to commit additional acts; if other complaints have been reported about the same respondent; if the complaint involves multiple respondents; the respondent's history of arrests or other conduct records, the involvement of a weapon, the ages of the complainant and respondent, whether the respondent is in a position or authority over the complainant, whether the allegations involve violence or serial predatory conduct and the University's ability to move forward with the investigation without the complainant.

If the Assistant Director of EORC moves forward with the investigation, with or without the complainant's participation, information will only be shared with those individuals who are responsible for handling the school's response to the complaint and those necessary to the investigation. The Assistant Director of EORC may be performed by the Assistant Director of EORC, or by another University employee trained by, and acting under the supervision of, the Assistant Director of EORC. Contact information for the University of Mississippi's Office of EORC is listed below.

### **Office of Equal Opportunity and Regulatory Compliance**

P.O. Box 1848  
120 Lester Hall  
Phone: (662) 915-7735  
Fax: (662) 915-1229

## **VIOLENCE INTERVENTION AND PREVENTION SERVICES**

Traumatic events happen every day in all communities and the University of Mississippi (UM) community is not exempt. Sexual violence can happen to anyone regardless of age, race, gender or sexual orientation. Impact can vary and UM strives to mitigate the impact of traumatic experiences by decreasing barriers and empowering victim-survivors in making informed decisions by providing free and confidential trauma informed services.

Violence Intervention and Prevention (VIP) Services is a confidential, on-campus resource that promotes awareness of the realities of sexual assault, intimate partner violence, stalking, and other forms of sexual misconduct. VIP Services also serves as a confidential advocacy to assist victim-survivors of sexual misconduct and other interpersonal violence, and as a liaison between the University and local resource groups. VIP Services is not a part of the police department or the Title IX Office.

The University educates all its members on awareness and intervention related to sexual misconduct and interpersonal violence. Education includes University policy, state, and criminal laws. Title IX and federal laws, the impact of trauma, how to recognize and respond to incidents, and the importance of the victim-survivor deciding what is best for them.

Confidential advocacy services are available to support students who may have experienced sexual assault, intimate partner violence, or stalking. Reach out by emailing [sapoole@olemiss.edu](mailto:sapoole@olemiss.edu) or by calling (662) 915-1059 for information. Appointments are also available via phone and HIPPA compliant video conferencing. To learn more about the VIP Services please go to Violence Intervention and Prevention Services.

## **UMATTER: STUDENT SUPPORT & ADVOCACY**

The U Matter: Student Support and Advocacy Office at the University of Mississippi is an on-campus resource that serves as the official office for finding resources and information on how students can care for themselves and their peers when in distress. The U Matter: Student Support and Advocacy Office also provides confidential advocacy to assist respondents and those alleged to have committed sexual misconduct, and as a liaison between the University of Mississippi and local resource groups. The U Matter: Student Support and Advocacy Office operates under the presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX grievance process.

If you have questions about U Matter, or if you'd like to talk with a confidential Advocate, please call Kimbrlei McCain at (662) 915-7248, or email [umsafe@olemiss.edu](mailto:umsafe@olemiss.edu) or [kamccain@olemiss.edu](mailto:kamccain@olemiss.edu). To learn more about the U Matter: Student Support & Advocacy Office please visit U Matter.

## MISSISSIPPI STATE LAW RELATED TO PROHIBITED CONDUCT

### **Rape: M.S. Code §93-7-91**

Every person who shall be convicted of an assault with intent to forcibly ravish any female or previous chaste character shall be punished by imprisonment in the penitentiary for life, or for such shorter time as may be fixed by the jury, or by the court upon the entry of a plea of guilty.

### **Sexual Battery: M.S. Code §93-7-95**

A person is guilty of sexual battery if he or she engages in sexual penetration with: another person without his or her consent; a mentally defective, mentally incapacitated or physically helpless person; a child at least fourteen (14) but under sixteen (16) years of age, if the person is thirty-six (36) more months older than the child; or a child under the age of fourteen (14) years of age, if the person is twenty-four (24) or more months older than the child.

### **Consent: M.S. Code §93-7-97 (c)-(d)**

A “mentally incapacitated person” is one rendered incapable of knowing or controlling his or her conduct, or incapable or resisting an act due to the influence of any drug, narcotic, anesthetic, or other substance administered to that person without his or her consent.

A “physically helpless person” is one who is unconscious or one who for any other reason is physically incapable of communicating an unwillingness to engage in an act.

### **Domestic Violence Simple Assault: M.S. Code §93-3-7(3)**

- (a) When the offense is committed against a current or former spouse of the defendant or a child of that person, a person living as a spouse, or who formerly lived as a spouse with the defendant or a child of that person, a parent, grandparent, child, grandchild, or someone similarly situated to the defendant, a person who has a current or former dating relationship with the defendant, or a person with whom the defendant has had a biological or legally adopted child, a person is guilty of simple domestic violence who: attempts to cause or purposely, knowingly, or recklessly causes bodily injury to another, negligently causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or attempts by physical menace to put another in fear of imminent serious bodily harm. Upon conviction, the defendant, shall be punished by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the county jail for not more than six (6) months, or both.
- (b) *Simple domestic violence: third.* A person is guilty of the felony of simple domestic violence third who commits simple domestic violence as defined in this subsection (3) and who, at the time of the commission of the offense in question, has two (2) prior convictions, whether against the same or another victim, within seven (7) years, for any combination of simple domestic violence under this subsection (3) or aggravated domestic violence as defined in subsection (4) of this section or substantially similar offenses under the law of another state, of the United States, or of a federally recognized Native American tribe. Upon conviction, the defendant shall be sentenced to a term of imprisonment not less than five (5) nor more than ten (10) years.

### **Aggravated domestic violence: M.S. Code §97-3-7(4)**

- (a) When the offense committed against a current or former spouse of the defendant or a child of that person, a person living as a spouse or who formerly lived as a spouse with the defendant or a child of that person, a parent, grandparent, child, grandchild,



or someone similarly situated to the defendant, a person who has a current or former dating relationship with the defendant, or a person with whom the defendant has had a biological or legally adopted child, a person is guilty of aggravated domestic violence who: attempts to cause serious bodily injury to another, or causes such an injury purposely, knowingly, or recklessly under circumstances manifesting extreme indifference to the value of human life; attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or strangles, or attempts to strangle another. Upon conviction, the defendant shall be punished by imprisonment in the custody of the Department of Corrections for not less than two (2) nor more than twenty (20) years.

- (b) *Aggravated domestic violence; third.* A person is guilty of aggravated domestic violence third, who at the time of the commission of that offense, commits aggravated domestic violence as defined in this subsection (4) and who has two (2) prior convictions within the past seven (7) years, whether against the same or another victim, for any combination of aggravated domestic violence under this subsection (4) or simple domestic violence third as defined in subsection (3) of this section, or substantially similar offenses under the laws of another state, of the United States, or of a federally recognized Native American tribe. Upon conviction for aggravated domestic violence third, the defendant shall be sentenced to a term of imprisonment of not less than ten (10) nor more than twenty (20) years.
- Sentencing for fourth or subsequent domestic violence offense.* Any person who commits an offense defined in subsection (3) or (4) of this section, and who, at the time of the commission of that offense, has at least three (3) previous convictions, whether against the same or different victims, for any combination of offenses defined in subsections (3) and (4) of this section or substantially similar offenses under the law of another state, of the United States, or of a federally recognized Native American tribe, shall, upon conviction, be sentenced to imprisonment for not less than fifteen (15) years nor more than twenty (20) years. In sentencing under subsections (3), (4), and (5) of this section, the court shall consider as an aggravating factor whether the crime was committed in the physical presence or hearing of a child under sixteen (16) years of age who was, at the time of the offense, living within either the residence of the victim, the residence of the perpetrator, or the residence where the offense occurred.



**Stalking: M.S. Code §97-3-107**

1. (a) Any person who purposefully engages in a course of conduct directed at a specific person, or who makes a credible threat, and who knows or should know that the conduct would cause a reasonable person to fear for his or her own safety, to fear for the safety of another person, or to fear damage or destruction of his or her property, is guilty of the crime of stalking.
  - (b) A person who is convicted of the crime of stalking under this section shall be punished by imprisonment in the county jail for not more than (1) year or by a fine of not more than One Thousand Dollars (\$1,000), or by both such fine and imprisonment.
  - (c) Any person who is convicted of a violation of this section when there is in effect at the time of the commission of the offense a valid temporary restraining order, ex parte protective order, protective order after hearing, court approved consent agreement, or an injunction issued by a municipal, justice, county, circuit or chancery court, federal or tribal court or by a foreign court of competent jurisdiction prohibiting the behavior described in this section against the same party, shall be punished by imprisonment in the county jail for not more than one (1) year and by a fine of not more than One Thousand Five Hundred Dollars (\$1,500).
2. (a) A person who commits acts that would constitute the crime of stalking as defined in this section is guilty of the crime of aggravated stalking if any of the following circumstances exist:
    - i. At least one (1) of the actions constituting the offense involved the use or display of a deadly weapon with the intent to place the victim of the stalking in reasonable fear of death or great bodily injury to self or a third person;
    - ii. Within the past seven (7) years, the perpetrator has been previously convicted of stalking or aggravated stalking under this section or a substantially similar law of another state, political subdivision of another state, of the United States, or of a federally recognized Indian Tribe, whether against the same or another victim; or
    - iii. At the time of the offense, the perpetrator was a person required to register as a sex offender pursuant to state, federal, military or tribal law and the victim was under the age of eighteen (18) years.

Aggravated stalking is a felony punishable as follows:

- i. Except as provided in subparagraph (ii), by imprisonment in the custody of the Department of Corrections for not more than (5) years and a fine of not more than Three Thousand Dollars (\$3,000).
- ii. If, at the time of the offense, the perpetrator was required to register as a sex offender pursuant to state, federal, military, or tribal law, and the victim was under the age of eighteen (18) years, by imprisonment for not more than six (6) years in the custody of the Department of Corrections and a fine of Four Thousand Dollars (\$4,000).

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3. Upon conviction, the sentencing court shall consider issuance of an order prohibiting the perpetrator from any contact with the victim. The duration of any order prohibiting contact with the victim shall be based upon the seriousness of the facts before the court, the probability of future violations, and the safety of the victim of another person.
  4. Every conviction of stalking or aggravated stalking may require as a condition of any suspended sentence or sentence of probation that the defendant, at his own expense, submit to psychiatric or psychological counseling or other such treatment or behavioral modification program deemed appropriate by the court.
  5. In any prosecution under this section, it shall not be a defense that the perpetrator was not given actual notice that the course of conduct was unwanted or that the perpetrator did not intend to cause the victim fear.
  6. When investigating allegations of a violation of this section, law enforcement officers shall utilize the Uniform Offense Report prescribed by the Office of the Attorney General in consultation with the sheriffs' and policy chiefs' associations. However, failure of law enforcement to utilize the Uniform Offense Report shall in no way invalidate the crime charged under this section.
  7. For purposes of venue, any violation of this section shall be considered to have been committed in any county in which any single act was performed in furtherance of a violation of this section. An electronic communication is generated or in which it is received.
  8. For the purposes of this section:
    - (a) "Course of conduct" means a pattern of conduct composed of a series of two (2) or more acts over a period of time, however short, evidencing a continuity of purpose and that would cause a reasonable person to fear for his or her own safety, to fear for the safety of another person, or to fear damage or destruction of his or her property. Such acts may include, but are not limited to, the following or any combination thereof, whether done directly or indirectly: (i) following or confronting the other person in a public space or on private property against the other person's will (ii) contacting the other person by telephone or mail, or by electronic mail or communication as defined in Section 97-45-1; or (iii) threatening or causing harm to the other person or a third party.
    - (b) "Credible threat" means a verbal or written threat to cause harm to a specific person or to cause damage to property that would cause a reasonable person to fear for the safety of that person or damage to the property.
    - (c) "Reasonable person" means a reasonable person in the victim's circumstances.
  9. The incarceration of a person at the time the threat is made shall not be a bar to prosecution under this section. Constitutionally protected activity is not prohibited by this section.
-

## RESOURCES

### **VIOLENCE INTERVENTION AND PREVENTION SERVICES**

Shelli Poole

Assistant Director and Confidential Advocate

309 Longstreet

(across from the Rebel Market)

Office: (662) 915-1059

Email: sapoole@olemiss.edu

*Provides support advocacy for survivors, educates the campus on awareness and prevention; serves a liaison between university departments and local resources.*

### **UMATTER: STUDENT SUPPORT & ADVOCACY**

Kimbrelei McCain

Case Manager and Confidential Advocate

Student Union Suite 301

Office: (662) 915-7248

Fax: (662) 915-5735

Umatter@olemiss.edu

*Support for every student.*

### **OFFICE OF EQUAL OPPORTUNITY & REGULATORY COMPLIANCE (EORC)**

Honey Ussery

Assistant Director of EORC and Title IX Coordinator

120 Lester Hall

Office: (662) 915-7045

Fax: (662) 915-1229

Email: hbussery@olemiss.edu or eeo@olemiss.edu

*Students, faculty, or staff who believe they have been the victim of sex discrimination, including sexual assault, may submit a complaint. This office is required to investigate any allegations of sex discrimination of which it is made aware and may contact you to ask for more information.*

### **STUDENT HEALTH CENTER**

400 Rebel Drive

Open 8AM-5PM for walk-ins

Office: (662) 915-7274

*Offers sexual assault examinations a.k.a. "rape kits" by SANE-trained health care providers; testing for STIs, HIV and pregnancy; emergency medications and follow up health care.*

### **UNIVERSITY COUNSELING CENTER (CONFIDENTIAL)**

320 Lester Hall

Office: (662) 915-3784

Fax: (662) 915-7831

Email: counslg@olemiss.edu

*Offers free individual and group counseling for students, faculty, and staff; can help with issues including depression and anxiety.*

### **UM PSYCHOLOGICAL SERVICES CENTER (CONFIDENTIAL)**

382 Kinard Hall

Office: (662) 915-7385

*Offers therapy and assessment for students, faculty, and staff coping with issues including depression and anxiety; reasonable fees may apply.*

### **CLINIC FOR OUTREACH AND PERSONAL ENRICHMENT (COPE)**

Dr. Alexandria Kerwin

Clinical Coordinator

2301 S. Lamar Blvd.

Office: (662) 915-7197

### **OFFICE OF CONFLICT RESOLUTION AND STUDENT CONDUCT**

Tracy Murry

First floor, Somerville

Office: (662) 915-1387

Email: temurry@olemiss.edu

### **UNIVERSITY POLICE DEPARTMENT**

Kinard Hall – Wing C

(662) 915-4911

for emergencies

(662) 915-7234

for non-emergencies

*To report a crime or to file criminal charges.*

### **OXFORD POLICE DEPARTMENT**

715 Molly Barr Road

911 for emergencies

(662) 232-2400

for non-emergencies

*To report a crime or to file criminal charges for incidents occurring in the city.*

### **LAFAYETTE COUNTY SHERIFF'S OFFICE**

711 Jackson Avenue East

911 for emergencies

(662) 234-6421

*To report a crime or to file criminal charges for incidents occurring in the county.*

### **FAMILY CRISIS SERVICES OF NORTHWEST MISSISSIPPI**

(662) 234-9929

(available 24/7)

*For support, counseling and advice off campus.*

Timely reports of criminal victimization and preservation of the crime scene are critical to successful investigation and eventual prosecution. In particular, victims of any sexual assault are strongly encouraged to immediately report the offense to UPD. Victims should attempt to preserve all physical evidence carefully; do not change clothes, shower, wash hands, drink or eat anything, or touch anything handled by the violator. Victims are encouraged to seek immediate medical attention at:

**On Campus** – Student Health Center, located in the V.B. Harrison Health Center. Hours of operation 8AM-5PM, Monday-Friday (when the University is open), (662) 915-7274.

**Off Campus** – Baptist Memorial Hospital – North Mississippi, located on Belk Blvd. (662) 236-1124.



## **POLICY FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS**

The University of Mississippi Police Department has been designated as the compliance office for ensuring the requirements of the Clery/Minger Acts are met and prepares the Combined Annual Security and Fire Safety Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Opportunity Act. This report is prepared in cooperation with the Oxford Police Department, Lafayette County Sheriff's Department, Department of Student Housing, Office of Conflict Resolution and Student Conduct, Office of Human Resources, Office of Admissions, University Health Services, Office of Leadership and Advocacy, Department of Fire Safety, and other University departments. Each entity provides updated information on their educational

efforts and programs to comply with the Act. Campus crime, arrest and referral statistics include those reported to the University Police, designated campus security authorities, and local law enforcement agencies.

All students, staff, and faculty are notified annually via email of the availability of the Annual Security and Fire Safety Report on the University website. All prospective employees and students also are advised of the availability and location of this report via the Office of Human Resources or the Office of Admissions (through application processes). Copies of the Annual Security Report and Fire Safety Report also may be obtained at the University Police Department located in Kinard Hall – Wing C.

**Campus Security Authorities include the following:**

- A campus police department or campus security department of the university;
- Any individual who has responsibility for campus security but who is not a member of the campus police department or the campus security department;
- Any individual specified in the university’s statement of campus security policy as an individual to whom students and employees should report criminal offenses;
- Any individual of the university who has significant responsibility for student and campus activities.

Vice Chancellor for Student Affairs	Director of University Health Services	Associate Directors of Athletic Programs
Assistant Vice Chancellor for Student Affairs	Director of Police and Campus Safety	Head Coaches for Athletic Teams
Director of Admissions	Director of the Office of Conflict Resolution and Student Conduct	Assistant Coaches for Athletic Teams
Director of the Ole Miss Union	Director of Student Disability Services	Department of Student Housing Associate Directors
Director of Campus Recreation	Director of Leadership and Advocacy	Department of Student Housing Assistant Directors
Director of Career Center	Director of Fraternal Leadership and Learning	Department of Student Housing Area Coordinators
Director of the Center for Student Success and First-Year Experience	Director of Wellness Education	Department of Student Housing Hall Directors
Director of the Center for Inclusion and Cross Cultural Engagement	Student Organizations Coordinator	Department of Student Housing Community Assistants
Director of University Counseling Center	Office of Equal Opportunity and Compliance	Facilities Management: Fire Safety
Dean of Students	Assistant Director of EORC	Office of the Provost
Director of Financial Aid	Violence Prevention Program Case Manager	Academic Advisors
Director of Luckyday Scholarship Programs	Director of Athletic Programs	Commanding Officers of Military Studies
Director of Student Housing	Assistant Director of Athletic Programs	

The Campus Security Authority Reporting Form can be found here. To assist the University of Mississippi in complying with the federal Clery Act, this form should be utilized by Campus Security Authorities (CSAs) to report crimes to UPD as soon as possible after a crime has been reported to the CSA. Under the Clery Act, a crime is reported to a CSA when a student, employee, or third party brings information about an alleged crime to the attention of the CSA and the CSA believes the report was made in good faith. UPD will use the information provided in this form to

classify the crime for purposes of inclusion in the University's annual crime statistics. If you report the incident to the police, please do not fill out this form.

### **Crime Statistics Location Definitions:** [map.olemiss.edu](http://map.olemiss.edu)

The crime statistics reported are broken down geographically according to the following categories: On Campus, Residential Facility, Non-campus Property, and Public Property. The following definitions apply to these geographic categories:

**On Campus:** Includes all academic, administrative and athletic buildings on the main Oxford campus and all outdoor common areas on University of Mississippi property.

**Residential Facilities:** Buildings on campus where people live. These numbers are reflected in the On-Campus totals.

**Non-Campus Buildings and Properties:** Includes all University of Mississippi buildings and properties which are not within the same reasonably contiguous geographic area of the main campus. (This includes the Golf Course, Airport, Biological Field Station, and Rowan Oak)

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

### **Definitions of Crimes**

Pursuant to the Clery Act, crimes must be classified based on the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR).

### **Criminal Offenses**

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

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

**Sexual Assault (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 incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**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 of 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 is usually accompanied by the use of a weapon or means likely to produce death or great bodily harm. Simple assaults are excluded.

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

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

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

## HATE CRIMES

Any criminal offense (as listed above) committed against a person or property which is motivated, in whole or part, by the offender's bias. Bias is a performed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin.

### The Clery Act Categories of Bias:

**Race:** A performed negative attitude towards 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 or African Americans, whites).

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

**Religion:** A performed 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 performed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays lesbians, heterosexuals).

**Ethnicity/national origin:** A performed 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 traditions (e.g., Arabs, Hispanics).

**Disability:** A performed 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.

In conjunction with the Clery Act, hate crimes include any of the offenses listed above and the offenses motivated by bias below:

**Larceny/Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR). Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

**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:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## ARRESTS AND REFERRALS FOR DISCIPLINARY ACTIONS

The Clery Act requires reporting of arrests and referrals for disciplinary actions for the following violations:

**Liquor Law Violations:** State and/or local liquor law violations except drunkenness and driving under the influence. Federal violations are excluded.

**Drug Law Violations:** State and/or local offenses relating to the unlawful possession, sale, use, growing, and manufacturing of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics that can cause true addiction.

**Weapons Violations:** All violations of regulations or statutes controlling the carrying, using, possessing, furnishing, and manufacturing of deadly weapons or silencers. Attempts are included.



## CRIMES REPORTED TO UPD

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Building & Property	Public Property	Total
Murder & Non-negligent Manslaughter	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
Rape	2017	6	6	7	0	13
	2018	6	6	2	0	8
	2019	2	1	0	0	2
Fondling	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	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	2	0	0	0	2
	2019	0	0	0	0	0
Aggravated Assault	2017	7	7	1	0	8
	2018	1	1	0	0	1
	2019	1	1	0	0	1
Burglary	2017	6	2	0	0	6
	2018	1	1	0	0	1
	2019	1	1	0	0	1
Motor Vehicle Theft	2017	3	0	1	0	4
	2018	3	0	0	0	3
	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

**NUMBER OF ARRESTS BY  
UNIVERSITY POLICE DEPARTMENT  
FOR SELECT OFFENSES**

<b>Incident</b>	<b>Year</b>	<b>On Campus</b>	<b>Residential Facilities</b>	<b>Non-Campus Building &amp; Property</b>	<b>Public Property</b>
Liquor Law Arrests	2017	4	3	0	0
	2018	3	1	1	0
	2019	4	0	1	0
Drug Law Arrests	2017	99	50	0	4
	2018	58	41	6	0
	2019	30	14	8	0
Weapons Arrests	2017	3	1	1	0
	2018	0	0	0	0
	2019	1	1	0	0

\*Does not include DUI and Public Drunk\*

**NUMBER OF REFERRALS BY  
THE UNIVERSITY POLICE DEPARTMENT  
FOR SELECTED OFFENSES:**

<b>Incident</b>	<b>Year</b>	<b>On Campus</b>	<b>Residential Facilities</b>	<b>Non-Campus Building &amp; Property</b>	<b>Public Property</b>	<b>Total</b>
Liquor Law Violations	2017	0	0	0	0	0
	2018	1	1	1	0	2
	2019	0	0	0	0	0
Drug Violations	2017	3	1	0	0	3
	2018	5	4	2	0	7
	2019	1	0	1	0	2
Weapons Violations	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	1	0	0	0	1

\*Does not include incidents which involved arrest\*

## HATE CRIMES ON CAMPUS

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Building & Property	Public Property	Total	Unfounded
Murder & Non-negligent Manslaughter	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	
Rape	2017	0	0	0	0	0	
	2018	0	0	0	0	0	
	2019	0	0	0	0	0	
Fondling	2017	0	0	0	0	0	
	2018	0	0	0	0	0	
	2019	0	0	0	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	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	
Arson	2017	0	0	0	0	0	
	2018	0	0	0	0	0	
	2019	0	0	0	0	0	

### Hate Crimes on Campus

None of the criminal offenses from the above chart manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, or disability; nor were there any reported criminal incidents involving bodily injury which manifested similar prejudice.

### Hate Crimes Reported on Campus Other Offenses:

There was one (1) reported incident involving the Destruction/Damage/Vandalism of Property which resulted in violation of statute based on race in 2017.

## CRIMES REPORTED TO OTHER UNIVERSITY OFFICIALS

Offense Type	Year	On Campus	Residential Facilities	Non-Campus Building & Property	Public Property	Total
Murder & Non-negligent Manslaughter	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
Rape	2017	4	1	3	0	7
	2018	12	6	1	1	14
	2019	4	3	3	0	7
Fondling	2017	1	1	0	0	1
	2018	1	1	1	0	2
	2019	5	4	1	0	6
Incest	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	1	0	0	0	1
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	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	1	0	1
Arson	2017	0	0	0	0	0
	2018	0	0	0	0	0
	2019	0	0	0	0	0

\*The above crimes were not officially reported to or investigated by UPD. These statistics may also include statistics associated with certain trips made by students which are requested by UPD from other law enforcement agencies with jurisdiction over the location of the trips. \*

**NUMBER OF REFERRALS  
BY OTHER UNIVERSITY OFFICIALS  
FOR SELECTED OFFENSES**

<b>Incident</b>	<b>Year</b>	<b>On Campus</b>	<b>Residential Facilities</b>	<b>Non-Campus Buildings</b>	<b>Public Property</b>
Liquor Law Violations	2017	191	70	0	0
	2018	258	216	0	0
	2019	177	168	0	0
Drug Violations	2017	148	111	0	0
	2018	69	49	0	0
	2019	38	29	0	0
Weapons Violations	2017	0	0	0	0
	2018	4	2	0	0
	2019	2	1	0	0

**CRIMES REPORTED TO  
THE UNIVERSITY POLICE DEPARTMENT  
RELATING TO THE VIOLENCE AGAINST WOMEN ACT**

<b>Incident</b>	<b>Year</b>	<b>On Campus</b>	<b>Residential Facilities</b>	<b>Non-Campus Buildings</b>	<b>Public Property</b>
*Domestic Violence	2017	16	14	0	2
	2018	6	6	1	0
	2019	4	3	0	1
*Stalking	2017	11	0	0	0
	2018	19	9	0	1
	2019	9	1	0	0
*Dating Violence	2017	6	0	0	0
	2018	0	0	0	0
	2019	2	0	0	0

\*Numbers also include reports to the Title IX Office and the Violence Prevention Office\*

## PROGRAMS AND EDUCATIONAL EVENTS

<b>University Police</b>		
Number of Programs	2017	350
	2018	189
	2019	529
Attendance	2017	18,133
	2018	13,697
	2019	20,912
<b>Violence Prevention Program</b>		
Number of Programs	2017	86
	2018	38
	2019	59
Attendance	2017	5,901
	2018	6,139
	2019	4,745
<b>Wellness Education</b>		
Number of Programs	2017	152
	2018	13
	2019	162
Attendance	2017	9,862
	2018	10,938
	2019	10,355
<b>Title IX</b>		
Number of Programs	2017	64
	2018	64
	2019	83
Attendance	2017	10,979
	2018	10,979
	2019	11,883
<b>Student Housing</b>		
Number of Programs	2017	N/A
	2018	6
	2019	5
Attendance	2017	N/A
	2018	83
	2019	261

## LOCAL AGENCIES REPORTING NUMBERS

### Crimes Reported to the Oxford Police Department, Three Year Comparison

Offense Type	Year	Total Reported
Murder & Non-negligent Manslaughter	2017	0
	2018	0
	2019	1
Negligent Manslaughter	2017	0
	2018	1
	2019	1
Rape	2017	12
	2018	17
	2019	33
Fondling	2017	N/A
	2018	N/A
	2019	0
Incest	2017	N/A
	2018	0
	2019	0
Statutory Rape	2017	N/A
	2018	0
	2019	0
Robbery	2017	12
	2018	8
	2019	7
Aggravated Assault	2017	13
	2018	17
	2019	16
Burglary	2017	86
	2018	86
	2019	79
Motor Vehicle Theft	2017	13
	2018	18
	2019	13
Arson	2017	0
	2018	1
	2019	1

### Hate Crimes Reported to the Oxford Police Department

None of the criminal offenses from the above chart manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, or disability; nor were there any reported criminal incidents involving bodily injury which manifested similar prejudice.

Number of Arrests by the Oxford Police Department for Selected Offenses, Three Year Comparison

Incident	Year	Totals
Liquor Law Violations	2017	145
	2018	175
	2019	121
Drug Violations	2017	294
	2018	615
	2019	539
Weapons Violations	2017	13
	2018	36
	2019	14

\*Does not include DUI and Public Drunk\*

### Crimes Reported to the Oxford Police Department relating to the Violence Against Women Act:

Incident	Year	On Campus
Domestic Violence	2017	89
	2018	113
	2019	106
Stalking	2017	10
	2018	29
	2019	25
Dating Violence	2017	0
	2018	0
	2019	0

## Crimes Reported to the Lafayette County Sheriff's Department, Three Year Comparison

Offense Type	Year	Total Reported
Murder & Non-negligent Manslaughter	2017	1
	2018	1
	2019	3
Negligent Manslaughter	2017	0
	2018	0
	2019	0
Rape	2017	10
	2018	5
	2019	2
Fondling	2017	N/A
	2018	2
	2019	1
Incest	2017	N/A
	2018	0
	2019	0
Statutory Rape	2017	N/A
	2018	0
	2019	1
Robbery	2017	0
	2018	1
	2019	0
Aggravated Assault	2017	17
	2018	10
	2019	10
Burglary	2017	80
	2018	59
	2019	87
Motor Vehicle Theft	2017	10
	2018	4
	2019	2
Arson	2017	1
	2018	0
	2019	1

### Hate Crimes Reported to the Lafayette County Sheriff Department

None of the criminal offenses from the above chart manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, or disability; nor were there any reported criminal incidents involving bodily injury which manifested similar prejudice.

**Crimes Reported to the Lafayette County Sheriff Department relating to the Violence Against Women Act:**

<b>Incident</b>	<b>Year</b>	<b>On Campus</b>
Domestic Violence	2017	28
	2018	96
	2019	51
Stalking	2017	3
	2018	12
	2019	0
Dating Violence	2017	3
	2018	0
	2019	0

**Number of Arrests by the Lafayette County Sheriff Department for Selected Offenses, Three Year Comparison**

<b>Incident</b>	<b>Year</b>	<b>Totals</b>
Liquor Law Violations	2017	0
	2018	5
	2019	1
Drug Violations	2017	27
	2018	218
	2019	197
Weapons Violations	2017	16
	2018	4
	2019	2

\*Does not include DUI and Public Drunk\*

## CAMPUS FIRE SAFETY ANNUAL COMPLIANCE REPORT

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. This act requires the University to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on campus statistics. The University of Mississippi produces an annual report (The Michael Minger Act) that addresses these issues and statistics.

### Fire Safety

Purpose/Summary: This policy defines the fire safety expectations for the residence halls. The policy also provides a list of materials banned from residence halls that are serious fire safety risks.

Flammable items are not permitted due to inherent fire hazards. Because of the potential hazard that all candles pose, whether they are burned or unburned, ordinary or decorative, they are not permitted on-campus in our residential facilities. Students will be notified to remove any candles found in residential rooms and any candles not removed within 48 hours will be confiscated by Student Housing staff and the student may incur a financial penalty. Students are asked to bring appliances and hair equipment (curling irons and strengtheners) that have an automatic tun-off feature. In addition, the following items are not allowed in residential facilities due to the risk of fire:

- Candles
- Incense
- Deep fryers
- Electric skillets
- Toaster ovens
- Convection ovens
- Coffee pots with hot plates
- Oil popcorn poppers
- Crock pots
- Space heaters
- Live Christmas trees
- Fireworks
- Grills
- Motorized vehicles
- Hazardous flammable materials (gas, propane, lighter fluid, chemicals, etc.)
- Paper and/or fabric covering more than 30% of the wall
- Halogen lamps
- Any appliance with an open coil or open flame
- Microwaves over 1,000 watts
- Refrigerators over 4.2 cubic feet

Tampering includes the following but is not limited to: pulling false alarms, discharging fire extinguishers, removing exit signs, and interfering with smoke detectors and sprinklers.

Students responsible will be assessed for all damages that occur as a result of their actions and for the hourly rate of the repair person's labor. All violators are subject to judicial action and possible criminal prosecution. The civil penalty for malicious use of fire and safety equipment will be assessed for all damages related to replacement, repair, and associated labor.

There is a fire extinguisher located in or around each apartment. If a fire extinguisher is used, please report it to the maintenance so that appropriate action can be taken. Appropriate billing of charges will occur in cases of fire where residents are found to be negligent or in violation of fire extinguisher use policies.

Fire alarms have been installed throughout the residence halls for student safety. In the event that a fire alarm should sound, students must leave the building immediately through the nearest exit. Become familiar with the evacuation diagram located on each hallway.

Residents are instructed to remain outside of the building until the Fire Department gives the order that the building is safe and residents may return to their rooms. Residents who remain in the residence halls after an alarm has sounded are subject to arrest and University judicial

action. Intentionally causing a false fire alarm is considered a serious infraction and will be dealt with accordingly. The Fire Department responds to all fire alarms regardless of their origin and the cost is charged to the Housing Department.

### **Fire Services**

**Summary/Purpose:** To provide guidance to the University Community on issues regarding fire safety.

### **General**

The Facilities Management Department manages the University of Mississippi Fire Services. University Fire Services will inspect all buildings, conduct fire drills at dormitories and Greek houses, conduct training as requested, assist in determining the fire origination and cause involving University owned property and advised on issues regarding fires safety.

Enforcement of any policies, standards or fire codes will be conducted by University Administration and/or the State Fire Marshal's Office.

### **Responsibility of Building Occupants in the Event of a Fire**

All occupants are required to leave the building when a fire alarm sounds or during a fire drill. Occupants evacuating a building should not use elevators. Occupants should use the stairwells. No one should re-enter the building until authorized to do so by the fire officials. One out of the building, report the fire location by dialing 911 or by notifying University Police by dialing 662-915-7234 on a cell phone or by using a phone in another building. Malicious tampering with building fire alarms, fire protection systems or fire extinguishers is prohibited. Violators are subject to disciplinary action, monetary fine or both.

### **Fire Fighting Services**

On the University of Mississippi Oxford campus, firefighting services are contracted with the City of Oxford.

### **Fire Safety Inspections**

University Fire Inspectors conduct fire safety inspections on Academic, Auxiliary and Athletic buildings once each year. Inspections at UM Housing Facilities and Greek houses are conducted once in the fall semester by the State Fire Marshal's Office. Any violations of the University Policy on Fire Safety, International Fire Code or the National Fire Protection Association Codes and Standards, found at the time of inspection, will be documented and reported to the appropriate individual(s) for correction.

Greek House Corporations are responsible for correcting deficiencies within their respective houses and maintaining current certification of the fire alarm and sprinkler systems to meet existing state laws, university policies and fire codes.

If the Fire Inspectors find any violation that they believe represents a danger to life and limb, they may advise that the building be vacated and closed until the violation is corrected. In some cases, the Fire Inspectors may determine that posting a "Fire Watch" may be acceptable alternative to closing a building.

### **Fire Drills**

Fire Drills will be conducted once in the fall semester and once in the spring semester for all dormitories and Greek houses

Fire Drills will be conducted at any other building upon written request by the respective deans/chairs/directors/building mayors.

### **Fire Alarms at Greek Houses**

State law requires each Greek House on University property to have an NFPA 72 operational and monitored fire alarm system. It is the Greek organization's responsibility to be in compliance with the National Fire Code (NFPA) Standard 72 as published by the National Fire Protection Association. Greek organizations are required by the University of Mississippi, to have their fire alarm systems



inspected and tested annually to ensure the systems are operating properly. Greek Houses are responsible for any maintenance, repairs, phone line expenses, and testing that is related to their systems. University Fire Services and Facilities Management Department are unable to provide maintenance on Greek fire alarm systems. Greeks are required to contact their alarm monitoring and maintenance companies for periodic testing of systems as required by University policy. Greeks are encouraged to purchase maintenance contracts on fire alarm systems from certified service providers.

Greek Houses assume full responsibility for any circumstances resulting from the fire alarm systems failure to meet University Policy, State Laws, or fire codes as established.

### **Fire Alarm Monitoring Service**

The Facilities Management Department has a 24 hour, 7 day per week Dispatch Office that monitors automated fire alarms in academic, auxiliary and athletic buildings. Not all campus buildings have automated fire alarm systems.

The Facilities Management Department does not monitor Greek fire alarm systems.

### **Smoke-Free Campus Environment**

Summary/Purpose: To provide notice of and guidelines about the smoke-free environment at the University of Mississippi.

Smoking is prohibited at all times, and at all locations of the University of Mississippi Oxford campus, including University-owned facilities, properties, and grounds. This includes but is not limited to the following:

- The interior of all University-owned buildings;
- All outside property or grounds of the Oxford campus, including sidewalks, parking lots, recreational areas and partially enclosed areas such as walkways, breezeways, patios, porches, gazebos, tents and bus shelter;
- Within any University of Mississippi-owned vehicles, including buses, vans, shuttles, golf carts, and all other University vehicles;
- All indoor and outdoor athletic venues and facilities.

This policy applies to all faculty, staff, students, visitors, and contractors.

For purposes of this policy, “smoking” means inhaling, exhaling, burning, carrying or possession any lighted tobacco product, including cigarettes, cigars, pipe tobacco, and any other lit tobacco products, including electronic cigarettes.

The University also prohibits littering the campus with remains

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of any tobacco products. Additionally, the University-controlled advertising, sale, or free sampling of tobacco products is prohibited on campus, regardless of the vendor.

Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, cultural events, and athletic events using University-owned facilities, grounds, and properties are required to abide by University of Mississippi policy. Therefore, organizers of such events are responsible for communicating to attendees the policies of the University and for enforcing this policy.

**Respect and Responsibility:** The success of this policy depends on the thoughtfulness, consideration, and cooperation of smokers and non-smokers. All members of the University community share in the responsibility for adhering to and enforcing this policy. Any complaints should be brought to the attention of the appropriate University authorities, and anyone who complains shall be protected against retaliation.

**Enforcement:** The responsibility for the enforcement and communication of this policy rests with all members of the University community and the University Police Department.

Visitors, contractors, and other individuals on campus who are in violation of the policy should be reminded of the policy and asked to comply with our smoke-free campus policy.

All faculty, staff, and students who are in violation of this policy should be reminded of the policy and asked to comply. Students who violate this policy will be referred to student conduct and subject to sanctions, including fines. Employees who violate this policy could face employment related discipline and/or fines. Visitors and others who violate this policy may be required to leave a facility, event or campus, and repeated violation could result in the person being issued a trespassing ban from the university. For complete

information about this policy enforcement, go to [olemiss.edu/smokefree](http://olemiss.edu/smokefree)

**Smoking Cessation Programs:** The Student and Employee Pharmacy Health Services and University Counseling Center offer a range of smoking cessation and support programs for any member of the University community who desires to quit smoking. The University's employee health insurance plan covers the full cost for three months of cessation medications. To learn more about smoking cessation programs available to students and employees, please go to <http://www.olemiss.edu/smokefree>.

### **Arson, Explosive Devices, and Emergency Equipment**

**Summary/Purpose:** To promote good stewardship of resources and respect for the dignity of others by protecting property and people from harm as the result of fire and inherently dangerous activities.

The unauthorized setting of fires, use of explosive devices, and misuse of emergency equipment are prohibited at the University of Mississippi. Below is a nonexclusive list of prohibited actions under this policy.

- The University prohibits the attempt to set, the setting of, or the adding to unauthorized fires on University property.
- Any student found willfully to have tampered with, damaged, or misused any fire protection equipment, initiated a false alarm, negligently discharged a fire extinguisher, or set fire in a residence hall or any other facility on the University campus maybe expelled from the University and help responsible for the cost of all damages. In addition to disciplinary action through the University conduct system, students and/or their non-student guests who engage in such activity may be subject to criminal prosecution and civil liability.

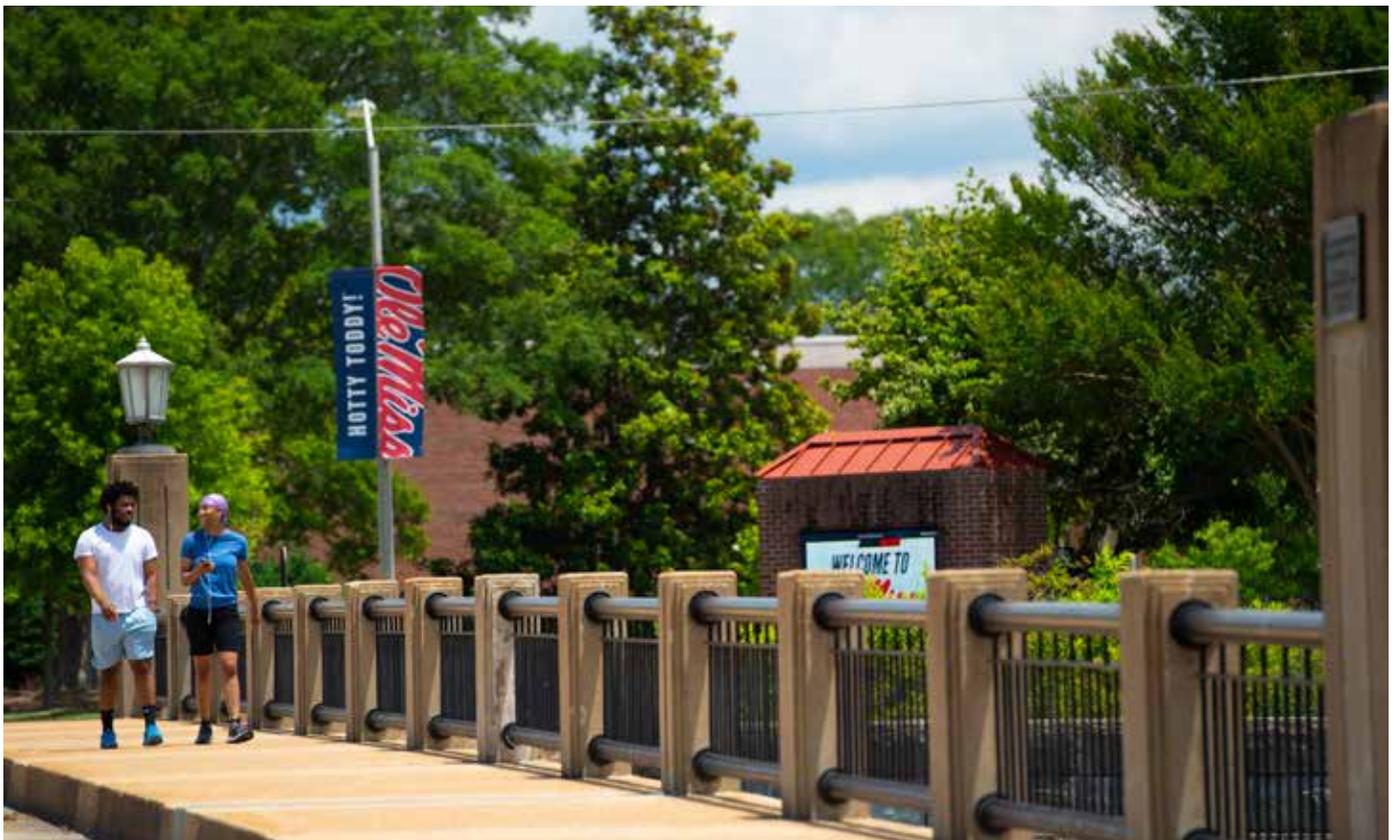
- Occupants of all University facilities have a responsibility to follow the directions and directives of the Chief of the Oxford Fire Department, or a designated representative, and University personnel during fire emergencies as well as unannounced fire drills and practice evacuations. The failure or refusal to cooperate will constitute a breach of regulations and is subject to disciplinary action.
- The University prohibits the possession, use, or threatened use of explosive devices, materials, or chemicals, including but not limited to, firecrackers, cherry bombs, bottle rockets, and dynamite.
- Any student found willfully to have tampered with, damaged, or misused any campus emergency protection equipment of initiated a false alarm may be expelled from the University and held responsible for the cost of all damages. In addition to disciplinary action through the University

conduct system, students and/or non-student guests who engage in such activity may be subject to criminal prosecution and civil liability.

Students who act inconsistently with this policy and values identified in this policy will be subject to conduct charges and proceedings.

### **Fire Alarms**

Fire alarms have been installed throughout the residence halls for student safety. In the event that a fire alarm should sound, students must leave the building immediately through the nearest exit. Residents should become familiar with the evacuation diagram located on each hallway. Residents are instructed to remain outside the building until the Fire Department gives the order that the building is safe and residents may return to their rooms. Residents who remain in the residence halls after an alarm has sounded are subject to arrest and University judicial



action. Intentionally causing a false fire alarm is considered a serious infraction and will be dealt with accordingly. The Fire Department responds to all fire alarms regardless of their origin, and the cost is charged to the Housing Department. Please be aware that smoking, cooking, and aerosols sprayed near smoke detectors or sprinklers may result in an accidental false fire alarm. An intentional false fire alarm may result in arrest, University disciplinary action, and loss of housing. A \$500 fine will be assessed to anyone responsible for setting off a fire alarm. If no one person or persons are found responsible, the cost will be assessed to the entire floor or building as common area damage. Each semester, one planned fire drill will be scheduled. This will provide an opportunity for residents to practice evacuating the building. All alarms that sound should be treated as a potentially life-threatening situation.

When a fire alarm sounds residents should:

- Leave the room immediately, as required by state law,
- Leave the wall or overhead light on,
- Close the room door and lock it,
- Walk quietly and quickly to the nearest exit; Do not use the elevators,
- Once outside, go the designated waiting area and,
- Remain outside until the signal is given by building staff to return to the rooms.

For your own protection obey all fire regulations. Failure to evacuate a hall when an alarm sounds represents grounds for disciplinary action. Residence Life staff and the University Police reserve the right to enter student rooms to locate the source of the problem and to ensure that everyone has evacuated the building.

## **Fire and Safety Equipment**

City Fire Code prohibits anyone from tampering with the fire and safety equipment in the residence halls or in any campus building. Tampering includes pulling false fire alarms, discharging fire extinguishers, removing exit signs, and interfering with smoke detectors and sprinklers. Students responsible will be assessed for all damages that occur as a result of their actions and for the hourly rate of the repair person's labor. All violators are subject to judicial action and possible criminal prosecution. The civil penalty for malicious use of fire and safety equipment is up to a \$500 fine/and or 90 days in jail. Students damaging or tampering with life safety equipment will be assessed for all damages related to replacement, or repair including any labor costs.

## **Fire Drills**

Fire Drills will be conducted once in the fall semester and once in the spring semester for all residence halls and Greek houses.

## **Fire Inspections**

Fire Services conducts Building and Facilities Inspections once a year, concentrating on building evacuation plans, emergency exit lighting, and clear passageways. Additionally, room occupancy and fire safety issues are included in this scope of work. Fire inspection reports are addressed to the vice chancellors associated with the buildings housing their respective academic deans, department chairs and building mayors. Any discrepancies will be re-inspected.

Fire safety inspections are carried out and reports are maintained in accordance with the current International Fire Code and the NFPA Codes. Copies of these reports are sent to the State Fire Marshal.

Fire drills and fire safety inspections are conducted once per semester for each

residence hall in coordination with the Director of Housing or his or her representative. Fire drills and fire safety inspections are conducted once per semester for each on-campus Greek house.

Event inspections in University auditoriums and athletic facilities are conducted per event or by a scheduled facility inspection.

The following types of fire drills and safety programs are offered in the fire safety area:

- Live evacuation fire drills for residence halls
- Live evacuation fire drills for Greek houses
- Fire and severe weather evacuation rules and procedures for the campus community
- Fire safety training for freshman chemistry classes
- Fire safety training for commercial cooking classes
- Fire safety training by UM Fire Services and the Oxford Fire Department for Housing's Cas
- Fire safety training by UM Fire Services and the Oxford Fire Department for the leadership of Greek organizations

### **Fire Safety Training**

Annually, University Fire Services conducts fire safety training to all first year Chemistry students (more than 500 students). The training consists of a slide presentation and a "hands-on" demonstration of how to use a fire extinguisher. Before the start of the Fall Semester, University Fire Services also conducts a Community Advisor Fire Safety Class. This training includes a power point presentation and hands-on demonstration of how to use a fire extinguisher. In addition, Fire Services creates a low visibility environment in a residence hall and instructs students how to escape a building filled with smoke. The hallway is filled with the fire training fog and with obstacles are placed in the hallway. The students must find their

way to the opposite end of the hallway to the stairwell exit where they can leave the building.

### **Policy on Open Flames in Greek Houses**

Candles and incense are prohibited from use in individual's rooms. Candles or incense may be used only in ceremonies, rituals, initiations, and special events such as alumni dinners, memorial services, etc., and only when all of the following criteria are met:

- Notification of event shall be made in writing to University Fire Services 700 Hathorn Road, University, MS 38677
- At least one individual shall be designated as the Safety Monitor when candles are being used. The Safety Monitor shall observe candle use and ensure that proper precautions have taken place. The Safety Monitor shall have the proper knowledge on how to use a fire extinguisher and know where the fire extinguishers are located. Should a fire occur and no one is in immediate danger, the Safety Monitor shall attempt to extinguish the fire by using a fire extinguisher. University Fire Services may be contacted for training on how to use a fire extinguisher properly (662) 915-7051.
- If at any point the fire becomes too large or people are in immediate danger, evacuate the building immediately and then call 911.
- Lit candles shall not be left unattended.
- Proper candle placement is imperative to ensure that a fire is not started by placing candles near, above or below flammable materials such as curtains, towels, tablecloths, etc. Care also should be taken to ensure that dripping wax will not cause any burns to persons or property.
- Care should be taken to extinguish candles in a well-ventilated area so as to not accidentally activate the building's fire alarm system.

## FIRE STATISTICS

### Residential Housing Fire Alarm Systems

Location/Building	Number of Beds	Number of Fires	Number of Injuries	Number of Deaths	Fire Drills Per Semester	Sprinkled	Fire Alarm System
Brown	240	0	0	0	1	Yes	Yes
Burns	270	0	0	0	1	Yes	Yes
Campus Walk	416	0	0	0	1	Yes	Yes
Crosby	734	0	0	0	1	Yes	Yes
Deaton	97	0	0	0	1	Yes	Yes
Hefley	136	0	0	0	1	Yes	Yes
Luckyday Residential College	315	0	0	0	1	Yes	Yes
Martin	470	0	0	0	1	Yes	Yes
Minor	246	0	0	0	1	Yes	Yes
Northgate	61	0	0	0	1	Yes	Yes
Pittman	348	0	0	0	1	Yes	Yes
Residential College South	454	0	0	0	1	Yes	Yes
Stewart	330	0	0	0	1	Yes	Yes
Stockard	470	0	0	0	1	Yes	Yes
RH1	300	0	0	0	1	Yes	Yes
RH2	296	0	0	0	1	Yes	Yes
RH3	305	0	0	0	1	Yes	Yes

## Fire Alarm System Residential Area

Location/Building	Number of Panels	Number of Pull Stations	Number of Other Initiation Devices	Number of Strobes	Number of Supervising Stations
Brown	1	14	164	24	University of Mississippi
Burns	1	18	191	223	University of Mississippi
Campus Walk	1	59	10	40	University of Mississippi
Crosby	2	57	179	0	University of Mississippi
Deaton	1	15	123	29	University of Mississippi
Hefley	1	12	169	19	University of Mississippi
Luckyday Residential College	1	32	543	204	University of Mississippi
Martin	1	28	426	98	University of Mississippi
Minor	1	20	209	229	University of Mississippi
Northgate	3	7	220	111	University of Mississippi
Pittman	1	19	244	264	University of Mississippi
Residential College South	1	32	543	204	University of Mississippi
Stewart	1	32	342	71	University of Mississippi
Stockard	1	28	436	115	University of Mississippi
RH1	1	18	191	223	University of Mississippi
RH2	1	21	316	230	University of Mississippi
RH3	1	19	297	228	University of Mississippi

## Fire Alarm Residential Area (Cont.)

Location/ Building	Sprinkler System			Fire Pumps				Standpipe		
	Type	Floors Protected	Square Footage	Manufactured	Brand	Maximum Rate of Discharge	Backup Power Supplied	Type	No. Floors	No. Risers
Brown	N/A	3.5	51120	N/A	N/A	1000gpm	N/A	N/A	N/A	N/A
Burns	Wet	4.5	72,370	N/A	N/A	N/A	N/A	N/A	4.5	2
Campus Walk	Wet	28	21,035	N/A	N/A	N/A	N/A	N/A	28	N/A
Crosby	Wet/ Dry	11	167,990	2007	ITT	N/A	Generator	Wet	11	3
Deaton	Wet	5	30,192	Unknown	Peerless	1000gpm	No Backup	Wet	5	2
Hefley	Wet/ Dry	5	40,657	Unknown	Peerless	1000gpm	Generator	Wet	5	2
Lukyday Residential College	Wet/ Dry	5	135000	2008	N/A	N/A	Generator	Wet	5	2
Martin	Wet/ Dry	11	223,500	2007	Aurora	1000gpm	Generator	Wet	11	2
Minor	Wet	5	83,297	2011	Aurora	1000gpm	Generator	Wet	5	2
Northgate	Wet	6	54004	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pittman	Wet	5	88,173	N/A	N/A	N/A	N/A	Wet	5	2
Residential College South	Wet/ Dry	5	150,905	2008	Aurora	750gpm	Generator	Wet	5	2
Stewart	Wet	7	81539	N/A	Peerless	1000gpm	Generator	Wet	7	3
Stockard	Wet/ Dry	11	107730	2007	Aurora	1000gpm	Generator	Wet	11	2
RH1	Wet	4.5	81234	N/A	N/A	N/A	Generator	Wet	4.5	2
RH2	Wet	6	84059	N/A	N/A	N/A	Generator	Wet	5	2
RH3	Wet	5	84,912	N/A	N/A	N/A	Generator	Wet	5	2

**Fire Log**  
**Residential Halls**

<b>Location/ Building</b>	<b>Number of Beds</b>	<b>Number of Fires</b>	<b>Number of Injuries</b>	<b>Number of Deaths</b>	<b>Fire Drills Per Semester</b>	<b>Sprinkled</b>	<b>Fire Alarm System</b>
Brown	240	0	0	0	1	Yes	Yes
Burns	270	0	0	0	1	Yes	Yes
Campus Walk	416	0	0	0	1	Yes	Yes
Crosby	734	0	0	0	1	Yes	Yes
Deaton	97	0	0	0	1	Yes	Yes
Hefley	136	0	0	0	1	Yes	Yes
Lukyday Residential College	315	0	0	0	1	Yes	Yes
Martin	470	0	0	0	1	Yes	Yes
Minor	246	0	0	0	1	Yes	Yes
Northgate	61	0	0	0	1	No	No
Pittman	348	0	0	0	1	Yes	Yes
Residential College South	454	0	0	0	1	Yes	Yes
Stewart	330	0	0	0	1	Yes	Yes
Stockard	470	0	0	0	1	Yes	Yes
RH1	300	0	0	0	1	Yes	Yes
RH2	296	0	0	0	1	Yes	Yes
RH3	305	0	0	0	1	Yes	Yes

**Fire Log**  
**Greek Residential Area**

<b>Building</b>	<b>Number of Fires</b>	<b>Number of Injuries</b>	<b>Number of Deaths</b>	<b>Fire Drills Per Semester</b>	<b>Fire Alarm System</b>
Alpha Omicron Pi Sorority	0	0	0	1	Yes
Alpha Tau Omega Fraternity	0	0	0	1	Yes
Chi Omega Sorority	0	0	0	1	Yes
Delta Gamma Sorority	0	0	0	1	Yes
Delta Delta Delta Sorority	0	0	0	1	Yes
Delta Psi Fraternity	0	0	0	1	Yes
Kappa Alpha Theta Sorority	0	0	0	1	Yes
*Kappa Delta Sorority	0	0	0	0*	Yes
Kappa Kappa Gamma Sorority	0	0	0	1	Yes
Pi Beta Phi Sorority	0	0	0	1	Yes
Pi Kappa Alpha Fraternity	0	0	0	1	Yes
Sigma Nu Fraternity	0	0	0	1	Yes
Phi Delta Theta Fraternity	0	0	0	1	Yes
Phi Mu Sorority	0	0	0	1	Yes
Alpha Delta Pi Sorority	0	0	0	1	Yes
Beta Theta Pi Fraternity	0	0	0	1	Yes
**Sigma Alpha Epsilon Fraternity	0	0	0	0*	Yes
***Sigma Phi Epsilon (now Sigma Pi) Fraternity	0	0	0	1**	Yes
Chi Psi Fraternity	0	0	0	1	Yes
Kappa Alpha Fraternity	0	0	0	1	Yes
Phi Kappa Tau Fraternity	0	0	0	1	Yes

<b>Building</b>	<b>Number of Fires</b>	<b>Number of Injuries</b>	<b>Number of Deaths</b>	<b>Fire Drills Per Semester</b>	<b>Fire Alarm System</b>
Sigma Chi Fraternity	0	0	0	1	Yes
Phi Kappa Psi Fraternity	0	0	0	1	Yes
Pi Kappa Phi Fraternity	0	0	0	1	Yes
Kappa Sigma Fraternity	0	0	0	1	Yes

\*Kappa Delta was under construction in 2019.

\*\*Sigma Alpha Epsilon chapter was closed 2019; Kappa Delta utilized this house.

\*\*\*Sigma Phi Epsilon chapter was closed 2019; Sigma Pi Fraternity members lived in the house during 2019.

### **Greek House Sprinkler Systems**

<b>Building</b>	<b>Type of System</b>	<b>Number of Floors Protected</b>	<b>Square Footage</b>
Alpha Omicron Pi Sorority	Wet	2	~20,000
Alpha Tau Omega Fraternity	Wet	3	~25,000
Chi Omega Sorority	Wet	3	~30,000
Delta Gamma Sorority	Wet/Dry	3	~30,000
Delta Delta Delta Sorority	Dry	4	~30,000
Delta Psi Fraternity	Wet	2	~10,000
Kappa Alpha Theta Sorority	Wet	2	~25,000
*Kappa Delta Sorority	Wet	3	~30,000
Kappa Kappa Gamma Sorority	Wet	3	~30,000
Pi Beta Phi Sorority	Wet	3	~30,000
Pi Kappa Alpha Fraternity	Wet	3	~20,000
Sigma Nu Fraternity	Wet	2	~30,000
Phi Delta Theta Fraternity	Wet	2	~30,000
Phi Mu Sorority	Wet	2	~25,000

<b>Building</b>	<b>Type of System</b>	<b>Number of Floors Protected</b>	<b>Square Footage</b>
Alpha Delta Pi Sorority	Wet/Dry	3	~18,800
Beta Theta Pi Fraternity	Wet	2	~10,802
**Sigma Alpha Epsilon Fraternity	N/A	N/A	~10,000
***Sigma Phi Epsilon (now Sigma Pi) Fraternity	N/A	N/A	N/A
Chi Psi Fraternity	N/A	N/A	N/A
Kappa Alpha Fraternity	N/A	N/A	N/A
Phi Kappa Tau Fraternity	Wet	2	~9,900
Sigma Chi Fraternity	N/A	N/A	N/A
Phi Kappa Psi Fraternity	N/A	N/A	N/A
Pi Kappa Phi Fraternity	N/A	N/A	N/A
Kappa Sigma Fraternity	Wet	2	~14,580

\*Kappa Delta house was under construction in 2019.

\*\*Sigma Alpha Epsilon chapter was closed 2019; Kappa Delta utilized this house.

\*\*\*Sigma Phi Epsilon chapter was closed 2019; Sigma Pi Fraternity members lived in the house during 2019.

## Greek House Fire Alarm Systems

<b>Building</b>	<b>Number of Panels</b>	<b>Number of Pull Stations</b>	<b>Number of Other Initiation Devices</b>	<b>Number of Strobes</b>
Alpha Omicron Pi Sorority	1	11	33	17
Alpha Tau Omega Fraternity	2	9	33	11
Chi Omega Sorority	2	10	30	22
Delta Gamma Sorority	1	12	77	38
Delta Delta Delta Sorority	2	10	42	20
Delta Psi Fraternity	1	6	44	11
Kappa Alpha Theta Sorority	1	12	22	11
*Kappa Delta Sorority	1	12	36	17
Kappa Kappa Gamma Sorority	2	10	60	46
Pi Beta Phi Sorority	2	10	41	24
Pi Kappa Alpha Fraternity	1	8	31	11
Sigma Nu Fraternity	2	10	62	14
Phi Delta Theta Fraternity	1	9	8	13
Phi Mu Sorority	1	10	38	17
Alpha Delta Pi Sorority	1	8	56	31
Beta Theta Pi Fraternity	2	3	20	8
**Sigma Alpha Epsilon Fraternity	1	5	40	14
***Sigma Phi Epsilon (now Sigma Pi) Fraternity	1	10	0	10

<b>Building</b>	<b>Number of Panels</b>	<b>Number of Pull Stations</b>	<b>Number of Other Initiation Devices</b>	<b>Number of Strobes</b>
Chi Psi Fraternity	N/A	N/A	N/A	N/A
Kappa Alpha Fraternity	N/A	N/A	N/A	N/A
Phi Kappa Tau Fraternity	1	8	27	5
Sigma Chi Fraternity	N/A	N/A	N/A	N/A
Phi Kappa Psi Fraternity	1	12	28	15
Pi Kappa Phi Fraternity	N/A	N/A	N/A	N/A
Kappa Sigma Fraternity	N/A	N/A	N/A	N/A

\*Kappa Delta was under construction in 2019.

\*\*Sigma Alpha Epsilon chapter was closed 2019; Kappa Delta utilized this house.

\*\*\*Sigma Phi Epsilon chapter was closed 2019; Sigma Pi Fraternity members lived in the house during 2019.



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