

Murray State College

2023 ANNUAL SECURITY AND FIRE SAFETY REPORT

Jeanne Clery Disclosure of Campus Security
Policy and Campus Statistics Act

Table of Contents

Preparation of the Clery Report.....	3
Murray State College Crime Statistics.....	4
Clery Act Reporting Descriptions.....	7
Clery Act Criminal Offense Definitions.....	8
Daily Crime and Fire Log.....	9
Identifying Campus Security Authorities.....	9
Campus Safety and Crime Prevention.....	11
Campus Police and Safety.....	11
Emergency Procedures.....	15
Missing Student Procedure.....	16
Annual Fire Safety Report.....	17
Reporting Sexual Harassment.....	19
MSC Campus Safety Tips.....	22
Sexual Violence/Dating Violence/Domestic Violence/Sexual Assault/Stalking.....	23
Student Grievance Procedure.....	37
Weapons, Alcohol, and Drugs on Campus.....	42
Related College Policies.....	46
Student Disciplinary Regulations and Appeal.....	49
Student Sanctions.....	58
Important Numbers for Non-Emergencies:.....	60

Preparation of the Clery Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education (IHEs) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and is enforced by the U.S. Department of Education. Campuses that fail to comply with the act can be penalized with large fines and may be suspended from participating in the federal financial aid program. This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Murray State College; and on public property within, or immediately adjacent to and accessible from the Campus. The report also includes institutional policies on campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. Campus crime, arrest, and referral statistics include those incidents reported to designated campus police officials as defined under the Act, the Tishomingo Police Department, the Ardmore Police Department, and other local law enforcement agencies. Each year, an email notification is sent to all enrolled students, faculty, and staff, providing information on how to access the Annual Security Report online. Copies of this report may also be obtained from the Murray State College Student Affairs Office, AD 204.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act require colleges and universities to:

- Publish an annual report every year by October 1 containing three years of campus crime statistics and certain campus security policy statements that are disseminated to the campus community and submitted to the U.S. Department of Education.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities.
- Provides emergency notifications to the campus community when a significant threat or dangerous situation involving an immediate threat to the health and safety occurs.
- Provides ‘timely warning’ notices of those crimes that have occurred and pose an ongoing ‘threat to students and employees’.
- Disclose in a public crime log ‘any crime that occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department’.

Each member of the college community receives an annual email describing the report and providing web address for the posted documents. For more information, contact Asst. Vice President for Student Affairs, Quinton Jones at 580.387.7139.

This report contains emergency management information, campus crime statistics and critical campus safety information such as policies, crime prevention, crime reporting, and resources to aid you in becoming more safety-minded. The best protections against campus crime are: a strong law enforcement presence; an aware, informed, and alert campus community; and a commitment to reporting suspicious activities and using common sense when carrying out daily activities. MSC strives to be a safe place to learn, live, work and grow.

Murray State College Crime Statistics

2023-Summary of Criminal Offenses	On Campus	On Campus Student Housing	Non-Campus	Public Property	Reported by Local Police
Murder/Non-negligent manslaughter	0	0	0	0	0
Manslaughter Negligent	0	0	0	0	0
Incest	0	0	0	0	0
Statutory rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	3	3	0	0	0
Rape	1	1	0	0	0
Fondling	0	0	0	0	0
Burglary	0	0	0	0	0
Arson	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Hate Crimes-Race	0	0	0	0	0
Hate Crimes-Gender	0	0	0	0	0
Hates Crimes-Religion	0	0	0	0	0
Hate Crimes-Sexual Orientation	0	0	0	0	0
Hate Crimes-Ethnicity	0	0	0	0	0
Hates Crimes-Disability	0	0	0	0	0
Liquor Law Violations-Arrest	0	0	0	0	0
Liquor Law Violations-Referral	0	0	0	0	0
Drug Law Violations-Arrest	0	0	0	0	0
Drug Law Violations-Referral	0	0	0	0	0
Weapons Law Violations-Arrest	0	0	0	0	0
Weapons Law Violations-Referral	0	0	0	0	0
Intimidation	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Simple Assault	0	0	0	0	0
Accident-Injuries	0	0	0	0	0
Accidents-Property Damage	0	0	0	0	0
Theft from Vehicle	0	0	0	0	0
Motor Vehicle Incidents	0	0	0	0	0
Theft from Building	0	0	0	0	0
Larceny	0	0	0	0	0
Vandalism	0	0	0	0	0
Mental	0	0	0	0	0
Welfare Check	0	0	0	0	0
Other	0	0	0	0	0
Fires	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0

2022-Summary of Criminal Offenses	On Campus	On Campus Student Housing	Non-Campus	Public Property	Reported by Local Police
Murder/Non-negligent manslaughter	0	0	0	0	0
Manslaughter Negligent	0	0	0	0	0
Incest	0	0	0	0	0
Statutory rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Burglary	0	0	0	0	0
Arson	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Hate Crimes-Race	0	0	0	0	0
Hate Crimes-Gender	0	0	0	0	0
Hates Crimes-Religion	0	0	0	0	0
Hate Crimes-Sexual Orientation	0	0	0	0	0
Hate Crimes-Ethnicity	0	0	0	0	0
Hates Crimes-Disability	0	0	0	0	0
Liquor Law Violations-Arrest	0	0	0	2	0
Liquor Law Violations-Referral	0	0	0	0	0
Drug Law Violations-Arrest	2	0	0	0	0
Drug Law Violations-Referral	0	0	0	0	0
Weapons Law Violations-Arrest	0	0	0	0	0
Weapons Law Violations-Referral	0	0	0	0	0
Intimidation	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Simple Assault	0	0	0	0	0
Accident-Injuries	0	0	0	0	0
Accidents-Property Damage	0	0	0	0	0
Theft from Vehicle	0	0	0	0	0
Motor Vehicle Incidents	0	0	0	0	0
Theft from Building	0	0	0	0	0
Larceny	0	0	0	0	0
Vandalism	0	0	0	0	0
Mental	0	0	0	0	0
Welfare Check	0	0	0	0	0
Other	0	0	0	0	0
Fires	0	1	0	0	0
Unfounded Crimes	0	0	0	0	0

2021-Summary of Criminal Offenses	On Campus	On Campus Student Housing	Non-Campus	Public Property	Reported by Local Police
Murder/Non-negligent manslaughter	0	0	0	0	0
Manslaughter Negligent	0	0	0	0	0
Incest	0	0	0	0	0
Statutory rape	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Burglary	0	0	0	0	0
Arson	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Hate Crimes-Race	0	0	0	0	0
Hate Crimes-Gender	0	0	0	0	0
Hates Crimes-Religion	0	0	0	0	0
Hate Crimes-Sexual Orientation	0	0	0	0	0
Hate Crimes-Ethnicity	0	0	0	0	0
Hates Crimes-Disability	0	0	0	0	0
Liquor Law Violations-Arrest	2	2	0	0	0
Liquor Law Violations-Referral	4	3	0	0	0
Drug Law Violations-Arrest	0	0	0	0	0
Drug Law Violations-Referral	0	0	0	0	0
Weapons Law Violations-Arrest	0	0	0	0	0
Weapons Law Violations-Referral	0	0	0	0	0
Intimidation	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Dating Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Simple Assault	0	0	0	0	0
Accident-Injuries	0	0	0	0	0
Accidents-Property Damage	0	0	0	0	0
Theft from Vehicle	0	0	0	0	0
Motor Vehicle Incidents	0	0	0	0	0
Theft from Building	0	0	0	0	0
Larceny	0	0	0	0	0
Vandalism	0	0	0	0	0
Mental	0	0	0	0	0
Welfare Check	0	0	0	0	0
Other	0	0	0	0	0
Fires	1	0	0	0	0
Unfounded Crimes	0	0	0	0	0

Clery Act Reporting Descriptions

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs and it applies to most institutions of higher education both public and private. The Act is enforced by the United States Department of Education. The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery. Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response. The 2008 amendments also added a provision to protect crime victims, "whistleblowers", and others from retaliation. For purposes of reporting statistics, Murray State College must distinguish criminal offenses according to where they occur. Geographic locations are defined as follows:

- On-Campus:
 - (1) Any Building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any Building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).
- On-Campus Student Housing Facility:
 - Any student housing facility that the institution owns or controls, or that is located on property owned or controlled by the institution, and is within the reasonably contiguous geographic area of the campus.
- Non-Campus Building or Property:
 - (1) Any Building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any Building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- Public Property:
 - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

The above tables reflect crime statistics mandated by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act that have been compiled by the Campus Police Department, the City of Tishomingo and the City of Ardmore. These tables include all reports made to the Tishomingo Police, Ardmore Police, as well as officials of Murray State College who have significant responsibility for student and campus activities. The Public Property portion of the tables, reflect those statistics that the City of Ardmore Police Department and the City of Tishomingo Police Department provided.

Hate crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, religion, sexual orientation, gender, ethnicity, or disability. Additional categories for reporting hate crime data include larceny, simple assault, intimidation, and destruction, damage, or vandalism of property.

Individuals in violation of campus policies regarding liquor law violations, drug law violations, or illegal weapons possession, who are not arrested, may be referred for campus disciplinary action. A referral for campus

disciplinary action for violation of Murray State College policies regarding alcohol, drugs, or weapons does not necessarily mean that a violation of law has occurred. Referrals that were the result of arrest or citation are reflected elsewhere in the chart. Data reported by the number of individuals referred for campus disciplinary action are from the Director of Resident Life.

Clery Act Criminal Offense Definitions

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

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

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 or violence and/or by putting the victim in fear.

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

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.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

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

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

Daily Crime and Fire Log

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, the Department of Police & Public Safety must keep a crime log of all reported crimes that occur on and near property owned or controlled by Murray State College for the most recent 60-day period. Additionally, the college must keep a fire log of all reported fires that occur in on-campus student housing facilities for the most recent 60-day period. Crime and Fire logs are open to public inspection, upon request, during normal business hours. Crime and Fire logs that are older than 60 days are available within two business days of a request for public inspection.

An electronic version of the combined Daily Crime and Fire Log is posted on our website within two business days of receiving a report, and is also made available, in hard-copy format. Individuals can obtain a hard copy by visiting the Office of Campus Safety and Security located in Aggie Suites 101. Additionally, you may request Daily Crime and Fire Logs that aren't available on the website by e-mailing the Clery Compliance Coordinator at kperkinson@mscok.edu.

Identifying Campus Security Authorities

While the Clery Act does not allow lawsuits brought by individuals, the U.S. Department of Education (ED) can levy fines—up to \$57,317 per violation of the law.. The law requires annual publication of statistics about reported campus-area criminal offenses, based on information gathered from local law enforcement and the institution's campus security authorities (CSAs). Allegations of inaccurate Clery Act statistics have been a frequent source of bad publicity for colleges and universities. A common cause of inaccurate Clery data is confusion over who qualifies as a CSA.

Who Are CSAs?

Clery Act regulations define "campus security authorities" as:

1. An institution's campus police or security department
2. Other individuals with security responsibilities, such as those monitoring access to campus property (e.g., parking lots, residence halls, and athletic venues)
3. Individuals or organizations designated in the institution's security policy as those to whom students and employees should report crimes
4. Officials with significant responsibility for student and campus activities, such as student housing, student discipline, and campus judicial proceedings

While the first three categories are straightforward, the fourth often causes Clery compliance problems. An "official" means a "person who has the authority and the duty to take action or respond to particular issues on behalf of the institution." What matters is an individual's job function, not title. The ED advises institutions to "[l]ook for officials (i.e., not support staff) whose functions involve relationships with students." These include deans who oversee student housing or activities, resident advisors, Greek affairs coordinators, athletic directors and coaches, and faculty advisors to student groups. By contrast, clerical or cafeteria employees and faculty with no responsibility for student and campus activities outside the classroom are not CSAs.

Offenses reported to individuals acting as pastoral or professional counselors, even if they otherwise have responsibility for student and campus activities, do not have to be reported under the Clery Act.

The following individuals are designated campus security authorities at Murray State:

- Executive Vice President of Finance and Operations
- Senior Vice President of Academic and Student Affairs
- Vice President of the Ardmore Campus
- Assistant Vice President of Student Affairs/Title IX Coordinator
- Dean of Learning and Student Success
- Chief of Police
- Campus Police Officers (Full-time & Part-time)
- Director of Human Resources
- Director of Residence Life
- Athletic Director
- Director of Physical Plant
- Student Life Coordinator
- Coaches
- Resident Assistants
- Student Organization Advisors

What Are CSAs Required to Do?

A CSA who receives a report of a Clery crime from anyone—with or without a connection to the institution—must report it to the designated official or office, usually the campus security or police department. If the CSA believes the report was made in good faith, he or she is required to report all available information, such as the date and location of the crime, even if the victim is unknown or does not want to file a criminal charge.

A CSA should report the matter to the designated person or office whether he or she is sure the incident qualifies as a Clery crime. Here, the CSA's obligation ends. CSAs should not attempt to investigate crimes, determine the truth, or persuade reluctant victims to come forward. Those duties belong to campus or local law enforcement.

What Should Institutions Do?

To help ensure collection of all crime statistics required by the Clery Act, institutions should:

- Annually review organizational charts to determine which positions meet the CSA definition and notify the individuals in those positions that they are CSAs
- Train CSAs on:
 - Which employees are CSAs and why.
 - What crimes must be reported under the Clery Act. The Campus SaVE Act, effective March 7, 2014, amended the types of Clery crimes that must be reported.
 - Their obligation to report these crimes.
- Send an annual letter to CSAs requesting that they report any crimes not previously reported or verify that they have received no reports during the year.
- Provide a standard crime reporting form that is easily accessible to CSAs.

Campus Safety and Crime Prevention

Reporting Incidents and Crimes

Prompt and accurate reporting of criminal offenses aids in providing a timely response and timely warning notices to the community when appropriate, and assists in compiling accurate crime statistics. Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents in an accurate and timely manner to the MSC Police Department or local law enforcement. Crimes or offenses reported on a voluntary, confidential basis can/will be used in the Annual Security Report.

Whether you are a victim or a witness, you are encouraged to promptly report crime. If a crime occurs on or around campus, report it immediately to the police.

- For emergencies, call 9-1-1
- For non-emergencies, call 580.371.1140

If you are a witness to a crime, an accident, a fire, or suspicious or threatening circumstances on or off campus- or perhaps you are the victim-it is either:

- An emergency requiring immediate police, fire, medical, or other response to preserve life or property or
- Not currently an emergency but an incident that requires attention

Seconds can seem like hours. Knowing what to expect when making your report may help make the experience less stressful and more effective.

If reporting an emergency:

- Act quickly and calmly
- Get to a safe place, if possible
- Call 9-1-1 on any phone If reporting a non-emergency:
- Do not call 9-1-1
- Use the non-emergency number of the appropriate agency. (See page 2 &3)

Campus Police and Safety

Campus Police

The Campus Police Department performs a valuable service in keeping you and your property safe. An officer can also be of invaluable assistance in times of emergencies that range from stalled vehicles to midnight illnesses. The Campus Police Officer is responsible for the safety of all persons, and for the protection of state and personal property on campus. The Campus Police Officer is a certified officer in the State of Oklahoma as defined in Title 70, Section 3311 of the Oklahoma State Statutes. The role of the Campus Police Officer will fall within the domains of law enforcement, fire protection, and parking and traffic. Some specific duties include: patrolling of the area surrounding residence halls throughout the night, and enforcement of fire prevention practices. He/she is also responsible for assisting college personnel in the enforcement of College policies, procedures, rules and regulations.

The Campus Police Department is located in Aggie Suites on the 1st floor of the Tishomingo Campus. The office telephone number is 580.387.7311 and cell number is 580.371.1140. If you have utilized both numbers and have received no response, call the Johnston County Sheriff's Office at 580.371.2691 and they will radio information to the Campus Police. IF AN EMERGENCY OCCURS THREATENING LIFE OR SAFETY CALL 911.

MSC Campus Police work closely with state and local law enforcement authorities. Campus Police maintains an excellent professional working relationship with local law enforcement agencies. These agencies coordinate investigation efforts, patrol, help with special events, and train on a routine basis. MSC Campus Police work with other municipal, and state law enforcement agencies as is appropriate on a continual basis to better serve the MSC community. MSC Police currently have Police Service Agreements with the Johnston County Sheriff's Office and the City of Tishomingo Police Department and Light Horse. Copies of the M.O.U.'s can be obtained from the MSC Campus Police Office. Violations of criminal laws are reported to Campus Police and to appropriate authorities in accordance with generally accepted reporting standards. Violations of criminal law shall be reported to the Director of Resident Life via the Murray State College incident report form and logged on the Daily Crime Log in accordance with the Cleary Act. When violations are violent crimes charges will be filed, and other procedures followed as required by State and Federal Laws.

Administrative findings may result in sanctions against the offending student(s) according to the Murray State College Student Handbook. Students may be temporarily suspended pending the implementation of due process. Criminal charges against a student on or off campus may result in permanent suspension at the discretion of College officials, especially if the individual poses a threat to the safety of others, the campus community, or poses a threat to themselves.

All crimes shall be reported to the Chief of Police via the Murray State College incident report form and logged on the Daily Crime Log by Campus Police. These violations shall be handled according to administrative procedures except in the case of repeat violations. Repeat offenders and their behavior are subject to sanctions imposed by College officials when in their opinion warrant additional consideration. Charges will be filed by College officials as needed according to applicable criminal laws.

Criminal Activity Off-Campus

The Assistant Vice President of Student Affairs maintains in close communication with the Campus Police Office and the Tishomingo Police Department staff to monitor criminal activity involving students and student organizations. Administrative reports from the police departments are forwarded to other departments on campus for further action as appropriate. The College may pursue disciplinary action for off-campus violations of College rules in those instances in which the College was substantially affected, whether or not the activity was criminal in nature. Reports of violations by students may be referred to the Chief of Police for review and recommendations. Although the College does not have a recognized student organization with an off-campus housing facility, we do maintain close relationships with local law enforcement agencies to monitor crimes involving students and investigate those offenses thoroughly.

Maintaining Your Safety

During new student orientation, you heard tips on crime prevention. REMEMBER you are your best protection- here are some safety tips.

- Don't leave campus with strangers.
- Don't leave checkbooks, money, or valuables in view.
- Do be alert at night, go in groups, lock your vehicle, and keep room locked.
- Avoid vulnerable / no exit areas.
- Report strange behaviors that make you feel uncomfortable.
- Report all incidents immediately.

Emergency Notification

Emergencies may range from inclement weather to Building evacuations to campus closures, and the College has a variety of tools to communicate with the public in the event of these and other possible emergencies. The institution will without delay, and taking into account the safety of the community, determine the content of the notification. The decision for an emergency alert is taken by the Executive Cabinet, under the authority of the President, or their designee. Students, employees, and visitors will be immediately notified upon confirmation of a significant emergency or dangerous situation involving an immediate threat to health or safety.

Murray State utilizes pre-approved, pre-scripted emergency notifications within the Campus Shield notification system to ensure rapid communication during emergencies. Once the decision to issue an emergency alert is made, notifications are immediately sent through the Campus Shield system (app, email, text and voice call) as well as through the Murray State website and social media platforms.

Campus Security Information

Murray State College is committed to providing a safe and secure environment for its students and staff. The MSC campus police department is responsible for the safety of all persons and for the protection of State and personal property on campus. Campus Police Officer(s) are certified officer(s) by the state of Oklahoma as defined in Title 70, Section 3311 of the Oklahoma State Statutes. Campus Police investigate all crimes that are reported. To report a crime, call the Campus Police Department, 580.387.7311, or 580.371.1140, or the Office of the Assistant Vice President of Student Affairs, 580.387.7139, between 8 a.m. and 5 p.m. At other times call the Johnston County Sheriff's Office at 580. 371.2691 and they will contact the MSC officer(s). You are encouraged to report all crimes, even though the crime may be insignificant to you. Campus Police work closely with state and local authorities. Violation of criminal law is reported to the appropriate authorities in accordance to accepted standards. Murray State College has developed a working relationship with the local law enforcement agencies, and monitors any criminal activity related to students of the institution.

Access to Campus Facilities

Access to campus facilities EXCEPT resident housing, student center and library, shall be during normal business hours (8:00 a.m. till 6:00 p.m., Monday – Thursday; 8:00 a.m. – 12:00 p.m. on Fridays) excluding holidays listed on the College Calendar. Any access after normal operating hours. will need the approval of an instructor or staff. EXCEPTIONS: Scheduled events open to the public in designated areas only. Library, Cafeteria, Fitness Center are accessible only during posted hours.

Advisement

The victim of a serious crime can request referral to Advisement services off-campus during or after reporting. Information on sex crimes and sexual assault prevention is provided during New Student Orientation and seminars during the academic year. The Campus Police Department is available to present crime prevention seminars or answer your questions individually. A nightly security report is provided to the Director of Resident Life. With your help, working together, MSC will have a secure and safe environment for students, faculty and staff.

Timely Warnings

Timely Warning notifications are issued whenever a serious crime or series of crimes on campus or in the surrounding communities poses a continuing risk to students and employees. Emergency notifications are issued for specific crime classifications such as murder, sex offenses, robbery, aggravated assault/battery, burglary,

motor vehicle theft, manslaughter, arson and any hate crimes involving bodily injury in which the victim was intentionally selected due to actual or perceived race, gender, religion, sexual orientation, ethnicity or disability. Notifications may also be posted for other crimes when deemed necessary by Murray State College Executive Staff. Emergency notification on the Murray State College campus is provided through the Campus Shield notification system (app, text, email, and voice call). The decision to send an Emergency Notification or Timely Warning will be made by Kelly Perkinson, Chief of Police/ Director for Campus Security and Safety, in consultation Executive Cabinet The notification will be sent out through the office of Communications by Robyn Peterson, Public Information Officer, through the various media listed above.

Emergency Procedures

Information monitors are located throughout campus. In the event of severe weather, a notification will be posted on the monitors. Upon receiving a National Weather Service Advisory for a tornado warning, all students should:

- Take shelter within a building by moving to the center hallways; avoid large open rooms, gymnasiums and auditoriums.
- Students living in Resident Housing shall evacuate their room and go to the basement of Nursing Allied Health Building. Handicapped students will go to the first floor of the Administration building.
- Remain calm and evacuate the building or area in an orderly manner if there is sufficient time to go to the emergency shelter located in the basement of Nursing Allied Health Building.
- Building Monitors will check for injured persons in your Building /area. Do not move any injured person unless there is serious danger to the person's safety pending.

Evacuation Procedures

- Walk; do not run to the nearest exit, if you are indoors.
- If you are on an upper floor, take the stairs. Do not use the elevator.
- Assist any disabled/injured persons who are not able to leave the area quickly by themselves.
- Evacuate to the outside of the Buildings. Go to a pre-established Evacuation Assembly area or away from Buildings.
- Notify the Emergency Operations Center if there are disabled/injured persons needing assistance.

Inclement Weather Info

When inclement weather conditions warrant a change in class starting times or a cancellation of classes, the area television and radio stations listed below can be expected to report the information.

If daytime classes are to be cancelled or scheduled to start later than normal, the following will take place:

- The media will be contacted by 6:30 a.m.
- A message will be posted to the MSC Homepage (www.mscoke.edu).
- An announcement will be sent via Campus Shield Notification System
- If evening classes are to be cancelled, the following will take place:
- The media will be contacted by 3:30 p.m.
- A message will be posted on the MSC Homepage (www.mscoke.edu).
- An announcement will be sent via Campus Shield Notification System

Fire Procedures

Fire and emergency procedures will be explained to you in resident hall meetings. In the event an evacuation is necessary you should proceed according to the primary plan in your area, and use the alternate route if the primary exit is blocked. It is important to know what action to take if a fire should occur. Practice drills will be conducted periodically. All students must vacate when the fire alarm sounds. Failure to do so will result in disciplinary action. Campus housing is equipped with a sprinkler system in case of a fire.

In case of a fire students should:

- Recall exit plans. These plans are posted on bulletin boards on each floor. Do not panic or run.
- If smoke is detected, report it at once to the Housing Manager or any MSC employee.
- Close all doors and windows.

- Before opening a door feel for heat. If does not feel hot, lean back and open slightly. Use hand to feel for heat.
- If the breezeway or hall appears safe please proceed with exit away from the building.
- If necessary, use wet towels or sheets to cover your head during exit.
- If the breezeway or hall is not safe for exit plug all visible openings and open a window slightly and stay near it.

Fire Drills

Mandatory, supervised fire drills are conducted for each residence hall in the fall and spring semesters by Resident Life, in conjunction with the Campus Police Department. Additionally, each time new residents occupy a building during the summer for camp-related.

Missing Student Procedure

Missing Student Notification Policy and Procedures 20 USC 1092 (j) (Section 488 of the Higher Education Opportunity Act of 2008) Any institution participating in a Title IV federal student financial aid program that maintains on campus housing facilities must establish a missing student notification policy and related procedures for those students who live in on campus housing. For purposes of this policy, a student shall be considered missing if a roommate, classmate, faculty member, family member or other campus person has not seen the student in a reasonable amount of time, reports the pertinent facts to at least one of the staff and/or offices listed below, and, if after investigation the MSCPD determines that the student has been missing for more than 24 hours the institution will notify local law enforcement. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals may be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to a MSC department other than the Murray State Police Department or designated office listed below, the MSC employee receiving the report shall contact the MSCPD immediately.

Procedures for designation of emergency contact information:

- Students age 18 and above and emancipated minors:
 - Students living on campus shall be given notice of this policy and an opportunity during the first seven days after move-in each semester to designate an individual or individuals to be contacted by the university “in case of emergency”. Contact information shall be registered confidentially, shall be accessible only to authorized campus officials, and may only be disclosed to law enforcement personnel in furtherance of a missing person investigation. In the event a student is reported missing, the Campus Police Department or their designee shall attempt to contact his/her emergency designee no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. An emergency contact designee shall remain in effect until changed or revoked by the student.
- Students under the age of 18:
 - In the event a student living on campus who is not emancipated is determined to be missing pursuant to the procedures set forth below, the university shall (is required to) notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

Annual Fire Safety Report

Statement of Availability
Annual Campus Safety and Security
Reporting Annual Fire Safety
Reporting
October 1st annually

Murray State College is committed to assisting all members of the MSC community in providing for their own safety and security. The annual security and fire safety compliance document is available on the MSC website at <http://www.msco.edu>

If you would like to receive the combined Annual Security and Fire Safety Report that contains this information, you can stop by the office of Student Affairs at One Murray Campus, Administration Building, Suite 104, Tishomingo, OK 73460 or you can request that copy be mailed to you by calling (580) 387.7131. The website contains information regarding campus security and personal safety as well as crime statistics for the three previous calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by MSC; and on public property within, or immediately adjacent to and accessible from the campus.

This information is required by law
and is provided by the MSC Police
Department.

Murray State College Fire Safety Report 2023

FIRE STATISTICS

Murray State College has had one (2) fires during the past three calendar years.

FIRE SAFETY REPORT

There is two fire statistics to report for the three (3) most recent calendar years, for the Murray State College Campus.

Fire #	Cause of Fire	Location of Fire	Number Requiring Medical Treatment	Deaths Related to Fire	Value of Property Damage of Fire
1	Clothing on Candle	McKee Hall	0	0	\$0.00
2	Microwave Malfunction	Patton Hall	0	0	\$150.00

DESCRIPTION OF EACH HOUSING FACILITY FIRE SAFETY SYSTEM, INCLUDING THE FIRE SPRINKLER SYSTEM

McKee Hall-Simplex 2001 3080,

Aggie Suites-Radionics D7024 and Reliable Sprinkler System

Patton Hall- Radionics D7024 and Reliable Sprinkler System

Aggie Flats – Smoke Alarms

West Side – Smoke Alarms

The following is a brief explanation of the major components of the fire alarms and associated systems.

Fire Suppression:

The water sprinkler system in the Aggie Suites has heat sensitive nozzles on the ceilings throughout the buildings and in the external stairwells for the discharge of water for suppression of fires.

Fire Extinguishers:

There are fire extinguishers located throughout the first, second, and third floors of McKee Hall and in the basement of the building. These extinguishers are dry chemical A-B-C extinguishers which can be used on fires involving trash, wood, paper, liquids, grease, and electrical equipment.

Fire extinguishers are checked monthly by MSC Facilities Maintenance staff and annually by a contractor fire extinguisher service. The extinguishers are refilled or replaced as needed and hydro-tested on a regular schedule by a contracted fire protection service.

Detectors:

The Simplex fire alarm system has smoke detectors located on the ceilings in all common areas of McKee Hall. Each resident room in this facility is also equipped with independent ionization type smoke alarms.

The Aggie Suites fire alarm and suppression system uses both independent photoelectric smoke detectors located on the ceilings in each room and suppression system water flow detectors within the suppression system.

Pull Stations:

Simplex fire alarm system manual pull stations are located throughout all floors of McKee Hall, principally these units are located near exit doors and stairwell doors. The Simplex pull stations are colored red and are labeled “Fire Alarm” with instructions to “Pull Down” the handle of the station to manually activate this fire alarm system.

System Panels:

The main system panel for the Simplex fire alarm system in McKee Hall is located in the commons area of the first floor of the building and labeled “Simplex 2001 Fire Alarm Control” All Simplex system functions are located on this panel, including a readout panel which identifies the location of detectors and/or pull stations that have alarmed or have other problems. This Simplex panel is also used for all other operating and programming functions for this system.

The main system panel for the Radionics fire alarm system in the Aggie Suites is located in the central, first floor equipment closet, in the breeze way of building one and is labeled “Radionics D7024 Fire Alarm Control” All system functions are located in this panel, including a readout panel which identifies the detectors that have alarmed or have other problems. This panel is also used for all other operating and programming functions for this system.

Audible Alerts:

The Simplex fire alarm system and the Radionics fire alarm have separate audible equipment to alert persons in the building(s) when the system is alarming.

The Simplex fire alarm system has horns mounted on the walls throughout all of the common areas of McKee Hall.

The Radionics fire alarm system has alarm bells mounted on the north and south exterior walls of each of the three individual buildings.

THE NUMBER OF FIRE DRILLS HELD DURING THE PREVIOUS CALENDAR YEAR

During the previous calendar year, Murray State College had two (2) fire drills, which were mandatory for each semester, February 9, 2023 and September 22, 2023. All evacuation procedures were followed.

Policies or rules on portable electrical appliances, smoking, and open flames

Excerpt from the Murray State College Student Handbook, Pages 20, 43, 67

Smoking/Tobacco

Murray State College is a Tobacco Free Campus. In accordance with MSC policy and procedures: In order to protect the health of students, faculty, and staff of MSC, and in order to maintain the appearance and attractiveness of the buildings on campus, tobacco is not allowed in any building or on the grounds of Murray State College.

Any policy violations will result in fines and/or suspension. Students will be notified of any change in tobacco use policy.

There is to be absolutely no tobacco use of any kind in Resident

Housing. Electrical Appliances

The following electrical appliances **are allowed**: clock, fan, personal computer, hair dyer, razor, iron, stereo, lamps, and small coffee makers. **Due to fire and safety hazards, any type of grill, personal heaters, cooking stoves, rice cookers, hot plates, sun lamps, halogen lamps, electric blankets are not permitted.**

Candles/ Incense/Open Flames

Candles, decorative or scented, incense or potpourri pots are not allowed to be burned in the rooms. **They will be confiscated and you will be fined.** Continued violations will result in disciplinary action.

Procedures for evacuation

In the event of an emergency or mandatory housing evacuation, all resident housing students will be notified by one or a combination of the following: 1) fire alarms, 2) text, 3) siren, and/or 4) Building Resident Assistants/Resident Housing Coordinator/MSC Police Department.

All residents are to calmly exit their respective buildings. Students housed in the MSC Aggie Suites are to meet N of the Suites on the fenced basketball courts and remain there until roll call is taken and every student has been accounted for; then students are to wait for further instructions as to where to go next. Students housed in McKee Hall are to meet in the parking lot W of McKee Hall and remain there until roll call is taken and every student has been accounted for; students are to wait for further instructions as to where to go next.

Reporting Sexual Harassment

To report incidences of sexual harassment you may contact the following:

- Assistant Vice President of Student Affairs, 580.387.7139
- Campus Police 580.387.7311 or 580.371.1140

Sexual Harassment Definition

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment or academic standing, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work or academic environment.

Sex Offender Information

Students can obtain information about any registered sex offender who may be on campus (pursuant to 42 U.S.C. §14071(j)) by contacting MSC Campus Police or you may obtain information concerning sex offenders in the state of Oklahoma at http://www.doc.state.ok.us/DOCS/offender_info.htm

The Family Educational Rights and Privacy Act (FERPA) makes it clear there is nothing in this section that may be construed to prohibit Murray State College from disclosing information provided to us under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071) concerning registered sex offenders who are required to register under such section.

Sexual Harassment Offenses Procedure

Reporting Harassment - Members of the College community (students or employees) who believe they may be victims of sexual harassment may endeavor to eliminate the offensive behavior by confronting the individual causing the problem and/or by discussing the offensive behavior with the Assistant Vice President of Student Affairs, the Director of Human Resources, or campus police.

MSC will ensure all obligations under Title IX regarding sexual violence are upheld.

- To file a formal written grievance, students utilize the existing Student Grievance Procedure
- The student has the right to notify the appropriate law enforcement authorities (Campus Police Department or other local law enforcement agencies.).
- Formal grievance must be filed within 180 working days of the allegations.

False/Bad Faith Accusations

- An individual who believes that he or she has been wrongfully accused of sexual harassment may file a complaint.
- Bad faith allegations or use of this procedure for purposes other than those for which it is intended may result in disciplinary action against the accuser. Disciplinary actions against employees may include but are not limited to: warnings, reprimand, demotion, suspension, or dismissal. Disciplinary actions against students may include but are not limited to: warnings, reprimand, probation, suspension, or expulsion.

Retaliation

Retaliation against those who report sexual harassment or contribute information in a complaint may result

in disciplinary action against those responsible.

Disciplinary Actions

If one or more allegations are proven correct, disciplinary actions against employees may include but are not limited to: warnings, reprimand demotion, suspension, or dismissal. Disciplinary actions against students may include but are not limited to: Warnings, reprimand, probation, suspension, or expulsion.

Notification

Mental health services that are available to students involved in an incident of sexual harassment or assault will be provided to the student. The Institution will change a victim's academic and living arrangements after an alleged sex offense, if those changes are requested by the victim and are reasonably available.

MSC Campus Safety Tips

When students come to college they accept new responsibilities, including taking appropriate measures to ensure their own personal safety. In combination with MSC's efforts to maintain a safe living and learning environment, the College encourages students to follow these safety tips to protect themselves. Sometimes, especially in cases of sexual or domestic violence, safety tips can border on blaming the victim for not taking these steps to prevent their victimization. MSC wants to be very clear that victims are in NO way at fault for anything that happened to them, regardless of the circumstances. So, these safety tips are a great resource but should never be reason for placing blame on victims.

At home, in your suite, or in a residential hall:

- Keep your room door locked when you are napping/sleeping or not in your room.
- Never let unauthorized persons come into your room, enter residence halls, or enter apartment security doors. Always ask to see proper identification.
- Never prop open inside or outside doors.
- Do not hide keys outside of your room or apartment. Do not put your name or address on your key rings.
- Avoid working or studying alone in a campus building.
- Never dress in front of a window. Close blinds or curtains after dark.
- If you are awakened by an intruder inside your room, do not attempt to apprehend the intruder. Try to get an accurate description of the intruder and then call the police.
- Any suspicious activity should be reported to the MSC Police immediately.

Protect Your Possessions:

- Always keep your doors locked. Never prop open a door.
- Secure your vehicle. Close all windows and lock all doors.
- Adequately protect all valuables in your room, such as wallets, jewelry, credit cards, cash and computers. Do not leave valuables or cash in plain view.
- Do not loan your keys to anyone.
- Never hide your keys outside your apartment or room. Do not put your name or address on your key rings.
- Take all valuable items home with you during vacations.
- When in a public place, keep valuable possessions out of sight. If you must leave an area for any length of time, take personal items with you.

When Driving:

- Carry your car keys when approaching your vehicle so you can enter quickly.
- Always check underneath your car upon approach and in the rear seat for intruders before entering your automobile.
- Lock your doors and keep windows rolled up whenever possible.
- Drive on well-traveled and well-lit streets.
- Never hitchhike, and never pick up hitchhikers.
- If someone tries to enter your stopped vehicle, sound the horn and drive to a safe area such as a convenience store.
- If your vehicle breaks down, ask any person who offers to help to call the police. Do not allow any person access to you or inside your car. Roll down your window no more than an inch. Be aware that an accident may be staged to provide the driver who hits you an opportunity to

commit a criminal act.

- Leave enough room between your car and the one ahead so you can drive around it if necessary.
- Call ahead when driving to your home or apartment late at night and have someone watch you walk from your car to the residence.
- Limit distractions such as cell phones.
-

While Walking or Jogging:

- Avoid walking or jogging alone, and try not to walk or jog after dark.
- Avoid dark or vacant areas. Walk along well-lit routes.
- Be alert to your surroundings. If you suspect you are being followed: Run in a different direction, go to the other side of the street and yell for help, or move quickly to a lit area, a group of people, or a blue light emergency phone.
- Have your keys ready when returning to your residence hall or apartment. Keep your personal or valuable items concealed and close to your body.
- Avoid wearing headphones when walking or jogging. Always be aware of your surroundings and practice risk avoidance techniques.

Socially:

- Do not give out your personal information including phone number, email address, social media user names, etc. to individuals you have not developed a level of trust with.
- If you perceive communication from another individual to be inappropriate, makes you uncomfortable, or is threatening do not respond.
- Do not put your daily schedule, phone number, or address online.
- Make sure you trust any online website with which you choose to share your personal information (especially financial information like credit cards).
- Before going to a party where alcohol will be present, make a plan, know your limits, and appoint a sober driver.
- At a party stay and leave with the friends you came with.
- Make your own drink and keep your drink in your hands at all times.
- If someone is pressuring you into drinking, remove yourself from the situation.

Sexual Violence/Dating Violence/Domestic Violence/Sexual Assault/Stalking

Murray State College prohibits sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct. Sexual misconduct often overlaps with crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. All members of the College community, have an obligation to promote an environment that is free of sexual misconduct. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking and sexual harassment. MSC in compliance with Title IX publishes a notice of nondiscrimination, designated a Title IX Coordinator, and adopted and published grievance procedures as preventative measures against harassment.

Murray State College has identified the Assistant Vice President of Student Affairs as the Title IX Coordinator. The coordinator will utilize a Title IX Committee comprised of administrative staff from institutional areas to contribute to and facilitate all requirements of Title IX. The investigation and records of the resolution conducted by the college are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation are

maintained in accordance with Oklahoma law and the federal FERPA statute. Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to a victim's identification. Additionally, the college maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures.

Any complaints or inquiries regarding sexual harassment of a student by an employee or other student should be brought to the immediate attention of Campus Police or the Title IX Coordinator/Assistant Vice President for Student Affairs. The college will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire regarding sexual harassment, but feels it would not be appropriate to raise such issues with the Campus Police or the Title IX Coordinator/Assistant Vice President for Student Affairs, the student may inquire or complain to The Director of Student Compliance as a designated Campus Security Authorities (CSA), and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, the college will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from the college for serious or repeated violations. When the college addresses these matters, even if it occurred off-campus, it must do so using procedures that comply with Title IX guidelines. [Clery Act ASR Compliance with VAWA- Violence Against Women Act Section 304 Reauthorization section known as the Campus SaVE Act.]

- When officials become aware of possible harassment, their first obligation is to investigate the information, whether the victim or a third party brought it to their attention.
- Institutions are expected to coordinate their law enforcement and Title IX responses to such complaints. While a campus police officer may conduct a law enforcement investigation, because the standards for criminal investigations are different, police investigations or reports are not determinative of whether sexual harassment or violence violates Title IX. Officers will report incidents of this type to the Title IX Coordinator if the complainant consents.
- When sexual assault is reported to campus law enforcement, in addition to conducting a law enforcement investigation, the department should notify complaints of their right to file a Title IX sex discrimination complaint with the college in addition to filing a criminal complaint.
- When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off-campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.
- The College must notify students, employees, applicants for admission, applicants for employment, parents or legal guardians of the Title IX Coordinator's contact information including name/title, office address, email address and telephone number.
- The College must prominently display on their websites the required contact information for the Title IX Coordinator.

Quinton Jones
Assistant Vice President of Student Affairs
AD 204
Tishomingo, OK 73460
(580) 387-7139

Awareness

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, the college utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming. It is our practice to offer programming to prevent domestic violence, dating violence, sexual

assault and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention and discuss institutional policies on sexual misconduct as well as the definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention for advocacy and prevention such as calling for help, identifying allies.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, and can be delivered in the form of campaigns, emails, guest speakers and events.

- The following links provide educational opportunities regarding sexual misconduct:
- Code Blue-Speak Out and Stand Up: Raising Awareness about Sexual Assault
- Culture of Silence-Stalking Awareness
- Breaking the Silence
- Wasted Youth

The institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available to victims, both with the institution and in the community.

Protective Measures

When any of the following events occur: gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence, the college takes the matter very seriously. The college employs interim protection measures such as interim suspension and/or no contact orders in any case where an offender's behavior represents a risk of violence, threat, pattern or predation. If a student/employee is accused of gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence, s/he is subject to action in accordance with the Murray State College Policy and Procedure as well as state and federal law. Anyone wishing to officially report such an incident may do so by contacting the Title IX Coordinator/Assistant Vice President of Student Affairs at 580.387.7139. Anyone with knowledge about gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence is encouraged to report it immediately. MSC in compliance with Title IX publishes a notice of nondiscrimination, designated a Title IX Coordinator, and adopted and published grievance procedures as preventative measures against harassment.

Reporting process

If you are the victim of gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

- Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact Campus Police at 580.371.1140 or the Title IX Coordinator/Assistant Vice President of Student Affairs at 580.387.7139 if you are on campus or call the Tishomingo Police Department at 911 if you are off campus.

- College officials will secure immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you in the crisis. Murray State College utilizes Safeline at 1.800.522.SAFE for victim advocacy. Safeline is supported by Family Violence Prevention Services Act funding through Administration on Children, Youth and Families, U.S. Department of Health and Human Services. Publications are printed by Central Printing, is issued by the Office of the Attorney General and has been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries.
- If you are on campus during regular business hours, you may go to the Campus Police Office or the Office of Student Affairs. A victim advocate will be contacted for support and guidance. These are both confidential resources. Such a report may be made at any time, including during non-business hours, by using calling the Title IX Coordinator at (580) 387-7139 or emailing gjones@mscok.edu.
- Campus Police will be called to investigate. If sexual violence has occurred, effective steps to end the sexual violence, prevent its recurrence, and address its effects, whether or not the sexual violence is the subject of a criminal investigation will take place.
- Steps will be taken to protect the complainant as necessary, including interim steps taken prior to the final outcome of the investigation.
- Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet, to avoid contamination.
- For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge.
- The victim advocate will be notified and participate in providing victim services.
- To preserve evidence, it is recommended that you do not bathe, shower, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
- If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation.
- Try to memorize details (physical description, names, license plate number, car description,), or even better, write notes to remind you of details, if you have time and the ability to do so.
- If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify MSC Campus Police or the Title IX Coordinator/Assistant Vice President of Student Affairs at 580.387.7139 so that those orders can be observed on campus.
- Even after the immediate crisis has passed; consider seeking support from the victim's advocate and/or the local rape crisis center as listed in the MSC Policy and Procedures Manual or the MSC Student Handbook.
- MSC Campus Police will assist you with college-related concerns, such as no-contact orders or other protective measures or assist in contacting other local authorities. They will also assist in any needed advocacy for if you wish to obtain protective or restraining orders from local authorities. The College is able to offer reasonable academic accommodations, changes to living arrangements, transportation accommodations, escorts, no contact orders, counseling services access and other supports and resources as needed by a victim if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local

law enforcement. These services will be provided in a written notification to the victim regardless of whether or not the victim chooses to report the crime to campus police or local law enforcement. The institution will maintain confidential accommodations and/or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide accommodations and/or protective measures

- The victim also bears the right to not report the crime or offense to authorities.
- All proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability.
- There is no limit to the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. Permit the Complainant and Respondent during the investigation, the proceedings, and any other related meeting to have an advisor or support person present.

Prevention and Awareness Education

MSC is committed to providing sexual assault, domestic violence, dating violence, and stalking prevention and awareness education to students, staff, and faculty in order to foster a positive, respectful, and safe climate for all members of our community. MSC has partnered with SafeColleges, whose mission is to help students, faculty and staff address critical life skills such as alcohol abuse prevention, sexual assault prevention, and financial literacy in higher education institutions across the country. Each year over 700,000 college community members complete these courses. As part of our comprehensive prevention program for faculty and staff, MSC expects you to complete the SafeColleges training. This online education will provide critical education on sexual harassment, connect you with support resources, discuss factors that contribute to sexual and relationship violence and empower you to become a leader in prevention. MSC also offers on-going supplemental training on a variety of topics including but not limited to, suicide prevention, alcohol and drug abuse, sexual harassment/assault, domestic/dating violence, stalking, consent, and bystander intervention, through video's, pamphlets/brochures, visiting speakers, and events on-campus.

Bystander Interventions

Murray State College seeks to promote the health, safety, security and wellbeing of all members of the College community. If an individual witnesses a violation of the Sexual Misconduct, Sex Discrimination and Unlawful Harassment Policy, or any behavior that may appear to be a violation of the policy, there are a range of options available including, but not limited to:

- (1) For emergency situations, contact the Tishomingo Police Department by calling 911.
- (2) For non-emergency situations, contact the Campus Police Department by calling 580.371.1140
- (3) For information regarding nonviolent bystander intervention training and education, please contact the Office of Student Affairs located at 1 Murray Campus, Tishomingo, OK 73460, AD 204 or by calling 580.387.7139.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention for advocacy and prevention such as calling for help, identifying allies. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, and can be delivered in the form of campaigns, emails, guest speakers and events.

Title IX Grievance Procedure

The Title IX Coordinator and Campus Police are trained in and respond to reports of gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence. These individuals are also trained on the college's procedures and any other procedures used for investigating or responding to gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence. Individuals who are likely to come into contact with the victims of sexual violence, including all law enforcement officers, are trained on how to identify covered sexual harassment and violence as well as how to respond under college procedures. They are trained on the psychological needs of the victims and survivors of sexual violence and are sensitive to the victims needs to prevent any re-victimization from occurring. Police should always be prepared to make referrals to counseling services available either on or off campus as listed in MSC procedures and assist with the identification of other resources available to victims and survivors. Important resources such as rape crisis centers, and on-campus women's centers or counseling departments may be utilized as part of the training portfolio.

With the consent of the complainant, information from a law enforcement investigation may also be used in the Title IX investigation "so long as it does not compromise the criminal investigation." Campus Police should be able to readily identify who to contact for their college's published procedures and reach out to them for a collaborative relationship.

Murray State College utilizes Safeline at 1.800.522.SAFE for victim advocacy. Safeline is supported by Family Violence Prevention Services Act funding through Administration on Children, Youth and Families, U.S. Department of Health and Human Services. Publications are printed by Central Printing, is issued by the Office of the Attorney General and has been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries.

- A Grievance Procedure has been established for victims to utilize when filing complaints. Equal opportunities for both parties to present Witnesses and other evidence have the same rights in the appeal process. The grievance procedures will use the preponderance of the evidence standard to resolve complaints and both parties will be notified of the outcome of the complaint.
- If you are the victim of gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence, and you wish to file a grievance please follow the directions listed below:
 - To file a formal grievance, College employees utilize the existing Employee Grievance Procedure.
 - To file a formal grievance, MSC students utilize the existing Student Complaint and Grievance Procedure.
 - All complaints must be investigated immediately.
 - Complaints of gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence must be filed within 10 working days of the occurrence.

The Final Rule requires a school to investigate sexual harassment allegations in any formal complaint, which can be filed by a complainant, or signed by the Title IX Coordinator. If the allegations in a formal complaint do not meet the definition of sexual harassment in the Final Rule, or did not occur in the college's education program or activity against a person in the United States, the Final Rule clarifies that the College must dismiss such allegations for purposes of Title IX but may still address the allegations in any manner the school deems appropriate under the college's own code of conduct.

The college will establish reasonably prompt time frames for each stage of the case, specifically for the investigatory phase, when the complainant and alleged perpetrator will receive the outcome of the complaint, and

for any appeals. OCR expects a typical investigation to take about 60 calendar days, although more complex cases, such as those involving multiple incidents, may take longer.

The Final Rule defines “complainant” as an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This clarifies that any third party as well as the complainant may report sexual harassment.

- The Final Rule defines “supportive measures” as individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. The Final Rule defines “formal complaint” as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment and states:-The phrase “document filed by a complainant” means a document or electronic submission (such as by e-mail or through an online portal provided for this purpose by the school) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.
- Training of Title IX personnel must include training on the definition of sexual harassment in the Final Rule, the scope of the school’s education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- A school’s decision-makers and investigators must receive training on issues of relevance, including how to apply the rape shield protections provided only for complainants.
- Recipients must post materials used to train Title IX personnel on their websites, if any, or make materials available for members of the public to inspect
- The Final Rule defines “complainant” as an individual who is alleged to be the victim of conduct that could constitute sexual harassment. This clarifies that any third party as well as the complainant may report sexual harassment.
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 - A school’s decision-makers and investigators must receive training on issues of relevance, including how to apply the rape shield protections provided only for complainants.
 - Recipients must post materials used to train Title IX personnel on their websites, if any, or make materials available for members of the public to inspect.
 - The Final Rule adds provisions to the “live hearing with cross-examination”

- requirement for postsecondary institutions. For postsecondary institutions, the school's grievance process must provide for a live hearing:
- o At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
 - o Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
 - o At the request of either party, the recipient must provide for the entire live hearing (including cross-examination) to occur with the parties located in separate rooms with technology enabling the parties to see and hear each other.
 - o Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker must first determine whether the question is relevant and explain to the party's advisor asking cross-examination questions any decision to exclude a question as not relevant.
 - o If a party does not have an advisor present at the live hearing, the school must provide, without fee or charge to that party, an advisor of the school's choice who may be, but is not required to be, an attorney to conduct cross-examination on behalf of that party.
 - o If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) 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.
 - o Live hearings may be conducted with all parties physically present in the same geographic location or, at the school's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually.
 - o An audio or audiovisual recording, or transcript, of any live hearing.

The Final Rule provides rape shield protections for complainants (as to all recipients whether postsecondary institutions, K-12 schools, or others), deeming irrelevant questions and evidence about a complainant's prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove consent.

The decision-maker (who cannot be the same person as the Title IX Coordinator or the investigator) must issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant. The written determination must be sent simultaneously to the parties along with information about how to file an appeal.

The Final Rule allows a school, in its discretion, to choose to offer and facilitate informal resolution options, such as mediation or restorative justice, so long as both parties give voluntary, informed, written consent to attempt informal resolution. Any person who facilitates an informal resolution must be well trained.

Once an allegation is reported as cited above, the Title IX Coordinator must be notified. The coordinator will notify the appropriate administrator and proceed with the coordination of the investigation. The investigation, finding, and any corrective action cited should be documented and forwarded to the President's Office and to the Human Resources Office. Recognizing the college may not be able to wait for the conclusion of a criminal investigation. The college will not dissuade victims from seeking a resolution under Title IX prior to the resolution of any criminal matters. The college will not discourage anyone from going through their Title IX grievance process from reporting to law enforcement. Under the Clery Act, the college is required to offer sexual assault

survivors assistance in reporting to law enforcement. If a college has a memorandum of understanding with local police, it should address under what circumstances, including addressing any mandated reporting laws especially sexual violence will be reported and how. The college "may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence". Once notified that the police department has completed its gathering of evidence, the college must promptly resume and complete its fact-finding for the Title IX investigation. OCR estimates this delay may normally range from three to 10 calendar days but may be longer in some cases depending upon the complexity of the matter. During this time, colleges should notify victims of their rights to pursue disciplinary action or obtain other assistance. Colleges should also still take any interim action-such as a no-contact order or interim suspension of the accused - needed to protect the victim and or the rest of the campus community. As some of these steps may be outside the scope of law enforcement, it is critical that there be coordination with appropriate officials at the school who are empowered to take these steps. This would include working with student affairs employees and academic departments.

Upon completion of the investigation and all proceedings provide prompt written notice of the resolution and any change in such resolution to both the Complainant and Respondent in a reasonably simultaneous manner. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for all notifications. Should you be a victim or witness of an alleged incident of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off-campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

False/Bad Faith Accusations:

- An individual (employee or student) who believes that he or she has been wrongfully accused gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence may file a complaint by use of the established grievance procedure.
- Bad faith allegations or use of this procedure for purposes other than those for which it is intended may result in disciplinary action against the accuser. Disciplinary actions against employees may include but are not limited to: warnings, reprimand, demotion, suspension, or dismissal. Disciplinary actions against students may include but are not limited to: warnings, reprimand, probation, suspension, or expulsion.

Retaliation:

Retaliation against those who report gender-based violence, sexual assault, sexual harassment, sexual violence, sexual acts and sexual offenses considered to be sexual misconduct, rape, stalking, dating violence and domestic violence or contribute information in a complaint may result in disciplinary action against those responsible.

Disciplinary Actions:

If one or more allegations are proven correct, disciplinary actions against employees/students include but are not limited to: warnings, reprimand, demotion, suspension, or dismissal. Disciplinary actions against students may include but are not limited to: warnings, reprimand, probation, suspension, or expulsion. Law enforcement investigations will not meet all Title IX obligations. If the police do not have sufficient evidence of a criminal violation. The college must resolve Title IX disciplinary matters using the "preponderance of the evidence" standard (meaning it is more likely than not that sexual harassment or violence occurred). Disciplinary procedures should not use the higher "beyond a reasonable doubt" standard required in criminal proceedings or the intermediate "clear and convincing" standard (meaning it is highly probable or reasonably certain that the sexual harassment or violence occurred). Less severe conduct with sufficient repetition may rise to this level, while even one incident that is more serious may rise to this level. For example, "a single instance of rape is sufficiently

severe to create a hostile environment" according to the Office of Civil Rights. The scope of sexual violence covered by Title IX includes an array of offense categories, including rape, sexual assault, sexual battery and sexual coercion. This is consistent with the scope of forcible sex offenses covered for colleges and universities under the Jeanne Clery Act's statistical reporting provisions. These are defined as "any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent." This includes forcible rape, of both females and males; forcible sodomy; sexual assault with an object; and forcible fondling.

Confidentiality of Proceedings and Records

Employees of the Human Resources/Affirmative Action Office, the Office of Student Affairs, and all responsible administrators receiving reports of sexual misconduct, sex discrimination and/or unlawful harassment shall maintain confidentiality of any accommodations, protective measures, and any information received, except where disclosure is required by law or is necessary to facilitate legitimate College processes, including the investigation and resolution of sexual misconduct, sex discrimination and/or unlawful harassment allegations

Disclosure of information. The disclosure of information obtained during the investigation of any complaint of administrator or by any member of the Committee on Sexual Misconduct, Sex Discrimination and Unlawful Harassment constitutes a serious violation of College policy and procedures. Any person who disclosed such confidential information shall be subject to severe disciplinary measures. These sanctions shall be in addition to any civil liability the person making such disclosure may have as a result thereof to the parties, the Complainant and/or the witnesses interviewed during the informal or formal proceedings.

Record. A record of the complaint and all informal and formal proceedings shall be kept for five (5) years. The record (excluding cases dismissed for lack of cause) is to be opened only upon authorization of the President and only if a subsequent allegation of sexual misconduct, sex discrimination and/or unlawful harassment is brought before a committee hearing panel or as otherwise required by law. In the event that the opening of the record is warranted, the Chairperson of the Committee must give written notice to the person whose record is to be opened, no less than seven (7) calendar days prior to the opening of the record.

Confidential Crime Reporting

Confidential reporting of crimes is allowed at MSC. If, for a personal reason, a person does not wish to report an on-campus crime or suspected crime to the police, that person may anonymously report it.

Crimes Disclosed to a Pastoral or Mental Health Counselor

To be exempt from disclosing reported offenses to appropriate MSC officials, a pastoral or mental health counselor must be acting in their role as a pastoral or professional counselor. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual to report the crime to the police.

A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

A mental health counselor is a person whose official responsibility includes providing mental health counseling

to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition also applies to professional counselors who are not employees of the institution but are under contract to provide counseling to the institution. Note that the pastoral counselor or mental health counselor must report the crime to MSC police for purposes of including the incident in the annual crime statistics only. Personal information will not be conveyed when making this disclosure unless the victim consents to such disclosure.

Campaign Education

Murray State College has partnered with SafeColleges, to help students address critical life skills such as alcohol abuse prevention, sexual assault prevention, and financial literacy in higher education. In addition to primary prevention and awareness with SafeColleges, MSC uses social media posts, email blasts, notices on bulletin boards/flyers, and educational campaigns such as Denim Day are periodically used to promote educational awareness on a variety of topics related to dating/domestic violence, sexual assault, and stalking. Please also reference our Biennial Review report.

Legal Definition of Rape under Oklahoma State Law Chapter 45§ 1111

Rape is defined as an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:

- Where the victim is under sixteen (16) years of age;
- Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
- Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
- Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privacy of the accused as a means of forcing the victim to submit;
- Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
- Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
- Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or
- Where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of the same school system.
- Rape is an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.

Sexual Harassment definition

Any instance of quid pro quo harassment by a college's employee; any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

Legal Definition of Rape in the first degree--second degree under Oklahoma State Law Chapter 45§ 1111 Rape in the first degree shall include:

- Rape committed by a person over eighteen (18) years of age upon a person under fourteen (14) years of age; or
- Rape committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or
- Rape accomplished where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit; or
- Rape accomplished where the victim is at the time unconscious of the nature of the act and this fact is known to the accused; or
- Rape accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the person committing the crime; or
- Rape by instrumentation resulting in bodily harm is rape by instrumentation in the first degree regardless of the age of the person committing the crime; or
- Rape by instrumentation committed upon a person under fourteen (14) years of age.

In all other cases, rape or rape by instrumentation is rape in the second degree. Besides rape, other sexual offenses include the following:

- Sodomy (forced anal intercourse);
- Oral copulation (forced oral-genital contact);
- Rape by a foreign object (forced penetration by a foreign object, including a finger);
- And sexual battery (the unwanted touching of an intimate part of another Person for the purpose of sexual arousal).

Legal Definition of Consent under Oklahoma Penal Code § 21-1114A, provides lack of consent in rape cases where:

- Rape committed by a person over eighteen (18) years of age upon a person under fourteen (14) years of age; or
- Rape committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or
- Rape accomplished where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit; or
- Rape accomplished where the victim is at the time unconscious of the nature of the act and this fact is known to the accused; or
- Rape accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the person committing the crime; or
- Rape by instrumentation resulting in bodily harm is rape by instrumentation in the first degree regardless of the age of the person committing the crime; or
- Rape by instrumentation committed upon a person under fourteen (14) years of age.

Legal Definition of Domestic Violence and Dating Violence- As used in the Protection from Domestic Abuse Act

and in the Domestic Abuse Reporting Act, Sections 40.5 through 40.7 of this title and Section 150.12B of Title 74 of the Oklahoma Statutes:

- “Domestic abuse” means any act of physical harm, or the threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor or minor child who are family or household members or who are or were in a dating relationship;
- “Dating relationship” means a courtship or engagement relationship. For purposes of this act, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship;
- “Harassment” means a knowing and willful course or pattern of conduct by a family or household member or an individual who is or has been involved in a dating relationship with the person, directed at a specific person which seriously alarms or annoys the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial distress to the person. “Harassment” shall include, but not be limited to, harassing or obscene telephone calls in violation of Section 1172 of Title 21 of the Oklahoma Statutes and fear of death or bodily injury;
- Family or household members means: spouses, ex-spouses, present spouses of ex-spouses, parents, including grandparents, stepparents, adoptive parents and foster parents, children including grandchildren, stepchildren, adopted children and foster children, persons otherwise related by blood or marriage, persons living in the same household or who formerly lived in the same household, and persons who are the biological parents of the same child, regardless of their marital status, or whether they lived together at any time. This should include the elderly and handicapped;

Legal Definition of Stalking-§ 61.1 Definitions, OK ST T.22 § 60.1

“Stalking” means the willful, malicious, and repeated following or harassment of a person by an adult, emancipated minor, or minor thirteen (13) years of age or older, in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested and actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed or molested. Stalking also means a course of conduct composed of a series of two or more separate acts over a period of time, however short, evidencing a continuity of purpose or unconsented contact with a person that is initiated or continued without the consent of the individual or in disregard of the expressed desire of the individual that the contact be avoided or discontinued. Unconsented contact or course of conduct includes, but is not limited to:

- following or appearing within the sight of that individual,
- approaching or confronting that individual in a public place or on private property,
- appearing at the workplace or residence of that individual,
- entering onto or remaining on property owned, leased, or occupied by that individual,
- contacting that individual by telephone,
- sending mail or electronic communications to that individual, or
- placing an object on, or delivering an object to, property owned, leased or occupied by that individual;

Sex Offenders

Policy Statement

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Murray State College is providing a link to the Oklahoma State Sex Offender Registry www.sors.doc.state.ok.us. All sex offenders are required to register.

Risk Reduction Tips

Potential Victims

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to blame victims, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you reduce your risk of experiencing a non-consensual sexual act.

- Trust your intuition. If you feel a person or a situation is unsafe, act on those feelings and leave the situation or person. You are probably right.
- When you attend parties, bring your own drinks and don't accept drinks from someone you don't know well and trust.
- Avoid drinking pre-made punches; they often contain high amounts of alcohol.
- Use the buddy system when going out. Make sure someone in your group is sober and keeping track of others.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends or colleagues and ask that they take care of you. A good friend will step in when they see potentially risky situations.

Potential Aggressor

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- **DON'T MAKE ASSUMPTIONS** about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go; or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you **DO NOT** have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. You must respect the timeline for sexual behaviors with which they have affirmatively consented.
- Don't take advantage of someone's incapacity caused by drugs or alcohol, even if they willingly consumed such substances.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to one form of sexual behavior does not automatically imply consent to other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Student Grievance Procedure

Policy Statement

When a student, or group of students, has an issue/concern against a college employee, policy, or department the following procedure should be used to resolve the problem without a fear of recrimination.

- This procedure shall be known as the “Student Grievance Procedure” and shall govern only students of Murray State College as defined herein.
- Definitions:
 - Student - “Student” means an individual who is enrolled at MSC in at least one credit hour as a student.
 - Reference to Gender - Any use of grammatical gender references shall be interpreted as applying equally to males and females.
 - Issue/Concern - Definition listed in 3.a.
 - Grievance - Definition listed 4.a.
- Complaint and Resolution:
 - Definition
 - An issue/concern is a student’s timely (within 10 working days) written expression of dissatisfaction with a specific area within the college’s control, but is outside the student’s control. The Student Issue/Concern Form can be found on the MSC website under Current Students>Policy and Procedures>Student Issue/Concern Form.
 - Issue Resolution
 - An issue must be brought to the attention of the Assistant Vice President of Student Affairs, who must respond within 10 working days, and if it is not resolved at that level, it must be referred to the next higher administrative level according to the organizational chart in effect at that time. That level will normally respond within 10 working days. [If the complaint is academic in nature it must be filed with the Vice President of Academic Affairs. (i.e., Grade Appeal)]
- Grievances and Resolution: (Formal Process)
 - Definition:
 - A “grievance” is a timely (within 10 working days) written complaint that has not been resolved to the satisfaction of the student after informal discussion of the complaint through regular administrative channels set forth in the organizational chart. A grievance must be presented in writing and must relate to student life, academic advisement, business affairs, campus security, risk management or disability services, and must state whether the student believes discrimination due to race, color, national origin, religion, sex, qualified handicap, disability, age or status as a veteran is involved. Any disability service complaint must follow the A.D.A Grievance Procedure. A grievance may be filed against a particular individual, employee or employees. A Written Complaint is written in a letter format, no MSC form is used.
 - Grievance Resolution
 - If discussion fails to resolve the complaint, the complainant may request in writing (letter format, no MSC form is used) that a grievance committee be formed to insure the rights of the individual student. A Student Affairs Designee will be responsible for questioning the complainant as to whether the administrative chain of command was followed in attempts to resolve the issue. If it was, the designee will ask that a committee hear the appeal and distribute copies of the grievance to both the complainant and the person against whom the grievance

was made with copies of written policies and procedures relating to grievance, and a copy of the written request for grievance adjudication. If it was not, the designee will counsel the complainant on the appropriate channels, i.e. chain of command.

- Information to be contained in a Written Grievance Request: No written request for grievance adjudication shall be considered by the Student Grievance Committee unless it contains the following information:
 - Name, address and telephone number of complainant;
 - Personnel involved;
 - A written statement of the grievance together with supporting evidence;
 - The specific remedial action or relief sought;
 - A brief summary of the results of previous discussions on the issues involved;
 - A statement of reasons why the remedial action or relief is sought; and
 - A statement that illegal discrimination is, or is not, alleged.
- Formation of a Grievance Committee:
Within ten (10) working days after receipt of a written request for the formation of a grievance committee, a grievance committee shall be selected by random choice from a listing of employees. Both parties to the grievance shall be notified of the time and place for selection of the grievance committee, and each shall have the right to be present during the selection.
- Composition of a Grievance Committee:
The Grievance Committee shall consist of seven (7) members, consisting of three (3) members from the Student Government, chosen at random, three (3) college employees, chosen at random, whose primary duties do not conflict with the grievance filed by the student, and the Assistant Vice President of Student Affairs or President's designee.

NOTE: If the grievance is against the listed administrator or a supervisor, the peer group for committee selection purposes will be considered those with supervisory responsibilities. The grievant and the other party involved in the grievance shall each be allowed to challenge one (1) selection from the six (6) committee members chosen at random without showing cause (preemptory challenges) and any other selection for cause. Challenges may be made after a full potential committee has been selected. The Assistant Vice President of Student Affairs or the President's designee shall chair the committee and must cast a vote.

- Responsibilities of the Grievance Committee Chair:
 - The chair shall establish a date and time for the grievance hearing. The hearing must be held within ten (10) working days of the organizational meeting of the committee.
 - The Chair must provide, in writing:
 - Notify both parties of the dates and time of the scheduled grievance hearing.
 - Request a list of potential witnesses be provided no later than forty-eight (48) hours prior to the hearing.
 - Request that notification be provided no later than five (5) working days prior to the hearing if either party is to be accompanied by legal counsel or other persons.
 - If such notification (Item 8.b.3) is received, notify other party immediately.
- Establish a time limit for opening/closing statements and announce the time limit at the beginning of the hearing.
- Establish specific time parameters for the hearing. Specify when it will start and end.
- Remind all participants of the confidentiality of the grievance and hearing.
- Conduct the hearing in an impartial manner observing procedures consistent with fairness to all parties concerned.

- Since only evidence relevant to the grievance may be introduced, make decisions regarding relevance of evidence.
- Maintain focus and ensure that discussions are pertinent to the grievance.
- After the hearing is concluded, preside over deliberations by the Grievance Committee.
- Write a report of the findings/recommendations of the Grievance Committee within five (5) working days of the end of the hearing.
- Present a copy of the report to the Complainant and to the President of the College.

- Responsibility for Serving on a Committee:
 All members selected shall be expected to serve on the Grievance Committee except in cases of illness, necessary absence from the campus, service on a Grievance Committee in the current semester, or other extreme hardship. The President's designee shall decide whether a chosen member should be excused from service and may replace such member by the same procedure used for the original selection. Members of the Grievance Committee shall commit themselves to observe procedures consistent with fairness to all parties concerned; for example, the committee members shall not discuss the case with anyone outside of the hearings and shall not be influenced in making a decision or recommendation by any consideration other than the evidence presented to them in meetings in which all affected parties are present. In the event of serious illness, necessary absence, or extreme hardship during the course of the hearing, the President's designee will contact the alternate already selected and if that individual cannot serve a new alternate will be selected by the same procedure used in section 7. In the event a committee member is replaced in the course of the hearing, the successor will review the record of the proceedings to become familiar with the positions of the parties and their evidence.

- Organizational Meeting:
 The Grievance Committee shall meet within five (5) working days of its selection. The Committee Chair (see Section 7) shall schedule a hearing within ten (10) working days of the organizational meeting.

- Notices and Agendas:
 All notices and agendas for the committee members, if any, shall be the responsibilities of the chair.

- Opportunity to Obtain Evidence:
 Both parties to the grievance will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The parties will be responsible for contacting their own witnesses and the administration of the College will attempt to secure the cooperation of such witnesses as applicable. The parties will provide the chair with a list of potential witnesses at least forty-eight (48) hours prior to the hearing and parties will notify them of their appearance as close to the time of call as possible to avoid undue waiting. (This shall not preclude the calling of additional witnesses with the concurrence of the Committee.) The College will make available necessary documents and other evidence within its control. No employee of the institution, regardless of position, should be excluded or excused from appearing before the Committee, if called.

- Grievance Consultant:
 At any step in the grievance procedures, the Affirmative Action Officer, if discrimination is alleged, may be requested by either or both parties to the grievance or by the Committee to serve as a consultant in an advisory capacity only.

- The Grievance Hearing:
 - The hearing shall be conducted by the Grievance Committee. Either party may submit

oral/written evidence. The formal rules of evidence shall not apply in the proceeding before the Grievance Committee, with the exception that the Committee shall give effect to the rules of privilege recognized by law with respect to: communications between attorney and client made in that relation; communications made by a patient to a licensed practitioner of the healing arts; and communications between minister and communicant made in that relation.

- Grievance hearings are considered student/personnel-related matters and as such are not for open attendance.
- A confidential tape recording of the grievance hearing shall be made and will be accessible to the parties, the Committee, the President of the College, and authorized representatives on a “need-to-know” basis. Either party to the grievance may request a typed transcript. The party making the request shall pay the cost of the transcription.
- Either party or member of the Grievance Committee shall have the right to call witnesses and the right to question witnesses for a full and true disclosure of the facts. Witnesses may be recalled for additional questioning if requested by either party or a member of the Committee. All information discussed in the Grievance Committee is considered personal information. Information discussed in the meetings shall not be discussed outside the Committee meetings, and therefore the meetings are considered “closed” meetings.
- Documentary evidence may be received in copy form or original. Upon request, the parties will be given an opportunity to compare the copy with the original.
- The Complainant shall be heard first in all phases of the hearing.
- A reasonable time limit should be established for opening and closing statements and shall be announced prior to or at the beginning of the hearing.
- Length of hearing sessions may be established in advance; every effort should be made to conduct the hearings as expeditiously as possible. Either party may be accompanied by legal counsel or other person of his/her choice; however, legal counsel may not testify. If either party is to be accompanied by legal counsel or other person, the chair of the Committee shall be notified at least five (5) working days prior to the meeting. The chair will notify the other party immediately.
- Only evidence relevant to the grievance may be introduced. Questions of relevance shall be decided by the chair.
- To insure documentation of the proceedings, a record of the hearing will be made, maintained, and filed with the Administrative Secretary of the Board. The record will include:
 - Copies of the evidence and exhibits received or considered at the hearing
 - The tape recording of the hearing
 - The recommendations of the Grievance Committee
 - Transcript, if one is made
- **Grievance Committee Finding and Report:**

The finding and recommendations of a Grievance Committee shall be formalized in a written opinion to be rendered by the chair of the Grievance Committee within (5) working days of the end of the hearing and made a part of the record of the hearing. Findings of fact shall be based exclusively on the evidence presented at the hearing and such findings shall be separately stated. The Grievance Committee shall present its report and findings and recommendations to the President of the College.
- **Right to Withdraw Grievance:**

At any point in the proceedings prior to the time at which the Committee reaches its final decision, the grievant may withdraw any portion or the entire grievance. In all cases of withdrawal of a grievance, the grievant shall not have the privilege of reopening the same grievance at any time in the future.

- Time Schedule:
 - Formation of a Grievance Committee: A committee shall normally be selected within 10 working days after a person has filed a timely written request for the formation of the committee. (See Section 6).
 - Organizational Meeting of Grievance Committee: The Grievance Committee shall meet within five (5) working days of its selection. (See Section 10).
 - For Hearings and Reporting Findings: A hearing shall be scheduled within ten (10) working days of the Grievance Committee's organizational meeting. The hearing/s and report of the Grievance Committee shall normally be completed as expeditiously as possible, with a report being forwarded within five (5) working days of completion of the hearing/s.
 - Final Institutional Decision. The President of the College shall be presented with the report and findings of the Grievance Committee. (See Section 15.) An appeal may be made to the President of the College within five (5) working days of receipt of the report. The President of the College will make the final institutional decision. The President is not bound by the formal rules of the hearing in his/her investigation or appraisal.

Note: When a grievance is filed at a time when holidays and vacations will interfere with the time for Committee selection, the President's designee shall notify all persons involved in writing of the amended time schedule. In any case in which the Committee deems these time schedules to be inadequate, the chair shall notify all parties involved in writing of the amended time schedule.

Weapons, Alcohol, and Drugs on Campus

Firearms, Ammunition, Bows and Arrows, Firecrackers, Fireworks, or Explosives

Regardless of your academic program the possession of firearms, ammunition, bows and arrows, firecrackers, or explosives are prohibited on campus and in any college owned residence. All toy guns, pellet guns, air soft guns, paint guns and/or BB guns are prohibited on campus. Unauthorized possession of and/or exploding of fireworks and other explosives and unauthorized possession and/or discharging of shotguns, rifles, pistols, and other lethal weapons on campus by students will subject them to any or all of the following penalties:

- Disciplinary probation.
- Arrest and fine.
- Immediate suspension from the College.

Any such items found on campus will be confiscated. Gunsmithing students are expected to follow all rules and regulations related to firearms/ammunition as outlined in that program.

In order to bring a firearm or other weapon onto campus for any reason, permission first must be obtained from the MSC Police Department, and, upon arrival on campus, the person must immediately deposit the weapon at MSC Police headquarters, Patton Hall, for safekeeping. When the weapon is signed out, it must immediately be taken off campus, and must immediately be deposited again with MSC Police if it is brought back onto campus.

SafeColleges Training

Murray State College has partnered with SafeColleges, to help students address critical life skills such as alcohol abuse prevention, sexual assault prevention, and financial literacy in higher education.

Along with the SafeColleges training an Alcohol Education Brochure has been created and is available to all faculty, staff, and students. Information about drug and alcohol issues are also shared with students via brochures, flyers, and campus safety e-mails.

Drug-Free Campus/Workplace (Drug, and Alcohol Abuse Prevention) Policy Statement (Board Approval Date: 03/22/11)

All Students and Employees Regarding the Drug-Free School and Communities Act: The Board, recognizing that the illegal possession, use, or distribution of drugs and alcohol by students or employees is not only harmful to one's health, but also subjects the individual to civil and criminal litigation, accepts and supports the Drug-Free Schools and Communities Act and Amendments of 1989 (Public Law 101-226).

Murray State College is committed to providing an alcohol- and drug-free environment in which to learn and work. Therefore, employees and students of MSC are expected to abide by all applicable local, state, and federal laws prohibiting use of alcohol and illegal drugs.

Procedure

- Standards of Conduct: The illegal possession and/or illegal use of alcoholic beverages or illicit drugs on College property, in College housing, or at any College-sponsored activity by students and/or employees of the College are forbidden.

Sanctions

- College Sanctions for Students: The following sanctions may be imposed by any of the following:

Director of Resident Life, chief student affairs officer, the Student Conduct/Appeals Committee, or by the President. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include probation, suspension, expulsion, loss of institutional aid, and/or restriction of student's activities or privileges. Students will be charged for all damages or misappropriation of property, which occurs in the violation of a rule or regulation. Restitution may be monetary compensation, replacement, or repair. Community service hours will be performed in an area of the College or a community agency for a specified number of hours. Professional counseling, referral to a rehabilitation program, and/or specific restrictions may be used in conjunction with various sanctions.

- College Sanctions for Employees: The Board has adopted a Drug-Free Workplace Policy that the MSC workplace is to be free from illegal manufacture, distribution, dispensation, possession, or use of any controlled substance. Such actions are grounds for disciplinary action up to and including dismissal of employment. A workplace is defined as any place an employee functions within the scope of his/her job responsibilities. Employees convicted of any workplace-related drug offense, which does not result in discharge or forfeiture of position, may be required to successfully complete a recognized drug treatment or rehabilitation program. A video is available for checkout in the MSC Library/Learning Resource Center. All employees must notify the employer of any criminal drug statute conviction for a violation occurring while performing within the role and scope of their respective responsibilities.

Any employee or student found to be in violation of the federal and/or state laws pertaining to the use or abuse of alcohol and/or illicit drugs may be referred to the legal system for prosecution.

Legal Sanctions – Drugs

Federal and state laws impose grave penalties on those who illegally possess, use, or distribute drugs or alcohol. According to the Oklahoma Criminal Laws, a person found in possession of a controlled, dangerous substance within this state, such as marijuana, cannabis, or methamphetamine, and/or drug paraphernalia (pipes, roach clips, cocaine spoons, etc.) will be placed under arrest. All vehicles or any other means of transportation used to transport a controlled, dangerous substance and money, weapons, or devices therein, are subject to forfeiture. Upon conviction, penalties range from fines to a year in the county jail, to life in the state penitentiary, and/or both.

The Uniform Controlled Substance Act sets up five schedules of controlled substances based on dangerousness and medical uses. It prohibits the manufacture, distribution, sale or acquisition by misrepresentation or forgery of controlled substances, except in accordance with the Act, as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the Act range from not less than 5 years' imprisonment and fines of not more than \$250,000 or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to 40 years or \$10 million or both for the manufacture or delivery of a Schedule I or II narcotic. (Marijuana is a Schedule I controlled substance.) Second offense penalties range from not more than 10 years' imprisonment and fines of \$500,000 to not less than 10 years' imprisonment and fines of not more than \$10 million, or both, to not less than 20 years' imprisonment and fines of not more than \$20 million, or both.

This is only a summary of legal sanctions. Additional federal and state penalties may apply. Other Federal Sanctions

In addition to fines and prison terms, federal sanctions for the possession or distribution of illicit drugs may include the forfeiture of federal Financial Aid eligibility for a period of one or more years. If the conviction occurs while the student is enrolled and receiving aid, the student may be required to repay all federal aid received. Eligibility may be regained by completing an acceptable drug rehabilitation program.

Other Less Understood Offenses

Misdemeanors (M) are punishable by imprisonment in county jail for not more than one year and/or a fine not exceeding \$500 unless a different amount is specified for the Offense. Felonies (F) are punishable by imprisonment in the state corrections system for up to two years and/or a fine not exceeding \$1,000 unless a different amount is specified for the offense.

- Refer to Current Oklahoma State Law at: <http://norml.org/laws/item/oklahoma-penalties-2>

Conviction of a felony can render person ineligible for licensure/certification/employment in their career profession; examples are law, medicine, engineering, architecture, accounting, teaching, law enforcement/public safety and military. It can also prevent acquisition of a security clearance necessary to many other jobs.

Health Risks

Use of alcohol and other drugs represents a serious threat to health and the quality of life. More than 25,000 people die each year from drug-related accidents or health problems. With most drugs, it is possible that users will develop psychological and physical dependence. The general categories of drugs and their effects are as follows:

- Alcohol produces short-term effects that include behavioral changes, impairment of judgment and coordination, greater likelihood of aggressive acts, respiratory depression, irreversible physical and mental abnormalities in newborns (fetal alcohol syndrome) and death. Long-term effects of alcohol abuse include damage to the liver, heart and brain; ulcers; gastritis; malnutrition; delirium tremens; and cancer. Alcohol combined with barbiturates and other depressants can prove to be a deadly mixture.
- Amphetamines/stimulants (speed, uppers, crank, caffeine, etc.) speed up the nervous system and can cause increased heart and breathing rates, higher blood pressure, decreased appetite, headaches, blurred vision, dizziness, sleeplessness, anxiety, hallucinations, paranoia, depression, convulsions, and death due to a stroke or heart failure.
- Anabolic steroids seriously affect the liver, cardiovascular and reproductive systems. Anabolic steroids can cause sterility in males and females as well as impotency in males.
- Barbiturates/depressants (downers, Quaaludes, valium, etc.) slow down the central nervous system and can cause decreased heart and breathing rates, lowered blood pressure, slowed reactions, confusion, distortion of reality, convulsions, respiratory depression, coma and death. Depressants combined with alcohol can be lethal.
- Cocaine/crack stimulates the central nervous system and is extremely addictive, both psychologically and physically. Effects include dilated pupils, increased heart rate, elevated blood pressure, insomnia, loss of appetite, hallucinations, paranoia, seizures and death due to cardiac arrest or respiratory failure.
- Hallucinogens (PCP, angel dust, LSD, etc.) interrupt the functions of the part of the brain that controls the intellect and instincts. May result in self-inflicted injuries, impaired coordination, dulled senses, incoherent speech, depression, anxiety, violent behavior, paranoia, hallucinations, increased heart rate and blood pressure, convulsions, coma, and heart and lung failure.
- Cannabis (marijuana, hashish, hash, etc.) impairs short-term memory comprehension, concentration, coordination and motivation, may also cause paranoia and psychosis. Marijuana smoke contains more cancer-causing agents than tobacco smoke. The way in which marijuana is smoked – deeply inhaled and held in the lungs for a long period – enhances the risk of getting cancer. Combined with alcohol, marijuana can produce a dangerous multiplied effect.
- Narcotics (heroin, morphine, Demerol, Percodan, etc.) initially produces feelings of euphoria often followed by drowsiness, nausea and vomiting. An overdose may result in convulsions, coma and death. Tolerance develops rapidly and dependence is likely. Using contaminated syringes to inject such drugs may result in AIDS.
- Tobacco/nicotine causes death among some 170,000 people in the United States each year due to

smoking-related coronary heart disease. Some 30 percent of the 130,000 cancer deaths each year are linked to smoking. Lung, larynx, esophagus, bladder, pancreas, and kidney cancers strike smokers at increased rates. Emphysema and chronic bronchitis are 10 times more likely among smokers. Smokeless tobacco has been associated with other types of cancers, as well as heart disease. It can speed tooth decay, may cause your gums to recede, stain your teeth, and give you bad breath. In addition, high nicotine levels (higher than cigarettes) make this kind of tobacco extremely addictive.

Possession and/or Use of Alcoholic Beverages or Illicit Drugs

The possession and/or use of alcoholic beverages, including but not limited to beer, wine, or spirits, or the possession and/or use of illicit drugs or narcotics in any form on the campus, in College housing, or at any affair sponsored by or for a student organization is forbidden. Drug dogs may be taken through campus Buildings and grounds at any time. According to the Criminal Laws in the State of Oklahoma, a person found in possession of a controlled dangerous substance, within this State, such as marijuana, "cannabis," or methamphetamine, and/or drug paraphernalia (pipes, roach clips, cocaine spoons, etc.,) shall be placed under arrest. Penalties for drug violations will be determined by the state or city courts.

Related College Policies

Americans with Disabilities Act Policy/Procedure/Grievance

Procedure Policy Statement (Board Approval Date:

03/22/11; Updated 11.13.13)

Murray State College, in compliance with Title VI of the civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, gender, sex, age, religion, handicap, or status as veteran in any of its policies, practices, procedures, education programs, or activities. This includes, but is not limited to, admissions, employment, financial aid, and educational services. Compliance responsibilities regarding Section 504 and Title IX of the Education Amendments Act of 1972 are assigned to and maintained by:

Tracey Hickman
Dean of Learning and Student Success
A.D.A. Compliance Officer
MURRAY STATE COLLEGE
One Murray Campus
Tishomingo, OK 73460
580.387.7463
thickman@mscok.edu

Quinton Jones
Assistant Vice President of Student Affairs
Title IX Coordinator
MURRAY STATE COLLEGE
One Murray Campus
Tishomingo, OK 73460
580.387.7139
qjones@mscok.edu

Procedure Updated 11.13.13

The Student's Responsibilities:

- The student must self-identify the disability and submit a signed request listing any accommodations requested to the Academic Advisement Office or A.D.A. Compliance Officer. This should be done upon registration, but in any event it should be done not later than the end of week one of a semester. On classes shorter than a semester in length, notification is required at registration. The earlier this is done, the greater the opportunity MSC has to respond to the need following documentation.
- The student's request must be accompanied by an evaluation from a qualified professional. The professional's evaluation must include a diagnosis with recommended accommodation(s).

MSC's Responsibilities to the Student:

- When the Academic Advisement Office or A.D.A. Compliance Officer receives the student's request and the qualified professional's diagnosis with recommended accommodation(s), a thorough individualized assessment is conducted. This may be a collaborative process involving the A.D.A. Compliance Officer the student, and the instructor.
- If cost is involved in the requested accommodation, the Chief Finance Officer must approve the request.
- The A.D.A. Compliance Officer completes the A.D.A Accommodations/Responsibilities form and notifies appropriate College personnel, including instructors, about academic adjustments and auxiliary aids and services (accommodations) approved for a student with a disability in a timely fashion and, whenever possible, prior to the start of a semester or class session.
- The A.D.A. Compliance Officer will document (in letter form) any additional information which

may be needed or the accommodation provided which will be addressed to the student and all appropriate College personnel including instructors.

- In the event that a student with a disability provides new disabling conditions or changes in the student's accommodation needs, the College will conduct a thorough, individualized assessment of the information and, as appropriate, change or update the accommodations granted to the student in a timely fashion. The A.D.A. Compliance Officer will document in letter form the changed or updated accommodation provided which will be addressed to the student and all appropriate College personnel including instructors.
- The Academic Advisement Office maintains the student's file including all documentation.
- The Chief Academic Officer ensures that all course syllabi include the following statement: "Murray State College is committed to providing equal access to College programs and services for all students. Under College policy and federal and state laws, students with documented disabilities are entitled to reasonable accommodation to ensure the student has an equal opportunity to perform in class."
- When a student self-identifies a disability, faculty members should direct the student to the A.D.A. Compliance Officer in the Academic Advisement Office (MSC or UCSO).

Americans with Disabilities (A.D.A) Title II/Section 504 Student Grievance Procedure:

Murray State College, in compliance with Title VI of the civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, gender, sex, age, religion, handicap, or status as veteran in any of its policies, practices, procedures, education programs, or activities. This includes, but is not limited to, admissions, employment, financial aid, and educational services. Murray State College has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act (A.D.A). Students with A.D.A complaints should follow the Americans with Disabilities (A.D.A) Title II/Section 504 Student Grievance Procedure as published in the printed MSC Student Handbook which can also be found online www.msco.k.edu for current students and on file in the Office of ADA Compliance Officer.

- A complaint should be filed within ten working days after the complainant becomes aware of the alleged violation.
- A complaint should be filed in written form containing the name and address of the person filing the complaint and a brief description of the alleged violation of the regulations. All complaints should be filed with the ADA Compliance Officer in person in the office LS 101F in the Testing Center/MSO Library Building, One Murray Campus Tishomingo, OK 73460 580.387.7463 or via email ada@mscok.edu If the complaint is filed against the ADA Compliance Officer-Tracey Hickman the complaint should be file with Quinton Jones, Assistant Vice President of Student Affairs, AD 204, One Murray Campus, Tishomingo, OK 73460, 580.387.7139, or via email qjones@mscok.edu.
- A confidential, adequate, reliable, and impartial investigation will take place. An opportunity for all parties involved to present witnesses and other evidence will be given. The investigation will be conducted by the A.D.A. Compliance Officer of Quinton Jones, Assistant Vice President of Student Affairs and copy of provided to the complainant no later than 10 working days after complaint has been filed.
- The A.D.A. Compliance Officer will maintain detailed recordings of the investigation including notes of interviews, copies of documents reviewed, and other relevant information relating to the complaints filed. Records will be kept in the Office of and under the care of A.D.A. Compliance Officer.

- The complainant can request a reconsideration of the case in instances where he/she is dissatisfied with the resolution. The request for reconsideration should be made within 10 working days from the date of receipt of the written determination as set forth in Item C.5. This request for reconsideration should be sent to the President of Murray State College, Murray State College Administration Building, One Murray Campus, Tishomingo, OK 73460, 580.387.7101, president@mscok.edu.
- The President reviews the materials presented, interviews individuals as deemed appropriate, and renders a final decision within 10 working days. The Oklahoma State Regents for Higher Education has an established claim process to handle complaints above the institutional level.
- All information regarding a student's disability is highly confidential and is maintained in separate, secure files with limited access. Information is shared only on a need-to-know basis.
- If necessary the College will take steps to prevent the recurrence of any discrimination, and to remedy the discriminatory effects of discrimination, of which it has notice.
- Compliance responsibilities regarding Section 504 and Title IX of the Education Amendments Act of 1972 are assigned to and maintained by: Becky Henthorn-A.D.A. Compliance Officer, MURRAY STATE COLLEGE, One Murray Campus, Tishomingo, OK 73460, 580.387.7201, ada@mscok.edu. The Compliance Officer assumes responsibility for seeing that the College is properly interpreting federal regulations requiring the College take such steps as are necessary to ensure that no student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of absence of reasonable accommodations.

NOTE: The following applies to all complainants: The right of a person to a prompt and equitable resolution of the complaint filed hereunder is not to be impaired by the person's pursuit of other remedies such as the filing of an A.D.A complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies. These rules are construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that MSC complies with the A.D.A and implementing regulations.

- **Equal Access:** Murray State College is committed to inclusion and equal access of individuals with disabilities. Individuals will not be discriminated against on the basis of disability or be denied equal access and appropriate accommodation to the educational opportunities available at MSC. "No otherwise qualified person with a disability in the United States shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity in any institution receiving federal financial assistance." – Section 504 of the Rehabilitation Act of 1973.
- **Admissions:** Admission decisions are made without regard to disabilities. All prospective students are expected to apply to MSC presenting all necessary documents and testing scores required. Prospective students with disabilities are not required to identify themselves upon admission or upon enrollment. However, those interested in receiving academic accommodations are encouraged to meet with, or contact the A.D.A. Compliance Officer as early as possible to allow for a review of documentation and the formulation of an accommodation plan.
- **MSC Disability Services Offered:** Murray State College works to make programs and facilities available to all students. The A.D.A. Compliance Officer or designee is responsible for receiving a request for academic or physical accommodations. These individuals will work with the student to obtain and review the required documentation and will assign reasonable accommodations based on documentation that supports the student's request. Academic accommodations include, but are not limited to:
 - Alternative testing formats
 - Allowance to tape lectures
 - Volunteer student note takers

- Copy of lecture notes
- Adaptive technology

Student Disciplinary Regulations and Appeal

Student Disciplinary Regulations and Appeal

Policy Statement (Board Approval Date: 03/22/11; Updated 07/30/14; 12/11/17; 08/30/18)

Students enrolled at MSC are expected to follow policies and procedures as outlined in the MSC Student Handbook. The MSC Student Handbook can be found on the MSC Web site at www.msco.edu.

- Disciplinary Regulations: The following constitutes the disciplinary regulations of MSC and the administrative procedure pertinent to the regulations and policies.
- Introduction: Murray State College has regulations reflecting the values to which the College is committed and which are designed to help ensure order in the College community. Students enrolled at MSC are expected to conform to the ordinary rules of polite society, to be truthful, to respect the rights of others, and to have regard for the preservation of state property, as well as the private property of others. This judicial system has been established to deal with students who are accused of violating College policies and is comprised of students and College employees. Members of this system are committed to conducting fair hearings and following due process, as well as being concerned with both the education and personal development of individual students, and upholding the values to which MSC is committed.

A student disciplinary case is not considered a case for criminal law, nor is a disciplinary hearing considered to be a courtroom procedure. The procedures used at MSC concerning disciplinary action are directed toward assurance of a fair judgment for the student through complete case information, opportunity to be heard, opportunity for friendly counsel, and such safeguards of rights as may be easily understood by educators, laymen, and students who have mutual confidence in one another.

If at any time the College views a student with a disability as a potential threat to others, and the risk of harm to others is not imminent (i.e., not a situation the College deems to be an emergency), the college will make an individualized assessment of the threat the student poses to others and whether their misconduct is related to a disability before taking disciplinary action against the student. Under Section 54 and Title II, a person is not a qualified individual with a disability if the person poses a direct threat to the health or safety of others and cannot be eliminated by modification of policies, practices, or procedures, or by the provision of auxiliary aids or services.

A determination will be made by the College if/when a student with a disability poses a direct threat to the health and safety of others. This determination will be based on an individualized and objective assessment of the student and on reasonable judgment that relies on current medical knowledge or the best available objective evidence.

The College will consider whether a student/student with a disability poses a threat to the health or safety of themselves or others will include: the duration, nature, and severity of the risk of harm; the probability that the potential injury will actually occur; and whether reasonable modification of the College's policies, practices, or procedures, or the provision of auxiliary aid and services, will mitigate risk.

The purpose of Direct Threat Assessment is to determine and implement interventions in a timely manner. Once the initial assessment has taken place, the team must decide the appropriate next steps. Interventions may need to be staged (e.g., immediately bringing the student in question under adult supervision versus recommending

mental health counseling). Considerations should include whether or not the student can stay in school, what alternatives may be needed, when and how to notify others, when and if to contact law enforcement, and what mental health, social service, and school-based interventions are needed to reduce/eliminate the student's risk of becoming violent or impaired.

The goal of threat assessment is not only to keep the campus safe, but also to help potential offenders overcome the underlying sources of their anger or hopelessness, etc. Effective threat assessment provides the team useful information about a student's risks and personal resources. The assessment process should incorporate referral to appropriate mental health and social services, as well as a system for following up on the effectiveness of interventions. Among the other potential risks that can be identified and prevented are suicide, alcohol and drug use, physical abuse, dropping out/withdraw, and criminal activity.

The Campus Behavior Assessment Team (CBAT) is tasked with investigating and evaluating campus threats, and other behaviors of concern, in order to apply appropriate strategies to manage such situations. The team is composed of MSC employees representing campus areas that include campus police, administration, student conduct, faculty and staff. The focus of the CBAT is to care to care for students who may be in distress. Team members coordinate resources and implement a multidisciplinary response with the goal of providing assistance to the individual while mitigating risk in an effort to keep the MSC community healthy and safe.

MURRAY STATE COLLEGE-Direct Threat Assessment Model

The Assistant Vice President of Student Affairs as the Chair of the Direct Threat Committee will utilize the Murray State College Direct Threat Assessment Model to conduct an assessment of any possible direct threat from any student on the Murray State College campus.

Personality of the subject

- Behavioral Characteristics
 - Capacity of cope with stress and conflicts
 - Ways of dealing with anger, humiliation or sadness, disappointments
 - Level of resiliency related to failure, criticism or other negative experiences
 - Response to rules and authority
 - Need for control
 - Capacity for emotional empathy or respect for others
 - Sense of self-importance compared to others (superiority/inferiority)
- Personality Traits
 - Tolerance for frustration
 - Coping skills
 - Focus on perceived injustices
 - Signs of depression/other mental illness
 - Self-perceptions (narcissism/insecurity)
 - Need for attention
 - Focus of blame (internalizes/externalizes)

School Dynamics

- Student's attachment to school
- Tolerance for disrespectful behavior
- Approach to discipline (equitable/arbitrary)

- Flexibility/inclusiveness of culture
- Pecking order among students
- Code of silence
- Supervision of computer access

Social Dynamics

- Peer group relationships and culture
- Use of drugs and alcohol
- Media, entertainment, technology
- Level and focus of outside interests
- Potential copycat effect of past incidents

Family Dynamics

- Parent-child relationship
- Attitudes toward pathological behavior
- Access to weapons
- Sense of connectedness/intimacy
- Attitude toward/enforcement of parental authority
- Monitoring of TV/video games, or internet

Types of Threats

- Direct threat identifies a specific act against a specific target delivered in a straightforward, clear, and explicit manner.
- Indirect threat tends to be vague, unclear and ambiguous. Violence is implied, but threat is phrased tentatively, and suggests that a violent act could occur, not that it will occur.
- Veiled threat is one that strongly implies but does not explicitly threaten violence.
- Conditional threat is often seen in extortion cases. It warns that a violent act will happen unless certain demands or terms are met.

Levels of Risk

- Low Level of Threat
 - Poses a minimal risk to the victim and public safety
 - Is vague and indirect
 - Information is inconsistent, implausible or lacks detail
 - Lacks realism
 - Content suggests person is unlikely to carry out a threat
- Medium Level of Threat
 - Could be carried out. although it may not appear entirely realistic
 - More direct and more concrete than a low level threat
 - Wording suggests the individual has given some thought to how the act will be carried out
 - Includes a general indication of place and time but signs still fall well short of a detailed plan
 - No strong indication that the individual has taken preparatory steps
 - Statements seek to convey that the threat is not empty: "I'm serious?" or "I really mean this?"
- High Level of Threat
 - Direct, specific, and plausible
 - Appears to pose imminent and serious danger to safety of others
 - Suggests concrete steps have been taken, i.e., stalking or acquisition of weapon
 - Almost always requires bringing in law enforcement

Scope of Regulations:

- All students who are enrolled in the College are subject to the rules and regulations of the institution.

- The Assistant Vice President of Student Affairs is responsible for initial investigations concerning any allegations of violations of College disciplinary regulations by any student or group of students. Based upon the findings of the investigation, the Assistant Vice President of Student Affairs may impose a combination of the penalties cited in these disciplinary regulations.
- The Student Conduct/Appeals Committee is appointed by the chief student affairs officer, when deemed necessary, to consider the case of students involved in a violation of College regulations. A general conduct disciplinary decision involving suspension or expulsion made by the Assistant Vice President of Student Affairs in conjunction with the Campus Behavior Assessment Team (CBAT) which involving representation from student conduct, faculty and staff. A general conduct disciplinary decision involving suspension or expulsion may be appealed by the student involved to the Student Conduct Appeals Committee. The request and reason for the appeal must be made in writing (no official form) to the Chair of the Student Conduct/Appeals Committee. The following sanctions may be imposed by any of the following: Director of Resident Life, chief student affairs officer, the Student Conduct/Appeals Committee, or by the President. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include probation, suspension, expulsion, loss of institutional aid, and/or restriction of student's activities or privileges. Students will be charged for all damages or misappropriation of property, which occurs in the violation of a rule or regulation. Restitution may be monetary compensation, replacement, or repair. Community service hours will be performed in an area of the College or a community agency for a specified number of hours. Professional counseling, referral to a rehabilitation program, and/or specific restrictions may be used in conjunction with various sanctions.
- The regulations for the administrative procedure of hearing and the statements regarding provision for counsel for due process and for appeals are on file in the Office of Student Affairs, AD 204 and are available to anyone who wishes to read them.

When the College's Rules and Regulations Govern: All students enrolled in the College, their guests, and other visitors are subject to the rules and regulations of the institution while on College premises or engaged in a sponsored activity. Conduct off campus should positively reflect the reputation of the individual or the College. The Assistant Vice President of Student Affairs or Director of Residence Life may discipline any resident who is guilty of breaking the rules of residence halls in accordance with the severity of the infraction as written in this handbook. Disciplinary action may include assessment of monetary fines, community service, residence hall probation, suspension of privileges, and/or dismissal from the residence halls. Disciplinary Dismissal from the residence halls does not release the student from the financial liability incurred. The student has the right to appeal any disciplinary action.

- Verbal Warning-a verbal warning that a violation has occurred and that further instances of misconduct could result in additional disciplinary.
- Residence Hall Write-Up - a written letter to inform the resident and staff that a serious infraction has occurred. The Residence Hall Write-Up will include a plan of action and/or the sanctions that have been given to the resident.
- Community Service Work-work projects to improve the college or community.
- Assessment of Monetary Fine-resident can be assessed a fine for various violations including, but not limited to MSC Policies and Procedures.
- Loss of Privileges-such as visitation or continued residence outside the current contract terms.
- Object Confiscation-in matters where fire code, alcohol and drug policies, pets, firearms, fireworks, etc. offending objects will be confiscated by MSC Staff.
- Hold on Student Record-the college reserves the right to place a "hold" on a student record based on failure to follow regulations, behavior misconduct or failure to pay financial obligations to the college. A "hold" on a student account may prevent further enrollment in courses,

- receiving grades, transcripts, and/or diploma, or participation in student activities.
- Residence Life Probation—a measure designed for serious and/or frequent infractions. Probation status is imposed for specific periods of time. Violations of probationary conditions can lead to dismissal from the Residence Halls.

Procedure

Handling of Complaints of Violations of Disciplinary Rules and Regulations:

- Any student or College employee may file a report of a College policy violation. The report form is available from residence hall staff, Campus Police, and the Student Life Office and is also available on the MSC network under Common on Enterprise/MSF Forms. The report asks for the name of the accused student, the specific details of the violation, and the signature of the person filing the report.
- Allegations of violations must be referred to the Assistant Vice President of Student Affairs
- Upon receipt of the allegations, the Assistant Vice President of Student Affairs will investigate the alleged violations, i.e. gather additional information and witnesses, if necessary, and determine whether or not there is sufficient evidence and information to charge a student with the alleged violation.
- After the initial investigation, the Assistant Vice President of Student Affairs may:
 - Take no action.
 - Take administrative action to counsel, advise or admonish the student.
 - Take disciplinary action against the offending student ranging from reprimand to recommending suspension or expulsion.
- Where suspension or expulsion is recommended and when applicable, eviction from College housing is not automatic. However, should the circumstances warrant, in the estimation of the Director of Resident Life and the President, or his/her designee, a student may be immediately suspended from the College campus pending the College's due process procedures. Such action must be authorized by the President (or in the event of his/her absence the President's designee). Such extreme measures are implemented when, in the opinion of the above mentioned College officials, the student is considered to be dangerous, hazardous, a menace to others and/or himself/herself, or interferes with the educational process or orderly operation of the College. Criminal charges against a student on or off campus may result in suspension when in the judgment of College officials, the individual poses a threat to the safety of himself/herself or the safety or functioning of the campus community.
- In cases where direct action involving suspension or expulsion is taken by the Director of Resident Life and the President, the student will be informed of his/her right to appeal and to have a hearing before the Student Conduct Appeals Committee. This does not preclude the right of the Director of Resident Life to suspend a student temporarily until a hearing is arranged, providing such opportunity for a hearing is within a reasonable time (usually five working days). College Sanctions for Students: The following sanctions may be imposed by any of the following: Director of Resident Life, chief student affairs officer, the Student Conduct/Appeals Committee, or by the President. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include probation, suspension, expulsion, loss of institutional aid, and/or restriction of student's activities or privileges. Students will be charged for all damages or misappropriation of property, which occurs in the violation of a rule or regulation. Restitution may be monetary compensation, replacement, or repair. Community service hours will be performed in an area of the College or a community agency for a specified number of hours. Professional counseling, referral to a rehabilitation program, and/or specific restrictions may be used in conjunction with various sanctions.
- Informal disposition may be made of any case by stipulation or agreement between College

authorities and the student or by consent or default on the part of either party, and in such instances a hearing is not necessary.

- In cases where the Director of Resident Life takes action against a student, the decision of the Director of Resident Life will be furnished to the student(s), in violation of College rules in writing within seven working days after the decision.
- Students against whom the Director of Resident Life has taken disciplinary action may appeal the decision of the Director of Resident Life to the Student Conduct Appeals Committee through the Assistant Vice President of Student Affairs.

Student Conduct/Appeals Committee: The Student Conduct/Appeals Committee must consist of four College employees, appointed by the chief student affairs officer, whose primary duties do not involve the administration of student conduct and affairs, and three student members. The Assistant Vice President of Student Affairs will designate the committee and Chair.

College Sanctions for Students: The following sanctions may be imposed by any of the following: Director of Resident Life, chief student affairs officer, the Student Conduct/Appeals Committee, or by the President. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include probation, suspension, expulsion, loss of institutional aid, and/or restriction of student's activities or privileges. Students will be charged for all damages or misappropriation of property, which occurs in the violation of a rule or regulation. Restitution may be monetary compensation, replacement, or repair. Community service hours will be performed in an area of the College or a community agency for a specified number of hours. Professional counseling, referral to a rehabilitation program, and/or specific restrictions may be used in conjunction with various sanctions.

Appeal to the Student Conduct/Appeals Committee:

- **Request for Hearing:** Any student adversely affected by the decision of the Assistant Vice President of Student Affairs may file a written request for a hearing before the Student Conduct Appeals Committee within ten working days.
- **Hearing Scheduling:** Upon receipt of the request for an appeal hearing, the Director of Resident Life will schedule a hearing and notify the student requesting the appeal of the day and time of the scheduled hearing as soon as is reasonably possible. At the same time, the student will be informed as to the procedure used at the hearing and the student's right to legal counsel. If the student is to be assisted by legal counsel, notification must be made to the Assistant Vice President of Student Affairs at least five days prior to the scheduled hearing.
- **Usual Hearing Procedure:**
 - The Student Conduct/Appeals Committee Chair distributes a short synopsis of the case in writing to the student and to the Committee. The Chair will then request an oral presentation of facts from the Director of Resident Life.
 - Questions are asked by the Committee to clarify the facts and allegations.
 - An opportunity is provided for the student to speak to, explain, or contradict allegations; to appeal for understanding or clemency; to present contrary evidence; to make known the existence of other testimony; or to raise clarifying questions.
 - The Committee will then deliberate and make a decision on the appeal. The decision of the Committee may be one of the following:
 - Uphold the decision of the Assistant Vice President of Student Affairs
 - Modify the decision of the Assistant Vice President of Student Affairs by reducing the penalties, changing the penalties, or increasing the penalties.
 - Dismiss the charges against the student.
 - Take other action as deemed appropriate.

- Attendance at the Appeal Hearing: A typical appeal hearing involves only the appearance of the Assistant Vice President of Student Affairs, the student (with legal counsel, if desired), and the members of the Committee. Deviation may be made from this by the committee Chair on consultation with the committee members when in his/her considered opinion such is necessary in order to ensure complete information and fairness. Either the Assistant Vice President of Student Affairs or the student may request the appearance of others alleged to have relevant knowledge of the case before the committee. The honoring of these requests is at the discretion of the committee. Any witness who appears to make statements is open to questions by all parties, and any documentary evidence presented is open to examination by all parties. The committee itself may call upon expert assistance or may call before it any person having helpful information or knowledge.
- Counsel: The student has the right of counsel during the hearing procedure. The Counsel may be a parent, other adult, or a licensed attorney at the student's own expense. Appearance of an attorney on behalf of a student also entitles the Student Conduct Appeals Committee to the presence of legal counsel throughout the proceedings. No student or their counsel has the right to speak or behave discourteously or disrespectfully to the Committee or any other person involved in the hearing. Breaches of common courtesy or respect by a party in a hearing may result in the offending party's removal from the proceedings by the committee Chair and the termination of the party's rights to any further hearing in the disposition of that particular case.
- Records: The records of a hearing are to be a summary and not a transcript. However, records should be sufficient enough to include the more significant facts presented, allegations made, statements of views, and decisions reached. Hearings must be tape-recorded and such recordings preserved for a minimum of two years. A copy of the record of the case must be placed in the disciplinary record file of the student, and the Chair of the Committee must keep copies of all records. Such records are open to review by a higher College authority, such as the President, but will not otherwise be available to any person or party except on court order. An exception to this procedure may be if the student applies for admission to any other college or university and requests that a clarifying statement be sent to explain a notation that may appear on the student's transcript in regard to his/her probationary, suspension, or dismissal status.
- Notice of Action: The Committee may notify the student verbally of action not involving suspension or expulsion.
- Notification of suspension or expulsion must be in writing and signed by the Chairman of the Committee. Notice of action must be given within ten working days.
- Appeal beyond the Student Conduct/Appeals Committee: An appeal of any action taken by the Committee may be made to the President of MSC within five working days. Reasons for the appeal must be stated in writing and presented to the President. The President may exercise whether or not to re-open the case, to adjust the penalty, to set aside the penalty, or to order a reconsideration of the case or a new hearing by the Committee. The President is not bound by the formal rules of hearing in his/her investigation or appraisal and the President's decision has no specific time frame.

Health Care Programs: Code of Student Professional Conduct

A graduate of a Murray State College Health Care program becomes a member within the health care profession, as such, the program graduate functions as a self-directing, accountable member of the profession; practices within the ethical and legal framework of each code of professional conduct; and accepts responsibility for ensuring high standards of healthcare practice. Health care students must understand and adhere to the standards of their program during their education in preparation for careers as characterized by a commitment to professional growth, continuous learning, and self-development.

Students in the health care programs have a particular obligation to conduct themselves at all times in a manner that reflects appropriate professional, moral and ethical character. The value of the student within the community comes ultimately from their value to each individual patient. From each contact with a patient, students have an opportunity to make an impact in a positive way. As students recognize these roles and their responsibilities to each role, they become who the educational program want them to become.

The Health Care Program Code of Student Professional Conduct (HCP Code) provides standards for professional conduct and procedures to be followed when questions arise about professional, moral or ethical character of a student enrolled in the health care programs; classroom and clinical setting. Professions and bodies that grant licensure were consulted and considered for guidance of interpretation of the standards of conduct.

Purpose:

The HCP Code is to provide a professional behavior code that applies uniformly to all students enrolled in a degree program, ultimately leading to a profession requiring licensure, offered by Murray State College. The Health Care programs are: Nursing, Occupational Therapy Assistant, Physical Therapist Assistant, and Veterinary Technology.

Procedure:

Students enrolled in health care programs are expected to exercise maturity and sound judgment in the process of becoming professional productive members of the health care community. Graduates will ultimately be valued members of the community as they grow and recognize the importance of these roles.

A student's continued enrollment shall depend on the student's ability to adhere to recognized standards from the duly legislated practice acts of the professions that have educational programs at Murray State College. Murray State College Health Care Program's also adhere to all policies of clinical facilities with which the College affiliates for student clinical learning experiences.

Violations of one or more of the standards shall be sufficient grounds for the appropriate health care program chair to address matters of conduct and discipline. The specific disciplinary action taken will depend on the seriousness and nature of the offense, and the student's history. Student's will be removed from the clinical site when previous disciplinary actions fail to produce desired changes in behavior, or conduct presents a danger to self and others.

Health Care Program Chairs (HCPC) may impose disciplinary actions against MSC students enrolled in health care programs for one or more of the following:

- Failing to abide by the standards of professional and student conduct outlined in the MSC Disciplinary Rules and Regulations (See Student Handbook) to the extent that the violation reflects adversely on the student's professional, moral and ethical character.
- Failing to abide by any of the student guidelines outlined in the MSC Health Care Program's Student Handbook.
- Commission and/or conviction of any infraction that would violate the Oklahoma Practice Act or the Rules and Regulations Relating to the practice of Nursing, Physical Therapy, Occupational Therapy, and Veterinary Technology in the State of Oklahoma.
- Being adjudicated as mentally incompetent, mentally ill, chemically dependent or dangerous to the public or being committed by a court of competent jurisdiction.
- Use of substances including but not limited to; illegal drugs, legal prescription drugs without a current, legal valid prescription and intemperate use of drugs and alcohol.
- Failure on the part of the student to meet necessary academic requirements.
- Any behavior which violates a clinical site regulation and/or resulting in denial by the clinical site of clinical privileges.

- Action which knowingly or through neglect endangers the health or well-being of a student, a fellow student, patient, or the public.
- Fail to maintain patient confidentiality by failing to follow the Health Insurance Portability and Accountability Act (HIPAA) Standards.
- Obtaining money, property or services from a patient, other than reasonable fees for service provided to the patient, through the use of undue influence, harassment, duress, deception or fraud.
- Fail to report a felony conviction pursuant to enrollment in the health care programs. Felony convictions must be disclosed pursuant to enrollment to MSC. Students convicted of a felony must report to the HCPC prior to enrollment in the Health Care program or within 10 days of such a conviction.
- Fraud, deceit or misrepresentation.
- Criminal activity within the clinical site or college.

Procedure for violation of one or more of the above referenced HCP codes or rules:

- The appropriate HCPC shall investigate the circumstances and pursue the case in accordance with the appropriate procedures.
- When the HCPC completes the preliminary investigation into the alleged violations of the standards and determines the student has violated the HCP Code, the student will be notified by email and should the student not reply then the notification will be sent by first class mail to the student's address of record.
- Student will meet with the HCPC to review the violations and for counsel. The student will receive a disciplinary action written notice which will become part of the student's permanent file.
- When a student does not agree with the decision of the HCPC, then the student will be reminded of their right to appeal the decision following the Student Grievance Procedure or Grade Appeal Procedure outlined in the MSC student handbook.
- A decision taken by the Health Care Program Chair under this code will not impede any action by legal authorities outside the college.

Due Process, Student Grievance Procedure and Grade Appeal Procedure

Please refer to the MSC's student handbook for an explanation of Student Grievance Procedure and Grade Appeal Procedure. Actions for anything other than academic issues will follow the Student Grievance procedure.

Student Sanctions

College Sanctions for Students

The following sanctions may be imposed by any of the following: Director of Resident Life, Assistant Vice President of Student Affairs, or the Student Conduct/Appeals Committee. The severity of the imposed sanctions will be appropriate to the violation; possible sanctions include probation, suspension, expulsion, loss of institutional aid, restriction of student's activities or privileges. Students will be charged for all damages or misappropriation of property, which occurs in the violation of a rule or regulation. Restitution may be monetary compensation, replacement or repair. Community service hours will be performed in an area of the College or a community agency for a specified number of hours. Professional counseling, referral to a rehabilitation program, and/or specific restrictions may be used in conjunction with various sanctions.

Reprimand

A verbal or written reprimand may be given for first offenses of violations of regulations associated with noise, or personal conduct. In some cases, the reprimand may involve the imposing of specified restrictions on a student's activities or privileges.

Restitution and other stipulations

Students will be charged for all damages or misappropriation of property, which occurs in the violation of a rule or regulation. Restitution may be monetary compensation, replacement or repair. Community service hours will be performed in an area of the College or a community agency for a specified number of hours. Professional Advisement and/or specific restrictions may be used in conjunction with various sanctions.

Probation

Specified terms and conditions of conduct probation can be imposed for violations such as deliberate destruction of property, possession or consumption of alcoholic beverages on campus, disturbing the peace, verbal abuse of College employees and/or certain other offenses. When a student is placed on conduct probation, temporarily suspended, suspended for a definite period of time, or expelled, the President of the College and the student's parents may be notified.

Suspension

A student may be suspended for violation(s) of disciplinary regulations for a definite period of time. The time of the suspension may range from one day up to a year. Students who were on suspension at the end of a semester must apply for readmission to the College prior to the beginning of the semester in which their suspension ends. When a student is placed on conduct probation, temporarily suspended, suspended for a definite period of time, or expelled, the President of the College and the student's parents may be notified.

Expulsion

A student may be permanently expelled from the College for repeated violations of disciplinary rules and regulations, or for any violation(s), which involve function of the College or interfere with College employees. When a student is placed on conduct probation, temporarily suspended, suspended for a definite period of time, or expelled, the President of the College and the student's parents may be notified.

Student Rights

A student against whom an allegation charging violation of the disciplinary rules shall have the following rights:

- To bring to any and all hearings an advisor of his/her choice including legal counsel, provided that such counsel shall be duly admitted to the practice of law in the State of Oklahoma by the Supreme Court.
- To BRING witnesses on his/her behalf, and to compel the production of documents or other information necessary to the presentation of his/her case, NOT PROHIBITED FROM DISCLOSURE BY LAW.
- To cross-examine and confront witnesses.
- To present evidence and argument on his/her own behalf.
- Appeal decisions involving the imposition of specified restrictions, conduct probation suspension or expulsion.

Violation of Rules and Policies

In order to maintain protection of the rights, health, and welfare of all students, please see below, a list of violations and penalties that warrant a reprimand, probation, suspension, or expulsion. It is not intended to cover all possible violations and variances will be made, if in the opinion of the Director of Resident Life, they are warranted due to the circumstances of a particular violation or violations. Depending upon the nature of a violation, the Director of Resident Life may apply a sanction more severe than that normally associated with a first offense, i.e. arson, bodily threat to others, etc.

Important Numbers for Non-Emergencies:

Ardmore Police Department
580.223.1212

Carter County Sheriff
580.223.6014

Carter County Health
Department 580.223.9705

Family Shelter of Southern Oklahoma
580.223.9705

Highway Patrol
580.223.8800

Johnston County Health
Department 580.371.2470

Johnston County Sheriff's
Office 580.371.2691

Mental Health & Substance Abuse Centers of Southern
Oklahoma 580.223.5636 or 1.800.522.1090

MSC Police Department
580.371.1140

Tishomingo Police
Department 580.371.2319

Hotlines

Certified Crisis Center Child Abuse Hotline Parenting
Helpline 1.800.784.2433; 1.800.522.3511; 1.877.446.6865

REACH-OUT
Mental Health, Substance Abuse, Domestic/Sexual Violence
Hotline 1.800.522.9054

Check out the MSC Police website, www.msco.edu, for the latest information about safety and security issues on campus, including recent "daily crime logs" that list police activities.