



2018-19 ANNUAL SECURITY REPORT EAST MISSISSIPPI COMMUNITY COLLEGE

Preventing Campus Crime

A summary of policies and procedures prepared for the students, faculty and staff of East Mississippi Community College, this report is published in full compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1999, and the Drug-Free Schools and Communities Act Amendments of 1989.

Important Telephone Numbers

Scooba Campus

Police / Fire / Ambulance 911

Campus Police office 662-475-5115

Campus Emergency Phone 662-386-8011

Dean of Students / Housing / Student Services 662-476-5443 or 662-476-5062

Mayhew Campus

Police / Fire / Ambulance 911

Campus Police Office 662-243-1990

Campus Emergency Phone 662-418-9487

West Point Clay County Center

Fire/Ambulance/Police 911

Main Office 662-243-2647

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Report

This report is intended to comply with the requirements of the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act and the Higher Education Opportunity Act. On November 8, 1990, President George H.W. Bush signed the "Student Right to

Know and Campus Security Act of 1990." The Act applies to every institution of higher education that receives federal financial aid. Title II of the Act was called the "Campus Crime Awareness and Campus Security Act of 1990." It requires institutions of higher education to distribute to all current students and employees, and applicants for enrollment or employment, two types of information: (1) Descriptions of policies related to campus security, and (2) Statistics concerning specific types of crimes.

Amendments enacted in 1998 renamed Title II, and it is now known as the "Jeanne Clery Disclosure of Campus Security Policy and Campus

Crime Statistics Act." The amendments require the disclosure of crimes that are reported

to police and campus officials other than police, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall, or public property. This report includes the crime statistics for the previous three years for these crime identified by the Clery Act that occurred on campus; in or on off campus buildings or property owned or controlled by East Mississippi Community College; and on the public property within or immediately adjacent from and accessible from, the campus. Also in this report is information in reference to East Mississippi Community College's policies and procedures related to



campus security, including but not limited to drug and alcohol use, crime prevention, reporting crimes, sexual assault, emergency procedures, fire safety and prevention and all other matters.

The Campus Police

The Campus Police Office is part of the Division of Student Services and reports to the Vice President for Scooba Campus. The Chief of Campus Police is responsible for the management of the police officers and other staff assigned to the police department. All other public safety services are coordinated with key college and local officials.

The Campus Police staff consists of both full- and part-time officers who are certified through the Mississippi Law Enforcement Officers Training Academy and have constable powers under authority of state statute. All certified officers are armed and have arrest powers. They are responsible for enforcement of college rules and regulations and the laws of the state of Mississippi on the campuses of Scooba, Mayhew and West Point

Police. Jurisdiction includes all college-owned, rented or leased property. Campus Police officers are based on the Scooba Campus, Mayhew Campus and West Point Campus. EMCC Campus

Police work closely with local, state, and federal law enforcement agencies, such as the City of Scooba Police Department, Kemper County Sheriff's Department, Lowndes County Sheriff's Department,

City of West Point Police Department, Clay County Sheriff's Department in investigations of shared concern.

The Campus Police telephone number (662-386-8011 Scooba) and (662-418-9487 Mayhew) is monitored 24 hours a day by an officer operating a cell phone. Officers can contact the fire department, other law enforcement agencies or emergency medical services by direct phone line or radio. Personnel also monitor the National Weather Service radio network.

Authority of Campus Police

Mississippi Code of 1972 (As Amended): Section 37-29-275. Application of general criminal laws of state; security officers vested with powers of constables; authorization to bear arms if certified.

Any act, which, if committed within the limits of a city, town, or village, or any public place, that would be a violation of the general laws of this state, shall be criminal and punishable if done on the campus, grounds, or roads of any of the state supported junior colleges. The peace officers duly appointed by the boards of trustees of state-supported community or junior colleges, or officers of private security firms licensed by the State of Mississippi contracted by the boards of trustees of state-supported community/junior colleges, are vested with the powers and subject to the duties of a constable for the purpose of preventing and punishing all violations of law on state-supported junior college grounds and for preserving order and decorum thereon. Peace officers appointed by the boards of trustees or officers of private security firms licensed by the State of Mississippi contracted by the boards of trustees shall have authority to bear arms in order to carry out their law enforcement responsibilities if such officers have been certified according to the minimum standards established by the Board on Law Enforcement Officer Standards and Training. The peace officers duly appointed by the boards of trustees of public community/ junior colleges are also vested with the powers and subjected to the duties of a constable for the purpose of preventing all violations of law that occur within five hundred (500) feet of any property owned by the college, if reasonably determined to have a possible impact on the safety of students, faculty or staff of the college while on said property. Provided, however, that nothing in this section shall be interpreted to require action by any such peace officer appointed by a college to events occurring outside the boundaries of college property, nor shall any such college or its employees be liable for any failure to act to any event occurring outside the boundaries of property owned by the college. If a law enforcement officer is duly appointed to be a peace officer by a college under this section, the board of trustees of the public community/junior college may enter into a Memorandum Of Understanding with other law enforcement entities for the provision of equipment or traffic control duties; however, the duty to enforce traffic regulations and to enforce the laws of the state or municipality off of college property lies with the local police or sheriff's department which cannot withhold its services solely because of the lack of such an agreement.

Procedures for Reporting Campus Crime and Other Emergencies

Campus crime is a reality, and preventing it is a responsibility shared by all members of the campus community. Public apathy is a criminal's greatest ally. If you see or suspect criminal activity, you cannot assume that someone else has reported it. Whether you are a victim or an observer, you should report any possible crime, suspicious activity or emergency to the Campus Police. If you are suspicious, you may report a crime to the following areas:



SCOOPA CAMPUS

Scooba Campus Police 662-476-5115
Vice President for Scooba Campus 662-476-5068
Dean of Students 662-476-5062
Assistant Dean of Students / Housing 662-476-5443

MAYHEW CAMPUS

Mayhew Campus Campus Police 662-418-9487
Vice President of Mayhew Campus – 662-243-1902
Dean of Students 662-243-1979

WEST POINT CAMPUS

West Point Campus Main Office – 662-243-2647
Director of West Point 662-243-2644

In an emergency, should you be unable to contact the Campus Police, simply dial 911 from your campus phone. The office for the Campus Police on the Scooba Campus is located in the first building on the left past the arches when entering the campus. The office for the Campus Police on the Mayhew Campus is located at the road in the main parking lot. There is also an officer posted throughout the day in the student union building on the Mayhew Campus. The office for the Campus Police on the West Point Campus is located in the building outside the main building in the parking lot. Students, faculty and staff should report all crimes, medical or fire emergencies to Campus Police. When a report is received, a police officer will go to the caller's location for investigation. When necessary, a follow-up investigation will be conducted by the department and coordinated with the local police agencies. In the case of a medical or fire emergency, the Campus Police will notify the appropriate emergency personnel.

When you call the Campus Police, please provide the following information:

- Your name;
- The location of the incident you are reporting;
- A description of any vehicles involved in the incident, especially a license plate number; and
- The nature of the incident.

Response to Reports of Crime

All crimes reported to the Campus Police are considered serious and are treated with the appropriate concern and attention toward solving the crime. Each officer is trained to perform investigations. All reasonable avenues of investigations will be pursued concerning a complaint. The complainant will be notified in a timely manner of the results of the investigation. A public crime log of reported crimes is maintained by the department and shared with interested people or organizations on a daily basis. The public log will not include any personally identifying information about the victim of reported crimes. Additionally, the campus community will be notified immediately about any pattern of crimes or incidents that seriously threaten campus safety. Individuals who regularly receive information concerning reported crimes include:

Vice President for Student Services 662-476-5068
Dean of Students Scooba Campus 662-476-5062
Assistant Dean of Students Scooba Campus 662-476-5443
Dean of Students Mayhew Campus 662-243-1979

Individuals who become aware of incidents or individuals that threaten the safety of the campus community, should immediately contact Campus Police or one of the individuals listed above.

Individuals who wish to report incidents of inappropriate behavior by students, but who do not want the incident investigated as a criminal offense, should make such report to the Dean of Students.

Individuals who wish to report incidents of inappropriate behavior by staff or faculty, but who do not want the incident investigated as a criminal offense, should make such report to the appropriate department chairperson or supervisor.

East Mississippi Community College Policy Addressing the Issuance of Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of Campus Police and the Vice President for Student Services, constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued.



The warning will be issued through the college e-mail system to students, faculty and staff, Roarcast, and social media (Twitter, Instagram and Facebook).

Depending on the particular circumstances of the crime, but especially in all situations that could pose an immediate serious threat to our campus community.

Anyone with information warranting a timely warning should report the circumstances to the Campus Police Department immediately by phone at (662) 386-8011 (Scooba), (662) 418-9487 (Mayhew) or in person at the offices of the police department.

General Policies and Regulations

Missing Persons Policy

All concerns regarding a possible missing person (student, faculty, or staff) should be immediately directed to the Campus Police Office. Upon receipt of a missing person report, the Campus Police will initiate a priority investigation. An investigating officer will meet with the individual(s) making such a report and will gather the following information:

1. Essential information about the missing person—description, clothes last worn, possible location including last known destination, individuals the missing person might be with, known associates, and vehicle description. A recent photograph will also be secured.
2. The investigating officer will also gather information about the physical and mental well-being of the missing person. A current class schedule, class attendance information, job information and work schedule, or residence hall information sheet (if applicable), will be obtained.

3. Based upon information gathered in steps one and two, appropriate campus staff will be contacted and either questioned or notified regarding the missing person's status.

4. If after the completion of steps one through three it appears that the person is actually missing, parents or an emergency contact person will be notified by the

Vice President for Student Services or the Director of Campus Police. Each student may identify a contact person to be notified if the student is determined missing by

Campus Police. The parents or guardian and contact person will be notified if the missing student is under 18 and not emancipated. Contact will be registered and maintained confidentially.

5. After consultation with the family of the missing person, the Campus Police will issue a regional welfare alert for the missing person through the National Crime

Information Center. Further investigatory measures will be taken or additional notifications made based upon the circumstances of the individual case.

6. The Vice President for Student Services and/or the Chief of Campus Police will keep family apprised of the status of the investigation.

If You Are Assaulted

If you are assaulted, call the Campus Police as soon as possible. Try to remember as much about the assailant as possible.

Characteristics important in locating and identifying suspects include sex; race; hair color; body size; clothing; scars and other noticeable markings; mode of travel; and vehicle color, type and license plate number.

In some incidents, the victim may already know the name of the person committing the assault. If you report an assault, the campus will be searched immediately for suspects, and neighboring police agencies may be notified.

If You See a Suspicious Person

If you see anyone acting suspiciously, call the Campus Police at once. Do not approach the person yourself. Report the type of activity you observed and describe the person or persons involved. Provide as much information as you can, such as the person's sex, race, location, type of clothing and type of vehicle. The Campus

Police will investigate your report immediately. If all members of the campus community become security-conscious and report suspicious activity, thefts and related incidents will be reduced. Remember, preventing crime is your responsibility, too!

If You Receive a Bomb Threat



If you receive a bomb threat by telephone, obtain as much information from the caller as possible. Do not panic. Ask for (1) the location of the bomb, (2) the expected time of explosion, and (3) the type of bomb. Listen carefully to the caller's voice and any background noises. Such information may assist in identifying the caller. Call the Campus Police immediately. Campus Police, together with the building officials, will determine whether evacuation is required.

The most important thing to remember about preventing crime is that you should call police whenever you suspect that a crime has been or may be committed. You don't need proof in order to call. If you suspect a crime, call the Campus Police immediately.

Campus Security and Access to Campus Facilities

Although all EMCC campuses are open to the public, facility use is limited to educational and administrative activities and programs, and student or public events, approved by appropriate college authorities. Anyone requesting after-hours access to facilities must have the approval of the appropriate authority prior to the

Campus Police allowing access. Unless authorized or attending an ongoing campus event, all non-students and commuter students must depart the Mayhew and West Point campuses by 10 p.m.

College facilities and landscaping are maintained to minimize hazardous conditions.

Malfunctioning lights and other unsafe conditions should be reported immediately to the Physical Plant Department by calling 662-476-5018, or, after business hours, by calling Campus Police.

Residence halls are a special concern. The on-campus residence halls currently house nearly 600 men and women during the academic year.

Each resident is provided with a key to his or her own room. Main entrances of the residence halls are locked in the evening. After closing time, students may enter residence halls with main entrances, by displaying ID card to housing security.

Only designated exits may be used after hours.

Windows are equipped with locks operable by the room occupants.

Residence Hall Door Security

1. A student who enters or leaves the residence hall after closing hours is responsible for securing the outside door.

2. A student may not prop open or alter a door so that it will not properly close and lock.

3. A student may not admit unauthorized or uninvited persons after hours.

4. Any maintenance deficiencies that may compromise building security should be reported immediately to a residence hall supervisor. When a supervisor is not on duty, potential security problems should be reported to the Campus Police.

5. Security systems and security procedures are provided for your protection.

You should follow these procedures at all times.

6. The first meeting of resident students each semester is designated as a time to review safety information and residence hall rules. Other topics related to safety and security issues are discussed with residents as needed.

Crime Prevention

Crime prevention at East Mississippi Community College is a community based program. The main goal is to improve the quality of life for members of the campus community; and involvement by all members of the campus community is essential to its success.

At EMCC positive measures and up-to-date crime prevention efforts complement reactive measures. A variety of proactive crime prevention efforts are in use by the Campus Police. Visible patrol units either walk the campus or patrol in golf carts or in marked vehicles.

Weapons on Campus

The EMCC Board of Trustees recognizes that the possession of pistols, firearms or other weapons on college premises or at college functions by persons, other than duly authorized law enforcement officials, creates unreasonable and unwarranted risk of injury or death to the college's employees, students, visitors and guests. Because of such dangers, the Board hereby prohibits the possession of pistols, firearms or weapons in any form by any person, other than duly authorized law enforcement officials and the college's security officials, on the college's premises or at college functions, regardless of whether any such person possesses a valid permit to carry such pistols, firearms or weapons.



Alcohol and Illegal Drugs

East Mississippi Community College prohibits the possession, use, manufacture or distribution of controlled substances; illegal drugs; or alcohol on college property, or as part of any college-sponsored or authorized activity. Any student or employee failing to observe the drug and alcohol policy will be subject to sanctions by the college in accordance with established disciplinary procedures found in the

EMCC Policy Manual. For students, sanctions may include fines, probation, suspension or expulsion. For employees, sanctions may include termination of employment. In addition to college sanctions, any student or employee found in violation of the drug and alcohol policy may be referred to the appropriate authorities for prosecution. Legal sanctions under local, state and federal laws may include fine and/or imprisonment. Information about drug education, counseling and rehabilitation programs may be found in programs and information distributed to faculty, staff, and students throughout the school year.

Drug-Free School Policy

The possession, use, manufacture, or distribution of alcohol, unauthorized or illegal drugs, or the misuse of any legal drugs on college premises or at any college activity, is strictly prohibited and will constitute grounds for disciplinary action, which may include expulsion.

K-9 Drug Dogs on Campus

In seeking to maintain a drug-free campus, canine (K-9) drug detection dogs may be utilized to search all public and common areas in all campus parking lots and buildings for the purpose of detecting illegal drugs and narcotics.

The Chief of Campus Police will arrange supervision and coordinate all canine searches with the assistance of campus police officers, appropriate housing personnel, administrators, and other local law enforcement agencies. Searches will be performed by handlers and canines trained and certified in the detection of illegal drugs/narcotics.

Canines will be allowed to search areas such as residence hall rooms, offices, and vehicles after the canine alerts to one of these areas, thus developing probable cause.

Once probable cause is established, the canine will be allowed to enter the room/office/ vehicle in accordance with law and college policy and continue searching.

Upon any discovery of suspected illegal drugs/narcotics, persons who are determined to be in violation of state or federal law and/or college rules and regulations may be arrested and may face college disciplinary charges.

Disciplinary Action and Sanctions

Appropriate disciplinary actions will be taken in all cases in which a student violates provisions of the EMCC Drug-Free School Policy. Penalties and/or sanctions may include any one or a combination of the following:

1. recommended professional counseling;
2. Letter of probation;
3. Fine;
4. Mandatory participation in an organized drug treatment program;
5. Denial or termination of financial aid or scholarships; and/or
6. Withdrawal, suspension, or expulsion from EMCC.

The circumstances surrounding the offense and the facts as determined by appropriate investigation will be fully reviewed prior to a decision on the action being taken.

Legal Sanctions

Local, state, and federal legal statutes contain sanctions for violations of laws concerning the use, distribution, manufacture, and/or possession of alcohol and illegal drugs. These sanctions include imprisonment for a period of time up to a term of life imprisonment, fines, supervised release, or any combination of the above.

In Mississippi the legal drinking age is 21. It is unlawful for a person under 21 years of age to possess alcoholic beverages, and the selling, giving, or serving of alcoholic beverages to persons under 21 is unlawful. In some counties of the state (designated as dry counties) the possession of any alcoholic beverages by any person regardless of age is prohibited.

Specific legal sanctions for violations of these laws are contained in the United States Code, the Mississippi Code 1972 Annotated, and local city and county laws and ordinances.



Health Risks Associated with Alcohol and Drug Use

Abuse of alcohol and illegal drugs, and the misuse of any legal drugs, can result in serious health consequences. Some health risks associated with the most common mood-altering substances include: organ damage; impairment of brain activity, digestion, and blood circulation; addiction; increased likelihood of accidents; increased risk of contracting hepatitis, AIDS, and other infections; various birth defects; respiratory paralysis; and death. The use of alcohol can lead to: loss of muscle control, poor coordination, and slurred speech; fatigue, nausea, and headache; impaired judgment; increased likelihood of accidents; alcoholism; damage to brain cells; hallucinations; personality disorders; increased risk of cirrhosis, ulcers, heart disease, heart attack, and cancer; and death. Commonly abused mood-altering drugs include: narcotics (including heroin, morphine, codeine, hydrocodone, hydromorphone, oxycodone, methadone, fentanyl, Demerol, Percodan and others); depressants (including chloral hydrate, barbiturates, benzodiazepines, gluthimide, Valium and others); stimulants (including cocaine, amphetamine/methamphetamine, methylphenidate and others); cannabis (including marijuana, tetahydracannabinol, hashish, and hashish oil); hallucinogens (including LSD, mescaline and peyote, amphetamine variants, phencyclidines, and others); anabolic steroids (including testosterone, nandrolone, oxymethalone, and others); and designer drugs (including synthetic heroin, ecstasy, and other chemically modified forms of drugs).

Resources

The College employs professional counselors, and the Student Counseling Center is prepared to help students find appropriate assistance in dealing with alcohol and drug-related problems. It is each student's responsibility to seek assistance before the problem affects judgment, performance, or behavior.

Telephone numbers of some of the agencies providing counseling, treatment, education, and other alcohol and drug-related services are:

National Hotline Numbers:

1-800-COCAINE

1-800-662-HELP

1-800-342-2437

1-800-729-6686 (National Clearinghouse for Alcohol and Drug Abuse)

Reporting Requirement

Any student who is convicted of a drug-related offense must inform the college within five (5) college working days of such a conviction. This notice must be in writing to the Vice President for Student Services. A student with such a conviction may be subject to disciplinary action and may jeopardize the receipt of financial aid and scholarships.

Annual Distribution

The Drug-Free Workplace Certification Policy is included in the college's *Policy Manual*.

The Drug-Free School Policy is included in the college's policy and procedure manual.

Distribution is the responsibility of the Vice President for Student Services and Campus Deans.

Biannual Review

A biannual review (every 2 years) of the drug prevention program will be conducted to determine its effectiveness, implement needed changes, and ensure that disciplinary sanctions are consistently enforced. The Vice President for Student Services will have the responsibility of appointing a committee to conduct the review.

A sample of students and employees will be surveyed to determine the effectiveness of the current policy and recommend any changes.

Recordkeeping



The President will appoint persons to be responsible for keeping and maintaining records of violations of this policy and the Drug-Free Workplace Certification Policy, including records of any penalties and/or sanctions imposed on students or employees. Student records will be maintained in the Student Services Office, and employee records will be maintained in the Human Resources Office.

Public Intoxication

The College forbids the possession and/or consumption of alcoholic beverages (including beer) on the campus and/or at any activity sponsored by a student organization at the College on college owned or controlled property. Drunkenness or evidence of intoxication is a violation of law on college property. Drunkenness can be caused by alcohol, drugs, narcotics, or other intoxicating substances.

The College will take additional steps with students who appear impaired to the point where they are drunk (not in control of themselves) on campus in order to protect that student and the campus community. Therefore, if in the opinion of appropriate college officials a student is impaired (public drunk), then the following action will be taken:

1. The student's parents or legal guardian will be called to come and take custody of the student (if the student is under the age of 18);
2. If the parent or legal guardian cannot be contacted, or if the parent or legal guardian refuses or is unable to take custody of the student, then the student will be arrested and transported to the county jail.

Endangerment Policy

Students who endanger their own physical well-being or disrupt the campus community, including threatening or attempting suicide, may be administratively suspended from the residence halls and/or the College. To be considered for reinstatement to the residence halls and/or the College, the student may be required to provide the Vice President for Student Services documentation signed by the student's physician or licensed mental health professional indicating that the student is not a threat to him/herself or the campus community.

Hazing

Hazing is forbidden. Hazing means any intentional, knowing, or reckless act, occurring on or off the campus, by one person alone or acting with others, directed against a student that endangers the mental or physical health or safety of a student for the purpose of affiliating with, holding office in, or maintaining membership in any organization which includes students.

Gang Related Activity

East Mississippi Community College recognizes the need for rules and regulations that create a safe and healthy environment conducive to teaching and learning.

As such, the College recognizes the importance of deterring students from emulating or contributing to the proliferation of gangs. A gang is defined by the

College as "any ongoing organization, association or group of three or more persons, whether informal or formal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying signs, colors, and/or symbols."

The College prohibits the following gang-related activities at the College or at College- related events:

1. Initiating, advocating, or promoting a gang or gang-related activity.
2. Defacing College property with gang names, slogans, or insignias.
3. Conducting initiations.
4. Threatening another with bodily injury and/or inflicting bodily injury in connection with a gang or gang-related activity.
5. Inciting, soliciting, or recruiting others for gang membership or gang-related activity.
6. Aiding or abetting any of the above activities by personal presence or support.

Any allegation of involvement in gang-related activity as described above will be adjudicated using the Student Conduct Procedures described in this *Bulletin*. A finding that any violation of the Code of Student Conduct was gang-related will be considered an aggravating factor in determining appropriate sanctions.



Curfew and Guest Policy

Curfew Policy

1. All visitors (non-students) and commuters must leave campus by 11 p.m. unless they are attending a campus event which is open to the public, such as an athletic event, dance, etc.
2. Unauthorized persons present after 11 p.m. are subject to disciplinary action or arrest.
3. Resident students are not permitted to visit other residence halls between the hours of 11 p.m. and 8 a.m.
4. Students may not loiter or engage in athletic or social activities on campus after 11 p.m. unless attending an official campus event.

Guest Policy

1. Students are responsible at all times for the conduct of any guest whom they bring to the campus.
2. Students or visitors are not to bring small children to classroom buildings, residence halls, intramural facilities, or organized activities unless permission is granted by the Student Services Office.
3. Overnight guest permits for the residence halls must be obtained from the Housing Office by 2 p.m. on the day of the visit.
4. All visitors must leave campus by 11 p.m. unless they are attending a campus event which is open to the public, such as an athletic event, dance, etc.

Trespass Policy

Campus Police may ask any person on campus for identification. After identifying persons on campus, Campus Police have the authority to ask anyone who does not have legitimate business on campus to leave. Furthermore, Campus Police may ban any person or persons from all East Mississippi Community College property for violation of law or campus policies. Any banned person who returns to college property will be subject to arrest for violation of Mississippi Code of 1972, Willful Trespass 97-17-87.

Any banned person may appeal by filling out a Trespass Appeal and returning it to Campus Police within (5) five working days. All appeals will be forwarded to the Appeals Committee whose decision will be made known to the person submitting the request. All Trespass Admonishments that are not appealed or that are upheld by the Appeals Committee will expire (5) five years from the date of issuance unless otherwise specified.

Search and Seizure

Students of East Mississippi Community College are protected, as is any citizen, against unreasonable search and seizure. However, in an exercise of the College's duty to maintain discipline as well as a safe and educational atmosphere, a college official may search a student's room and/or vehicle when a reasonable cause exists.

1. A reasonable cause exists when a college official has sufficient reason to believe that a campus regulation has been violated or there may be an existing threat to the safety of individuals or facilities.
2. Such search by college officials must be approved by either the Dean of Students, the Chief of Campus Police, or Asst. Deans or their designees after description of the reasonable cause leading to the search.

Normal inspections of resident rooms are conducted in order to maintain acceptable standards of health, safety, and physical maintenance and can be, if necessary, held in the absence of the student. The College reserves the right to enter a particular room at any time when it is deemed to be in the best interest of the institution and its students.

The College reserves the right to take disciplinary action for any violations of policy discovered in these inspections.

The Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) is a Federal law enacted Oct. 28, 2000, that provides for the tracking of convicted sex offenders enrolled or employed by institutions of higher education.

In compliance with CSCPA, the East Mississippi Community College community may find the required information in the sex offender registry on the Mississippi

Department of Public Safety web site at <http://state.sor.dps.ms.gov/>.

The Campus Sexual Violence Elimination (SaVE) Act



The Campus Sexual Violence Elimination (SaVE) Act increases transparency on campus about incidents of sexual violence; and, guarantees victims enhanced rights and sets standards for disciplinary 10, which addresses campus sexual assault policies within the Higher Education Act of 1965. President Barack Obama signed SaVE into law on March 7, 2013, as part of the Violence Against Women Act (VAWA) Reauthorization.

Sexual Harassment

Preventing Sexual Harassment

East Mississippi Community College is committed to creating and maintaining an environment in which all persons who participate in college programs. Every member of the college community should be aware that the College is strongly opposed to sexual harassment and that such behavior is prohibited by law (Title IX of the Education Amendments of 1972) and by College policy. EMCC views sexual harassment (as defined in this policy) as serious, and will not tolerate it in any form. It is the intention of the College to take whatever action is needed to prevent, correct, and if necessary, discipline behavior which violates this policy. Prosecution of employees or students for the crimes they commit, whether by state or federal prosecutors, is independent of, and in addition to, the charges or disciplinary proceedings instituted by the College.

What is Sexual Harassment?

Sexual harassment consists of unwelcomed sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical behavior of a sexual nature when:

1. Submission to that conduct or communication is made either explicitly or implicitly, a condition of the individual's education;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for academic decisions affecting the individual's welfare;
3. Such conduct has the purpose and effect of substantially interfering with an individual's welfare, academic performance, or creates an intimidating, hostile, offensive, or demeaning educational environment.

Examples of Prohibited Behavior

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

1. Unwelcomed sexual propositions, invitations, solicitations, and flirtations.
2. Threats or insinuations that a person's employment, academic grade, promotional opportunities, classroom or work assignments, or other conditions of academic life, may be adversely affected by not submitting to sexual advances.
3. Unwelcomed verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcomed use of sexually degrading language, jokes, or innuendos; unwelcomed suggestive or insulting sounds or whistles; and obscene phone calls.
4. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or study area that may embarrass or offend individuals.

Such material, if used in an educational setting, should be related to educational purposes.

5. Unwelcomed and inappropriate touching, patting, or pinching; and obscene gestures.

Reporting Sexual Harassment

The Title IX coordinator and assistant Title IX coordinators listed in the Resources section of this report are designated as the Sexual Harassment Contact Persons (hereafter, Contact Person) to receive all reports of sexual harassment regarding students.

Students who have a sexual harassment complaint or inquiry should notify the Contact Person immediately. He/she will maintain all information about applicable laws, College policies and procedures, options available for resolution of complaints, and confidentiality requirements. The Contact Person's functions include the following:

1. Provide information about sexual harassment and options for addressing it;
2. Inform the complainant regarding applicable College policies and procedures and outline various options, both formal and informal, available for resolving the complaint;



3. Seek an informal resolution if so desired;
4. Maintain records necessary for handling active complaints.

In all investigations and complaint resolutions, the following procedures will be followed:

1. To the extent possible, the College will keep the complaint and investigation confidential.
2. College policy and Title IX prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation.
3. The College will take all necessary steps to prevent recurrence of any discrimination, including sanctions such as expulsion, suspension, modified suspension, or behavioral restrictions.
4. The College will take steps necessary to remedy discriminatory effects, such as (but not limited to) class reassignment, residence hall reassignment, and special security precautions.
5. The timeframe for most investigations is no longer than two working weeks. An additional week may be needed for formal adjudication.
6. All parties will be notified in writing of the outcome of the investigation and adjudication.

Informal Resolution

Students may seek advice, information, or counseling, on matters of sexual harassment without having to lodge a formal complaint. Persons who feel they are being harassed, or are uncertain as to whether what they are experiencing is sexual harassment, are encouraged to talk with the Contact Person. The student seeking information will be counseled as to the options available under the sexual harassment policy. To the extent possible, information disclosed through this advising session will be held in confidence, unless and until the initiating individual agrees that additional people must be informed in order to facilitate a solution. The complainant may request informal resolution. The aim of informal resolution is not to determine whether there was intent to harass, but to ensure that the alleged offending behavior ceases and that the matter is resolved promptly at the lowest possible level.

Formal Complaint

If an attempt at an informal resolution fails, or if after consultation with the Contact Person, a complainant believes that the nature of the alleged offense requires it, a formal complaint may be filed. The filing of a written complaint is required for a matter to be formally investigated and a determination made on whether the College policy prohibiting sexual harassment has been violated. The formal complaint will consist of a signed statement containing the name(s) of the accused, the nature and date(s) of the incident(s), and an assertion that the statement is a formal complaint.

1. Student complaint against student.

In instances where a student files a complaint against a fellow student, the Contact Person will refer the complaint for investigation. The procedures for handling this form of complaint are described and governed by EMCC's Code of Student Conduct. The

Code of Student Conduct and all applicable procedures are listed in policy and procedure manuals.

2. Student complaint against faculty, staff, or third party.

In instances where a student files a complaint against a member of the EMCC faculty, staff, or third party the Contact Person will forward the complaint for investigation. The procedures governing this form of complaint are outlined in the EMCC policy manual.

3. Faculty or staff complaint against student.

In instances where a faculty or staff member files a complaint against a student, the Contact Person will refer the complaint for investigation. The procedures for handling this form of complaint are described and governed by EMCC's Code of Student Conduct.

The Code of Student Conduct and all applicable procedures are listed in EMCC's policy and procedure manuals.

Sexual Assault, Domestic Violence and Stalking

Prevention

East Mississippi Community College is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free of threats.

Every member of the college community should be aware that the college considers personal physical safety of students and employees to be a minimal prerequisite for the establishment of a learning environment.



EMCC views any form of sexual assault, domestic violence, dating violence, and stalking (as defined in this policy) as a serious offense, and such behavior is prohibited by state law and by college policy. It is the intention of the College to take whatever action is needed to prevent, correct, and if necessary, discipline behavior that violates this policy. Prosecution of students for crimes they commit, whether by state or federal prosecutors, is independent of, and in addition to, the charges or disciplinary proceedings instituted by the College.

What Constitutes Sexual Assault?

Sexual assault (including but not limited to rape) is defined as any kind of sexual physical contact that involves force or any form of coercion or intimidation. Sexual contact with a person who is unable to consent is prohibited.

Sexual physical contact includes the intentional touching of another person on the area of the body generally recognized as a private part of the body, or touching any part of another person's body with a private part of one's own body. An unwarranted touch may be considered sexual physical contact, no matter how slight it is.

A person who is unable to consent includes, but is not limited to, any unmarried person generally under the age of 18, anyone who is physically helpless, or anyone who is mentally incapacitated.

A physically helpless person is considered to be one who is unconscious, or for any other reason, unable to communicate unwillingness to engage in any act. A mentally incapacitated person may be one who is under the influence of alcohol or a drug, or who is mentally incapable of understanding the implications and consequences of any act.

What Constitutes Domestic Violence?

Domestic violence simple assault: Miss. Code Ann. § 97-3-7 (3)

(3) (a) When the offense is committed against a current or former spouse of the defendant or a child of that person, a person living as a spouse or who formerly lived as a spouse with the defendant or a child of that person, a parent, grandparent, child, grandchild or someone similarly situated to the defendant, a person who has a current or former dating relationship with the defendant, or a person with whom the defendant has had a biological or legally adopted child, a person is guilty of simple domestic violence who:

- (i) Attempts to cause or purposely, knowingly, or recklessly causes bodily injury to another;
- (ii) Negligently causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or
- (iii) Attempts by physical menace to put another in fear of imminent serious bodily harm.

Upon conviction, the defendant shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not more than six (6) months, or both.

(b) Simple domestic violence: third. A person is guilty of the felony of simple domestic violence third who commits simple domestic violence as defined in this subsection

(3) And who, at the time of the commission of the offense in question, has two (2) prior convictions, whether against the same or another victim, within seven

(7) Years, for any combination of simple domestic violence under this subsection (3) or aggravated domestic violence as defined in subsection (4) of this section or substantially similar offenses under the law of another state, of the United States, or of a federally recognized Native American tribe. Upon conviction, the defendant shall be sentenced to a term of imprisonment not less than five (5) nor more than ten (10) years.

Aggravated domestic violence: Miss. Code Ann. § 97-3-7 (4)

(4) (a) When the offense is committed against a current or former spouse of the defendant or a child of that person, a person living as a spouse or who formerly lived as a spouse with the defendant or a child of that person, a parent, grandparent, child, grandchild or someone similarly situated to the defendant, a person who has a current or former dating relationship with the defendant, or a person with whom the defendant has had a biological or legally adopted child, a person is guilty of aggravated domestic violence who:

- (i) Attempts to cause serious bodily injury to another, or causes such an injury purposely, knowingly, or recklessly under circumstances manifesting extreme indifference to the value of human life;
- (ii) Attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or
- (iii) Strangles, or attempts to strangle another.



4. Call the Campus Police. To report an incident that has just occurred, or to report an incident at a later date, call the Campus Police. Victims are encouraged to bring a friend or family member for support. If the incident occurred off of EMCC controlled property, the EMCC PD will assist the victim in reporting the incident to the proper law enforcement entity. Reporting an incident is a separate step from choosing to prosecute. We are concerned with the victim's welfare and want to ensure that the appropriate treatment and support are provided. When individuals file a report with the Campus Police, they are not obligated to continue with legal proceedings or disciplinary action.

Reporting an incident to Campus Police helps:

- Identify and apprehend the alleged assailant;
- Maintain future options regarding criminal prosecution, campus disciplinary action, and/or civil action against the perpetrator; and
- Protect the victim and others from future assaults by the same assailant.

When an incident is reported, a police officer will complete an incident report. An investigator/ supervisor will be summoned to begin a prompt, fair, and impartial investigation into the offense. This process is important if the victim wishes to bring criminal charges at this or a later time. The victim will be asked questions about the incident, to identify any witnesses, and to tell what happened before and after the incident.

Generally, the police work to safeguard the identity of the victim.

Campus Police will assist the victim in obtaining a restraining order, no-contact order (behavioral restriction), or any other valid court issued protective order. After a valid order is issued EMCC Police will enforce the order as instructed by law.

A victims' rights packet will be provided to each victim of domestic violence, sexual assault, stalking, and other victim related crimes. A copy of the victims' rights packet is available at campus police or through any Campus Security Authority/Responsible Employee. The victim's rights packet will contain information about services available to the victim through the institution and through outside organization.

It is the victim's decision whether to involve the police in an incident. Deciding not to involve the police does not prevent the victim from seeking assistance from a counselor or other appropriate staff or faculty members.

5. A complainant may report a sexual assault to a "Campus Security Authority" (as defined by the Clery Act), or to a "Responsible Employee" (as defined by Title IX).

The campus security authority/responsible employee may subsequently report the incident to the EMCC PD, or assist the victim in reporting the assault to EMCC PD.

Campus security authorities and responsible employees on campus are governed by EMCC Policy and they are asked to immediately report any crimes reported to them to the EMCC PD for the purpose of assessing the crime for the potential distribution of a timely warning notice.

6. Seek counseling or other support. A victim who wishes to speak to someone confidentially is encouraged to contact the Student Development Center. Staff at the center are responsible for coordinating treatment and additional services including relocating the victim's on-campus living quarters, changing the victim's academic schedule, work situation, or school related transportation, if requested. The reason for requested accommodations will be kept confidential and not shared with faculty, support staff, etc.

Adjudicating Violations

In responding to alleged violations, the College seeks to provide redress for the victim/accuser, to provide due process for the accused, and to protect the campus community from the threat of such incidents.

Charges against a student will be handled by the Office of Student Services using the college disciplinary process described in this Annual Security Report. The Vice President for Student Services has the authority to temporarily suspend a student accused of sexual assault, domestic violence, dating violence or stalking, pending a hearing.

Upon completion of any necessary investigation, the Dean of Students will formally notify the accused student of any alleged violations of college policies and set a hearing date.

The accused and the accuser have certain rights throughout the hearing process. The rights of an accused student are listed on [page 305](#) of this Annual Security Report.

The person filing the complaint (victim/accuser) has the following rights:

1. The accuser (alleged victim) may bring additional supporters, proportionate to the accused, in consultation and with permission of the appropriate disciplinary authority.



Supporters may be an attorney, faculty member, another student, a parent, or a citizen at large. Should the accuser invite an attorney to be present at the hearing, the student must notify the Vice President for Student Services of such an invitation within 48 hours of the hearing. Supporters may address the committee only with the permission of the Chairman.

2. The accuser may submit a written impact report for consideration during the sanctioning phase of the proceeding.
3. The accuser will be simultaneously informed, in writing, the results of the informal or formal hearing.
4. The accuser will be further informed, in writing, of the right to appeal the decision and that they may utilize the same appeal process as the accused.
5. The accuser (alleged victim) will be informed of any change to the results that occurs prior to the time that such results become final.
6. The accuser will be informed of the final results.

Sanctions

A student found responsible of sexual assault, domestic violence, and dating violence or stalking would receive a sanction ranging from expulsion to modified suspension with restrictions. A complete list of sanctions that could be assigned is listed on [page 309](#) of this Annual Security Report.

Resources

Telephone numbers of agencies providing 24-hour crisis lines, counseling, treatment, education, and other services, as well as local law enforcement and Title IX coordinators by campus, that are available for alleged victims are:

Wesley House Community Center

Crisis Line: 601.485.4736

East MS Sexual Assault Center

Crisis Line: 601.485.2828

Sexual Assault Victim Services/Prevention Program

Phone: 1.866.331.9474

Text: "loveis" to 77054

24-Hour Crisis Hotline

1.800.656.4673

Scooba Campus

Title IX Coordinators

Mickey Stokes, Vice President for Scooba Campus

Admin Building-Scooba Campus

662.476.5068 • mstokes@eastms.edu

Tony Montgomery, Dean of Students

F.R. Young Student Union

662-476-5062 • tmontgomery@eastms.edu

Counseling

Maggie Dale, Counselor

Hawkins Center

662.476.5048 • mdale@eastms.edu

Mayhew Campus

Title IX Coordinators



Mickey Stokes, Vice President for Scooba Campus
Admin Building – Scooba Campus
662.476.5068 • mstokes@eastms.edu

Melanie Sanders, Dean of Students
Student Union – Mayhew Campus
662.243.1979 • msanders@eastms.edu

Counseling

William Sansing, Counselor, Mayhew Campus
662-243.2641 • wsansing@eastms.edu

Sexual Assault Victim Services/Prevention Program

Phone: 1.866.331.9474
Text: “loveis” to 77054

24-Hour Crisis Hotline

1.800.656.4673

Student Conduct Procedures

The President of East Mississippi Community College has vested in the Dean of Students and designees, and the Student Disciplinary Committee, authority to determine if a student has violated a regulation of the College. After a hearing conducted according to the procedures outlined below, the proper disciplinary authority is authorized to determine if a student is responsible for the alleged violation and to determine the appropriate disciplinary sanction(s). All disciplinary hearings must be conducted according to Students’ Rights of Fundamental Fairness as described.

The Rights of Fundamental Fairness

1. The student has the right to confront and/or cross examine his or her accuser(s).
2. The student has the right to call witnesses in his or her behalf.
3. The student has the right to present evidence in his or her behalf.
4. The student has the right to remain silent during the proceeding.
5. The student shall be presented a written statement of alleged violation(s).
6. The student has the right to counsel/adviser. Counsel/adviser is defined as a faculty member, relative, friend, or legal counsel.
7. The student defendant has the right to appeal the ruling of the respective authority according to the procedures herein described.
8. The student defendant has the right to request a formal hearing before the Student Disciplinary Committee or waive the right to a formal hearing and accept the proposed sanction of the Dean of Students or designee.
9. As provided by policy (cases involving domestic violence, sexual assault, and stalking, etc.) the accusing student will receive the same rights of fundamental fairness as the accused.

Disciplinary Authorities

1. **Dean of Students**—The Dean of Students has the responsibility to enforce the disciplinary policies of East Mississippi Community College. The Dean is the principal hearing officer of the College regarding disciplinary violations. The Dean shall coordinate all investigations, prepare written reports, bring specific charges, and ensure proper distribution of official written notices of the institution, and report on the findings to the Student Disciplinary Committee if an appeal to that committee is requested. The Dean may also recommend sanctions to be imposed and receive any student appeal of decisions and forward them to the proper authority.
The Dean shall provide an audio recording and or transcript of the Student Disciplinary



Committee hearing to the appeal authority and serve in an advisory capacity. The Dean shall enforce the final decision in all disciplinary action.

The Dean of Students is responsible for ensuring adherence to the Student Conduct Procedure regarding formal and informal hearings, for notifying appropriate campus offices of disciplinary actions when warranted, and for ensuring the appropriate maintenance, safety and security of all discipline records

2. Assistant Director of Campus Life and Housing—The Assistant Dean of Students and Housing is designated by the Dean to assist in the enforcement of the Code of Student Conduct. The Assistant Dean has the responsibility to notify the student of the charges, notify the student of hearings by the Student Disciplinary Committee, and convene the Student Disciplinary Committee. The Assistant Dean is authorized to act as a hearing officer to conduct informal hearings, to present cases to the Student Disciplinary Committee, and to coordinate all recordkeeping, formal notices, etc. connected with disciplinary actions.

3. Student Disciplinary Committee—the Student Disciplinary Committee determining responsibility, and imposing sanction. The committee shall be composed of four faculty members, two staff members, and one student. An alternate will be named for each member should that member be unable to attend. The President of the College or his designee shall appoint all members. All committee members receive annual training on conducting their role in the hearing process, including such topics as domestic violence, sexual assault, stalking, victim safety, and standard of evidence. All members shall serve a term of one year or until their successors are chosen.

4. President of the College—the President of East Mississippi Community College is the final authority on all disciplinary action taken by the institution. The President shall receive student appeals of Student Disciplinary Committee decisions forwarded by the Dean of Students. The President will hear appeals of Student Disciplinary Committee decisions only when the sanctions imposed include expulsion, external suspension, residence hall dismissal, or dismissal. His decision in such appeals will be final.

Student Conduct Adjudication Procedures

Listed below are procedures to be used by members of the College community and by disciplinary authorities in adjudicating such complaints. Complaints against a student organization shall be resolved using these same procedures. Reasonable deviations from these procedures by the College will not invalidate a decision or proceeding unless significant prejudice results from such deviation.

Filing a Complaint

Disciplinary action shall be commenced with the filing of a written complaint by the Campus Police, Campus Security Authority/Responsible Employee, or any member of the College community or guest of the College with the Assistant Dean of Students and Housing or designee. This report shall be filed stating the charge against the accused as well as facts supporting such a charge.

Informal Hearings

Upon receipt of a written complaint, the Assistant Dean of Students and Housing shall direct the accused student by letter, telephone, or campus appearance ticket to schedule within two (2) working days, an appointment with the Assistant

Dean or other hearing officer for an informal hearing. At the informal hearing, the hearing officer will:

1. Provide the student with the charge as well as the facts supporting the charge.
2. Review the charge and facts with the student. After review, the hearing officer may dismiss the charge should he determine that the charge is not valid.

Should the hearing officer determine the charge is valid, the student has two hearing options: a. to accept responsibility for the charge, waive his or her right to a formal hearing, and request that the informal hearing continue; or b. to plead not responsible for the charge and request a formal hearing before the Student Disciplinary Committee.



The hearing officer has the right to decline to hold an informal hearing and forward the case to the Student Disciplinary Committee for a formal hearing.

If in an informal hearing the student accepts responsibility for the charge and waives his/her right to a formal hearing, the hearing officer will follow the following procedure:

1. The hearing officer will discuss the violations with the student and determine appropriate sanctions. In determining sanctions, the hearing officer will review and consider any previous violations of policy by the student. The hearing officer will then complete an Informal Discipline Hearing Action Form. The form shall specify both the violations and the assigned sanctions.
2. Should the student decide to accept responsibility for the violations and the sanctions specified, he/she should then sign the form. The hearing officer will provide the student with a copy of the signed form. The student has three (3) working days in which to revoke, in writing, his/her acceptance of responsibility and request a formal hearing.
3. Should the student accept responsibility for the violations but not the sanctions, the student may request a formal hearing with the Student Disciplinary Committee. The student and hearing officer will then both complete a Request for Formal Hearing Form.

Should a student fail to schedule an informal hearing, the hearing officer will schedule the informal hearing and send notice of such hearing to the student's campus or permanent address. The hearing may be no earlier than four (4) working days from the sending of the notice. Should the student fail to appear for the hearing the hearing officer may hear the case in the student's absence. Results of the hearing will be sent to the student's campus or permanent address. The student may appeal the decision according to Informal Hearing Appeal Procedures.

Formal Hearings

Notice of Hearing

The accused student shall be given notice of his/her hearing before the Student Disciplinary Committee. This notice should be in writing and shall state the regulations allegedly violated as well as the facts underlying each alleged violation. The student shall be notified of the date, time, and place of the hearing.

Notice of the hearing will be presented to the student 48 hours prior to the hearing, when possible.

The accused student may request a delay in the hearing from the Dean of Students.

The Dean may grant such requests as he deems appropriate. At the beginning of a hearing, the accused student may also request a delay from the Student Disciplinary Committee. Such requests will be granted only in the most unusual circumstances.

Hearing Procedures

1. Disciplinary hearings are of a private and confidential nature involving the student and the Student Disciplinary Committee. They are closed to the public.
2. All proceedings will be conducted promptly on a fair and impartial basis. Both the accused and accuser are each permitted to challenge up to two members of the committee on the basis of partiality. The committee as a whole shall rule by majority vote on all challenges. A committee member is obligated to excuse themselves from the proceedings if they are unable to remain impartial.
3. The order of the hearing is as follows:
 - a. presentation of the charge(s);
 - b. a call for the accused's response to the charge(s);
 - c. supporting testimony and information and/or witness on the charge(s);
 - d. presentation of the accused's testimony, witnesses, and supporting information; and,
 - e. examination and questioning by members of the committee both during and following the presentation of charges and the accused's defense.
 - f. The accused may only question their accuser and opposing witnesses through the Committee Chair.
4. The accused may bring an adviser of his/her own choice to the hearing. This adviser may be an attorney, faculty member, another student, a parent, or a citizen at large. Should a student invite an attorney to be present at the hearing, the student must notify the Dean of Students of such an invitation within 48 hours of the hearing. The adviser may address the committee only with the permission of the Chairman.



5. The first decision to be made by the committee is a finding on the question of whether or not the student is responsible for the alleged violation. When determining responsibility, the committee will use a preponderance of the evidence standard (i.e., it is more likely than not that the violation occurred). If a student is found responsible for the charges, a decision on the application of sanction must be made. These are distinctly separate decisions.
6. Committee deliberations on the questions of responsible or NOT responsible will be closed to all but committee members. They will consider only information pertinent to the charge(s).
7. The President of the College will advise the accused student of the committee's decision and its application of sanction in writing.
8. The accused will be further informed in writing of his/her right to appeal and how to pursue the appeal process.
9. A record of the hearing will be made and stored in the office of the Dean of Students. Recordings may be disposed of immediately following the conclusion of the appeal process.
10. The presiding officer at any hearing may modify, amend, or change these recommended procedures in order that the accused student may have a hearing more fully in compliance with principles of basic fairness.
11. In cases related to domestic violence, sexual assault, and stalking:
 - a. The accuser (alleged victim) may bring additional supporters, proportionate to the accused, in consultation and with permission of the appropriate disciplinary authority. Supporters may be an attorney, faculty member, another student, a parent, or a citizen at large. Should the accuser invite an attorney to be present at the hearing, the student must notify the Vice President for Student Services of such an invitation within 48 hours of the hearing. Supporters may address the committee only with the permission of the Chairman.
 - b. The accuser will be simultaneously informed, in writing, the results of the informal or formal hearing.
 - c. The accuser will be further informed, in writing, of the right to appeal the decision and that they may utilize the same appeal process as the accused.
 - d. The accuser (alleged victim) will be informed of any change to the results that occurs prior to the time that such results become final.
 - e. The accuser will be informed of the final results.

Appeal Procedures

Appeal of Formal Hearing

1. After a formal hearing the student has the right to appeal the decision of the Student Disciplinary Committee.
2. The appeal must be made to the Dean of Students in writing within three (3) days after the student has received written notice of the decision of the Student Disciplinary Committee.
3. The Dean shall forward all appeals not involving the sanctions of external suspension, dismissal, or expulsion to the Vice President for Finance.
4. All appeals involving sanctions of external suspension, dismissal, or expulsion must be forwarded to the President.
5. All appeals must be forwarded within two (2) working days.
6. The Vice President for Finance or President shall notify the student in writing as to their decision within a reasonable amount of time. Simultaneous notification to the accuser will be made as per policy. Their individual decisions are final.

Disciplinary Sanctions

The range of disciplinary sanctions includes, but is not limited to, the following:

Expulsion—Permanent separation from East Mississippi Community College, with denial of right of student to participate in any academic or other activity.

The student is never allowed to visit any of the college's premises. The expulsion notice must be signed by the President of the College.

Dismissal—Separation from EMCC, with the student not allowed to reapply for admission. The student is not allowed on college premises without specific written permission from the Vice President for Student Services.

External Suspension—Separation from EMCC for a specific period of time.

The student is not allowed on college premises without specific permission from the Vice President for Student Services.



Interim Suspension—Temporary suspension from EMCC while awaiting a hearing (see interim suspension procedures).

Modified Suspension— all privileges, except to attend class and use learning resources, are suspended for a period of time. The student is allowed on campus only to attend class and use learning resources. Student must observe all other stipulations specified under his or her suspension. Student must leave campus no later than 4 p.m. unless otherwise specified.

Withdrawal—Student is withdrawn from school. No entry is made on official records other than withdrawal. He/she may return to school at the end of a specified time.

Disciplinary Probation—Student is no longer considered in good standing in terms of conduct. Further violations of regulations during a probationary period may result in suspension, dismissal, or expulsion. Certain student privileges are suspended during a probationary period.

Restitution—Student must replace any private or public property that has been damaged or destroyed.

Restriction—Student is restricted from entering certain facilities or from specified student privileges.

Behavior Restriction—Student is restricted from having any contact with a specific student, staff, or faculty member while on any campus of EMCC

Community College. Contact is defined as any verbal communication, electronic communication, physical touching or close physical proximity. This includes harassing phone calls and e-mails.

Community Service—Specified work hours with a campus office or community service.

Mandatory Counseling/Educational Sessions—Behavioral counseling or educational sessions on a stated regular basis.

Residence Hall Dismissal—required to vacate a residence hall for violation(s) of residence hall policies and/or other institutional policies. Students are not allowed to visit any residence hall when assigned this sanction.

Fine—Student is fined for violations of policy; amount of fine will vary depending upon the nature and severity of offense.

Warning—issued for minor infraction of policy. Further violations will result in more serious sanctions.

Parental Notification—EMCC reserves the right to notify parents of disciplinary infractions according to law.

Resident students appealing the sanctions of expulsion, dismissal, suspension, modified suspension, or residence hall dismissal may be required to temporarily vacate the residence halls while the appeal is pending.

East Mississippi Community College does not utilize corporal punishment as a discipline or behavioral sanction. The use of such is prohibited.

Alternative Resolution

A student may be given the opportunity for an alternative resolution when a policy violation (certain residence hall regulations, tobacco policy, dress code, etc.) occurs for the first time and in which an educational sanction is a more appropriate resolution. Most alternative resolutions would mean attendance by the student at an educational or information session regarding the subject of the violation. Once the student has attended the session, no fines or other sanctions will be assessed regarding the violation. No formal student conduct record will be created. Records of attendance will be kept for the duration of the academic year (fall-spring) and then destroyed. During that time period, attendance records may be referred to in the case of a second violation. Participation by a student in an alternative resolution is voluntary.

Interim Suspension Procedures

Any student charged with or convicted of a violation of the law or college regulation injurious to the health and welfare of the college community, shall be subject to immediate administrative suspension with or without prejudice, depending upon the nature and circumstances of the case, by the President of the College or his delegate.

A hearing regarding the student's conduct and the appropriateness of the suspension must be held as soon as practicable.

Should the administrative suspension be of such duration as to cause a violation of the class absence policy, the College, at its discretion, may withdraw the student from classes with a grade of "W" to avoid failing grades being entered on the student's permanent record. Such a withdrawal will normally be made in consultation with the student.

The conviction of a student for a criminal offense which interferes with the orderly educational operation of the College or of a nature that, if the student were allowed to remain enrolled, would endanger the health, safety, or property of the college community, shall be sufficient grounds for disciplinary action consistent with the College's policies and procedures.

Involuntary Withdrawal Procedures



The College is responsible for taking reasonable steps to foster a campus environment conducive to learning. Some students may, because of a medical or other condition, engage in behavior that presents a direct threat of harm to others, or substantially disrupts the learning or working environment. A direct threat means a significant risk of harm to health or safety.

In such cases, as an alternative to disciplinary action, the Dean of Students or designee may require a student to withdraw from the College, take a leave of absence, or vacate a residence hall. Such a decision shall be communicated in writing to the student and must specify the terms of the decision, including reasonable conditions for re-entry.

A student who threatens to commit, or attempts to commit, suicide shall not be subject to disciplinary action or involuntary withdrawal for simply that threat or attempt.

If a student's behavior presents an immediate, severe and direct threat to others, or is substantially disrupting the learning or working environment, the Dean of Students or designee may impose an interim suspension before a final determination of the matter.

Should a student dispute the decision of the Dean of Students or designee regarding withdrawal or leave of absence, a student may appeal the decision to the Involuntary

Withdrawal Appeal Committee. The Committee, appointed by the President, shall consist of two members of the faculty, one of whom shall serve as chair, a member of the faculty or staff who possesses counselor credentials, and a member of the staff. Written notice of the time or date of the hearing shall be given to the student at least two working days in advance, unless the student consents to an earlier hearing.

The student may request a reasonable delay of the proceeding.

At the hearing, the Dean of Students or designee shall present a statement of the reasons for the withdrawal or leave of absence.

The student has the right to present their reasons for disputing the withdrawal, to present witnesses and evidence on his or her behalf, to cross examine witnesses, to remain silent without assumption of responsibility, and to be assisted by legal counsel or an adviser.

After the evidence is presented at the hearing, the Committee shall determine whether the College has reasonably proven that the student's behavior presents a direct threat of harm to others, or has substantially disrupted the learning or working environment, and presents a significant risk of threatening further substantial disruption. The Committee may uphold or overturn the decision of the College, or alter it by imposing other reasonable remedies or set other appropriate conditions for re-entry. The decision of the Committee is final.

Recordkeeping

The Dean of Students shall keep on file all official records pertaining to disciplinary actions. These records are open to examination only according to the College's privacy regulations. Victims of acts by other students are allowed access to the sanctions of the perpetrator but are forbidden to share such information with others.

Records on students who have received external suspensions, expulsions, or dismissals will be permanently maintained. All other records will be destroyed four years after an individual ceases to be a student.

Expulsion Sunset Provision

After five (5) years, an expelled or dismissed student may petition for the removal of the sanction. The request should be mailed or delivered to the Dean of Students and must include the following:

1. An outline of the individual's educational plan;
2. Reasons for the request of reinstatement of educational privileges; and
3. A signed release allowing school officials to check criminal history.

Upon receipt of a complete petition, the Dean of Students will review and forward the petition to the Admissions Committee with his recommendation. The Admissions

Committee meets regularly prior to each semester.

Crime Statistics

East Mississippi Community College reports campus crime statistics using the Uniform Crime Reporting system. Crime statistics for the most recent three-year period follow.

East Mississippi Community College is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free of the threat of sexual assault. Every member of the college community should be aware that



the college considers personal physical safety of students and employees to be a minimal prerequisite for the establishment of a learning environment.

Definitions of Crimes

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

Criminal Offenses

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

Forcible Sex Offenses: 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 (i.e., forcible rape, forcible sodomy, sexual assault with an object, or forcible fondling).

Non-Forcible Sex Offenses: Unlawful, non-forcible sexual intercourse (i.e., incest or statutory rape).

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. Simple assaults are excluded.

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

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

Arson: 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.

Hate Crimes

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

The Clery Act Categories of Bias

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

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

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe, and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

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

Ethnicity/national origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions (e.g., Arabs, Hispanics).

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

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

- **Larceny** – Theft, The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another (larceny and theft mean the same thing in the UCR). Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- **Simple Assault** - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

