

MILLIGAN

Annual Security and Fire Safety Report

2020

The safety of Milligan's students, faculty, staff and guests is of utmost priority to the university's administration, faculty, and staff. This report details the university's security programs and procedures and provides guidelines for members of the campus community to follow when faced with security-related issues. This report also details the university's policies, programs, and reporting efforts to comply with several state and federal laws:

- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
- The Drug-Free Schools and Communities Act
- The Tennessee University and University Security Information Act

This report also includes the university's Fire Safety Report.

Milligan's campus security office prepares this report annually to provide information about campus security policies and procedures and to comply with federal regulations. Campus crime, arrest, and referral statistics include those reported to the campus security department, other university officials designated campus security authorities, and local law enforcement. Upon publication of this report each year, an email notification is sent to all enrolled students, faculty, and staff including the web link to this report.

For more information, to make a report, or to request a hard copy of this report, please contact the security office:

Campus Security: **(423) 461-8911**

Director of Security/Title IX Coordinator Direct Office Line: **(423) 461-8740**

Elizabethton Police Department: (423) 542-4141 or **911**

Campus Security Personnel and Local Law Enforcement

The University contracts with a professional guard service to provide after-hours security. Campus security guards are not sworn or commissioned law enforcement personnel and do not have the authority to make arrests. Between 8:00 am and 5:00 pm weekdays, the Director of Campus Security and designated employees are on duty to assist with campus security issues. Between 5:00 pm and 8:00 am weekdays, and 24 hours per day on weekends at least one security officer is on duty. Campus Security Officer duties include:

- Responding to reported incidents on campus
- Contacting local law enforcement authorities when necessary
- Contacting university administration when necessary
- Conducting inspections of campus buildings
- Patrolling the campus throughout the shift
- Enforcement of campus parking and traffic policies

- Detention of persons in violation of the law
- Identification and removal of unauthorized persons on campus

All persons on campus behaving in a suspicious manner will be asked to identify themselves by providing their full name, complete address, relationship to the university, and reason for being on campus. University personnel may request and verify proof of identification and/or authorization to be in a specific building or on campus. If it is determined that the individual has no legitimate reason to be in a specific building or on campus, or if the individual refuses to provide proof of identification and/or authorization to be in a specific building or on campus, the individual in question will be asked to leave and may be removed from campus. Any individuals who behave in a suspicious manner or are involved with suspicious activities should be reported to campus security.

The University maintains a close working relationship with the Elizabethton Police Department (EPD). In cases involving violation of local, state, or federal laws, the Elizabethton Police Department is notified and the University cooperates fully with any investigations conducted by the EPD and other appropriate law enforcement authorities. Representatives from the university's security office or student development office work with the investigating officer(s) assigned by the EPD to provide information, interview students or other members of the campus community, receive updates on the progress of the investigation, determine cases in which charges should be filed, and follow up on any legal proceedings or subsequent charges filed. The university does not have a written memorandum of understanding (MOU) with the EPD at this time.

When a crime or potential crime occurs, all students, faculty, staff, and visitors to the Milligan University campus are encouraged to report the crimes or potential crimes promptly and accurately to the university security or student development office and complete an incident report, including when situations arise in which the victim of such crime elects to or is unable to make such a report themselves, whether the reporting party be a victim of the crime or potential crime being reported, a witness to the crime or potential crime, or any other party to the crime or potential crime.

In cases involving violation of local, state, or federal laws, the victims of crimes or potential crimes, witnesses to crimes or potential crimes, or other parties to crimes or potential crimes are encouraged to report the crime or potential crime to the Elizabethton Police Department when the victim of such crime elects to or is unable to make such a report themselves.

Reporting Criminal Actions or Other Emergencies Occurring on Campus

All members of the Milligan community are encouraged to accurately and promptly report all crimes to campus security (423-461-8911) and the Elizabethton Police Department (423-542-4141 or 911), including situations in which the victim of the crime elects to, or is unable to make such a report. The following university officials are available to assist members of the campus community filing reports.

- Director of Campus Security (423) 461-8740

- Dean of Students (423) 461-8760
- Residence Hall Staff
- Student Development Staff

Reporting to these individuals who serve as Campus Security Authorities (CSA) ensures the reports will be addressed according to university policy, that crimes identified by the Clery Act will be included in annual statistical disclosures, and that consideration will be given to making timely warning reports when necessary.

In response to a report of crimes, victims or witnesses of potentially criminal activities are directed to complete an Incident Report which details the facts surrounding the incident. Report forms are available from the offices named above. University security personnel will review the incident report and recommend further action. In cases involving violation of local, state, or federal laws, the Elizabethton Police Department will be notified for the appropriate follow up. The University cooperates fully with any investigations conducted by the appropriate law enforcement authorities. Other responses to reports include the activation of the University's Crisis Management Plan for emergency situations, the referral of students to the Dean of Students for disciplinary action, or other resolutions determined appropriate by campus security officials.

The University does not have policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis at this time.

Crimes disclosed to a university counselor or the campus minister, serving in that capacity at the time of disclosure, are not subject to mandatory reporting. This exemption does not relieve counselors or the campus minister 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 verbally inform the individual of voluntary disclosure procedures.

Timely Warning of Crimes that Pose a Threat to Campus

In order to keep the campus community informed about safety and security issues on an ongoing basis, the University will alert the campus community of certain crimes in a manner that is timely, withholds the names of victims as confidential, and will aid in the prevention of similar crimes. These timely warning notices will be issued for crimes considered by the University to represent a serious or continuing threat to students and employees. Timely warning notices are issued through the RAVE emergency alert system and may be issued using other means of communication such as email, social media, and/or posted notices in high-traffic areas on campus. Timely warning notices will be issued for crimes considered by the University to represent a serious or continuing threat to students and employees as soon as all pertinent information regarding the crime is available. The determination of when to issue a timely warning and what to include in the timely warning can be made by the director of security, dean of students, university president or any member of the president's cabinet based on

security reports on campus or information provided by local emergency management and law enforcement agencies.

Timely warning notices can be issued by the director of security, vice president for enrollment management and marketing, director of institutional technology or their designees.

Emergency Response and Evacuation Procedures

The Milligan University Crisis Management Plan details the responsibilities and duties of campus personnel in the event of an emergency or immediate threat to the safety and well-being of students or other members of the campus community. The crisis management plan contains information about the crisis operational plan, the crisis communication plan, individual crisis response plans, the crisis recovery plan, emergency contact information, and on and off campus resources. The plan is administered by the crisis management team which includes a cross-section of campus administrators including the university president, director of property and risk management (director of security), facilities service manager, vice president for student development, vice president for enrollment management and marketing, and others. When the plan is enacted, this team coordinates with other campus offices, outside emergency response agencies, and the media and off-campus community.

In the event of an emergency, students, faculty, staff, and visitors are encouraged to call 911 immediately. Whenever possible, campus security (423-461-8911) should be notified immediately after contacting 911.

Evacuation means moving all people from a threatened area to a safer place. In cases requiring the evacuation of one building, occupants should proceed to a designated meeting area as directed by campus security, residence life staff, or other university officials. When orders are given to evacuate multiple buildings or large areas of the campus, students, faculty, staff and visitors should proceed to evacuate as directed by campus security or local law enforcement. University emergency notification systems will be used to notify the campus community if evacuation is required. University policy requires immediate evacuation when any fire alarm sounds within a building. All students, faculty, staff and any other individuals within the building must immediately depart the building using available exit routes if safe. All building occupants will follow instructions issued by campus security, residence life staff, or other university officials. Conditions for temporary evacuation of a building or area also include, but are not limited to, incidents of mechanical, electrical or other facility-related failures; health, safety and/or environmental issues such as hazardous spills; and other emergency conditions. Campus security staff, in consultation with other campus offices, will decide if an evacuation is warranted. For any event that significantly threatens the entire campus community requiring a campus evacuation, the evacuation will be announced by the Crisis Management Team. The campus evacuation will be conducted by the team in accordance with the Crisis Management Plan.

Emergency Procedures and Evacuation plans are posted in each building. Residential students living in university residence halls are informed of evacuation plans and procedures at least once per year

through residence hall programs. Information about the university's emergency response and evacuation plans are made available through the dissemination of information pertaining to emergency preparedness via campus email and printed literature; displays and information at university events; programs for students, faculty, and staff including residence hall programs and faculty and staff meetings; joint activities with student activities organizations and staff; and/or other opportunities throughout each school year. Additional information about emergency preparedness can be found in the [Safety and Security](#) section of the Milligan website.

Emergency Notification

The University will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on campus, unless issuing a notification will compromise efforts to contain the emergency. The need for emergency notifications will be identified based on information from the Carter County Emergency Management Agency, the Elizabethton Police Department, and other local, state, and national law enforcement and emergency management agencies. The determination of when to issue an emergency notification and what to include in the notification can be made by the director of security, dean of students, university president or any member of the president's cabinet based on security reports on campus or information provided by local emergency management and law enforcement agencies.

Emergency notifications can be issued by the director of security, vice president for enrollment management and marketing, director of institutional technology or their designees. Emergency notifications will be issued through the RAVE emergency alert system and may be issued using other means of communication such as the emergency broadcast system, email, social media, or posts to the university website. The University will without delay and taking into account the safety of the community determine the content of the notification and initiate the notification system, unless issuing a notification would, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Follow up information regarding campus emergencies will be provided using the emergency broadcast system, emergency alert system, campus email and/or other means of communication.

Emergencies can be reported to campus security by calling (423) 461-8911 or to local authorities by calling 911. Due to the size of the Milligan University campus, emergency notifications will be made campus-wide and not to or for individual segments of the campus.

Emergency Alert System

Emergency notifications and timely warning notices are issued through the RAVE emergency alert system. All Milligan students, faculty, and staff are encouraged to subscribe to the RAVE emergency

alert system for emergency notification. The RAVE system provides information through multiple media, including text messaging, email, and/or voice calls. Milligan students, faculty, and staff can register for the RAVE emergency alert system at <https://www.getrave.com/login/milligan>.

Emergency Response and Evacuation Procedures Testing

Emergency response and evacuation procedures will be tested at least on an annual basis. Tests are regularly scheduled drills (activities that test a single procedural operation), exercises, and/or appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities and involving a coordination of efforts. Emergency response and evacuation procedures will be publicized with at least one test per calendar year. Each test will be documented with a description of the exercise, the date, time, and whether the test was announced or unannounced.

The audio emergency broadcast system is tested at least twice per year to ensure proper functionality and effective communication in outside areas across campus. The RAVE emergency notification system is tested at least once per year. Evacuation procedures are tested through drills such as fire drills at least once per year for each dormitory on campus.

Off-Campus Student Organizations

There are no off-campus locations recognized by Milligan University that are engaged in student activities or student organizations with off-campus housing facilities.

Security and Access to Campus Facilities

Milligan's campus and many of its facilities are open to the public during normal building hours. Buildings will be locked and access granted only to those with proper identification or authorization after normal building hours. Any exceptions to these times must be approved by the Physical Plant Office in advance of a scheduled event.

Residence halls remain locked and only accessible by the residents of each building and authorized university personnel via key and/or key card access at all times, excluding open dorm hours and dining hall hours for Sutton Hall. Hallway doors to the residential floors of Sutton Hall are locked at all times other than open dorm hours. Dorm residents requiring lock out assistance or any other dorm access must be prepared to provide proper identification upon the request of a university official.

Campus security personnel conduct regular after hours patrols of all campus facilities to ensure that buildings are locked according to the normal building hours schedule for each building. Any doors reported unlocked outside of normal building hours are addressed immediately.

Maintenance of Campus Facilities

The Milligan University physical plant is responsible for maintenance and upkeep of buildings and grounds on campus. Campus security officers, as part of their patrol procedures, report any maintenance issues that could pose campus safety concerns such as defective lighting, access control, or general campus safety concerns to the physical plant and any repairs necessary to maintain or improve campus security are made as quickly as possible. Residence life staff members also conduct general walk-through inspections of the residence halls and report any necessary repairs to the physical plant. Members of the campus community are encouraged to report any potential safety and security hazards to campus security (423-461-8911) or the physical plant (423-461-8734). Immediate concerns can be reported by contacting campus security (423-461-8911).

Security cameras are in use in some areas of campus to assist in monitoring the campus, deter criminal activity, and help gather information to assist with investigations of incidents.

Educational Programs

Campus security is everyone's responsibility, and it is necessary to maintain sound and sensible precautions. During new student and faculty orientations, campus security procedures are addressed as well as a review of precautions necessary to provide for one's personal safety and well-being. Residence hall programs also cover the topic of campus security as it relates to campus housing and safety procedures. Campus security procedures are also addressed periodically in regularly scheduled faculty and staff meetings throughout the year.

The goal of campus crime prevention programs is to minimize the occurrence of potentially criminal activity on campus to such an extent as possible and to encourage students and other members of the university community to be responsible for both their own safety and security and the safety and security of others. Crime prevention programs include the dissemination of information pertaining to crime prevention via campus email and printed literature; displays and information at university events; programs for students, faculty, and staff including residence hall programs and faculty and staff meetings; joint activities with student activities organizations and staff; and/or other opportunities throughout each school year.

Drug and Alcohol Policies

The unlawful manufacture, distribution, possession, use and sale of alcohol and illegal drugs on the Milligan University campus, on property owned or controlled by Milligan University, or as part of any activity of Milligan University is strictly prohibited. Additionally, all employees and students are subject to applicable federal, state, and local laws related to this matter, including Tennessee state laws regarding underage drinking and state and federal drug laws. Violators of these laws are subject to

university disciplinary action, criminal prosecution, fine, and imprisonment. The University will cooperate fully with law enforcement agencies as appropriate.

Faculty, Staff, and Administration Policy

Milligan University affirms that members of the Milligan University community - students, faculty, administration and staff - are not to possess alcohol or illegal drugs on campus, on adjacent properties, or while attending university related activities. This policy is interpreted to mean that faculty, staff, and administration are to refrain from use of alcohol with students (religious, cross-cultural, ceremonial observances, and family situations excepted). Employees of the University are expected to refrain from illegal drugs.

Student Policy

The illegal purchase, possession, use, or distribution of drugs, drug paraphernalia, or any substance of abuse is prohibited and any violation is grounds for disciplinary action up to and including immediate dismissal. A substance of abuse is any substance of which the illegal possession, use and/or distribution is considered a crime, including but not limited to any form of narcotics, amphetamines, hallucinogenic, sports enhancement, "street drug" or any substance which is legal but is used in an illegal fashion. Milligan University prohibits the use, possession, distribution and influence of alcohol on campus and at any university functions on or off campus. Underage students may not use or have in their possession any alcoholic beverages at any time. Violations will result in disciplinary options outlined in the student disciplinary guidelines listed in the [student handbook](#). In the event of a Milligan student of legal drinking age socializing with or in the company of an underage Milligan student, both parties may be subject to disciplinary action under the university alcohol policy. Policies for this student population are applicable to both residential and commuter students, regardless of their academic program enrollment. The University does not permit the use, possession or distribution of illegal drugs or narcotics as defined by federal law. Substances and/or paraphernalia so prohibited will be confiscated and disposed of by University staff members. See student disciplinary guidelines listed in the [student handbook](#) for disciplinary sanctions given for violation of this policy.

Legal Sanctions

Various federal, state, and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell or possess with intent to manufacture, distribute, deliver, or sell controlled substances.

The penalty imposed depends upon many factors which include the type and amount of controlled substance involved, the number of prior offenses, if any, and/or whether death or serious bodily injury resulted from the use of the controlled substance, and whether any other crimes were committed in connection with the use of the controlled substance. Possible maximum penalties for a first-time violation include imprisonment for any period of time up to a term of life imprisonment; a fine of up to \$4,000,000, if an individual; supervised release; any combination of the above; or all three. These sanctions are doubled when the offense involves either:

(1) distribution or possession at or near a school or university campus, or, (2) distribution to persons under 21 years of age. Repeat offenders may be punished to a greater extent as provided by statute. Further, a civil penalty of up to \$10,000 may be assessed for simple possession of "personal use amounts" of certain specified substances under federal law. Under state law, the offense of possession or casual exchange is punishable of a Class A misdemeanor; if there is an exchange between a minor and an adult at least two years the minor's senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in T.C.A. 39-17-417. (21 U.S.C. 801, et. seq.; T.C.A. 39-17-417).

It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his employment) or consume alcoholic beverages, wine, or beer. Such offenses are classified as Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than \$2,200, or both (T.C.A. 1-3-113, 57-5-301). It is further an offense to provide alcoholic beverages to any person under the age of twenty-one (21), such offense being classified as a Class A misdemeanor (T.C.A. 39-15-404). The offense of public intoxication is a Class C misdemeanor punishable by imprisonment of not more than 30 days or a fine of not more than \$50, or both (T.C.A. 39-17-310).

Institutional Sanctions-Employees

Milligan University will impose the appropriate sanction(s) on any employee who fails to comply with the terms of this policy. As a condition of employment, each employee, including student employees, must abide by the terms of this policy, and must notify the Personnel Office of any criminal drug statute conviction for a violation occurring in the work place (on or off campus) no later than five days after such conviction. A conviction includes a finding of guilt, a plea of nolo contendere, or imposition of a sentence by any state or federal judicial body. Possible disciplinary sanctions for failure to comply with this policy, including failure to notify of conviction, may include one or more of the following depending on the severity of the offense: (1) termination; (2) suspension; (3) mandatory participation in, and satisfactory completion of drug/alcohol abuse program, or rehabilitation program; (4) recommendation for professional counseling; (5) referral for prosecution; (6) letter of warning; (7) probation.

Health Risks Associated with the Use of Illegal Drugs and the Abuse of Alcohol

There are many health risks associated with the use of illegal drugs and the abuse of alcohol including organ damage, impairment of brain activity, digestion, blood circulation, impairment of physiological processes and mental functioning, and physical and psychological dependence. Such use during pregnancy may cause spontaneous abortion, various birth defects or fetal alcohol syndrome. Additionally, the illegal use of drugs increases the risk of contracting hepatitis, AIDS and other infections. If used excessively, the use of alcohol or drugs singularly or in certain combinations may cause death.

Available Drug and Alcohol Education, Counseling, Treatment, Rehabilitation Programs, and Employee Assistance Programs

The university and local community provide a variety of educational programs and services to respond to the problems associated with alcohol and drug abuse. The Office of Student Development offers several programs through curriculum, residence hall programs and convocations, as well as the

distribution of related literature. Below is a list of campus and community agencies which also provide referral, information, and/or counseling to students and/or employees:

- Milligan University Counseling Office 423-461-8500
- Milligan University Office of Student Development 423-461-8760
- Alcoholics Anonymous 423-928-0871
- Al-Anon 423-928-0871
- Woodridge Hospital 423-928-7111
- Frontier Health Office 423-467-3600

Reporting of Campus Crime Statistics

In compliance with the Clery Act, Milligan University discloses crime statistics for incidents that occur on campus, on public property within or immediately adjacent to the campus, and in or on noncampus buildings or property that the institution owns or controls. The statistics are gathered from campus security, local law enforcement and other school officials who have significant responsibility for student and campus activities (campus security authorities). Crimes are reported for the following categories (definitions from the Federal Bureau of Investigation's (FBI's) *Uniform Crime Reporting Handbook (UCR)* and the U.S. Department of Education's *Handbook for Campus Safety and Security Reporting*).

Clery Act Crimes and Definitions

Murder and 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.

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

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

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

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

Rape, Fondling, Incest and Statutory Rape are considered sexual assault offenses.

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 land 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 Crime: a crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes are reported by category of prejudice, including race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and disability. Statistics are included for four additional crime categories if the crime committed is classified as a hate crime: Larceny/Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property.

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

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

Destruction/Damage/Vandalism of Property: to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Three new categories of crimes were identified in the Violence Against Women Reauthorization Act (VAWA) of 2013 and are included in crime statistics reporting beginning for calendar year 2013. Sexual Assault offenses are also considered VAWA offenses. Definitions of VAWA offenses are listed below.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or who has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Tennessee (T.C.A. 39-13-111), or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Tennessee (T.C.A. 39-13-111).

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program (see above).

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Statistics are also reported for the number of arrests or referrals for campus disciplinary action (if an arrest was not made) for liquor law violations, drug law violations, and weapons law violations.

Geographical Designations for Crime Statistics Reporting

"On campus" refers to any building or property owned or controlled by the university within the same reasonably contiguous geographic area and used by the university in direct support of, or in a manner related to, the university's educational purposes, including residence halls; and property within the same reasonably contiguous geographic area that is owned by the university but controlled by another person, is used by students, and supports institutional purposes.

"Noncampus Building or Property" refers to any building or property owned or controlled by a student organization recognized by the university; and any building or property (other than a branch campus) owned or controlled by the university that is used in direct support of, or in relation to, the university's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

"Public Property" refers to all public property that is within the same reasonably contiguous geographic area of the of the university, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the university if the facility is used by the university in direct support of, or in a manner related to the institution's educational purposes.

Milligan University Crime Statistics						
Offense	Year	On Campus	Non-campus	Public Property	Total	Residential Facilities
Murder/Non Negligent Manslaughter	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Rape	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Fondling	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Incest	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Robbery	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Burglary	2019	1	0	0	1	0
	2018	1	0	0	1	1
	2017	0	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0	0
	2018	1	0	0	1	0
	2017	1	0	0	1	0
Liquor Law Arrests	2019	1	0	0	1	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Drug Law Arrests	2019	1	0	0	1	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Weapons Law Arrests	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0

Offense	Year	On Campus	Non-campus	Public Property	Total	Residential Facilities
Liquor Law Violations Referred for Disciplinary Action	2019	1	0	0	1	1
	2018	3	0	0	3	3
	2017	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2019	0	0	0	0	0
	2018	2	0	0	2	2
	2017	2	0	0	2	2
Weapons Law Violations Referred for Disciplinary Action	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Arson	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Domestic Violence	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Dating Violence	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Stalking	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0

HATE CRIME REPORTING:

There were no hate crimes reported in 2017, 2018, or 2019.

REPORTS OF CRIMES DETERMINED TO BE UNFOUNDED:

No crimes were determined to be unfounded in 2017, 2018, or 2019.

Procedure Regarding Missing Students

If a member of the university community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Dean of Students (423-461-8760) or Director of Security (423-461-8740). These officials will generate a missing person report with campus security and initiate an investigation. After investigating the missing person report, should campus security officials determine that the student is missing and has been missing for more than 24 hours, the University will contact the student's emergency contact and the Elizabethton Police Department (unless the EPD was the entity that made the original determination that the student was missing) no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and

is not an emancipated individual, the University will notify the student's parent or legal guardian immediately after it has been determined that the student has been missing for more than 24 hours.

Victim Notification

Milligan University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime of offense. If the alleged victim is deceased as a result of such crime of offense, the next of kin of such victim shall be treated as the alleged victim for notification purposes.

Information Regarding Registered Sex Offenders

The Tennessee Bureau of Investigation (TBI) maintains the TBI Sexual Offender Registry, a central information and registration system of sexual offenders located in Tennessee.

The following website provides law enforcement agency information provided by the state of Tennessee concerning registered sex offenders: <https://www.tn.gov/tbi/law-enforcement-resources/law-enforcement-resources0/tennessee-sex-offender-registry.html>.

Citizens who have information on offenders or inquiries about information contained in the state's Sex Offender Registry can contact the Sex Offender Registry Hotline at 1 (888) 837-4170, Monday through Friday, from 7:00 AM until 8:30 PM CDT and weekends between 7:00 AM and 5:30 PM CDT, excluding holidays, or by email at TBISORMGR@tn.gov.

Policies and Procedures Relating to Dating Violence, Domestic Violence, Sexual Assault and Stalking

Milligan University is committed to providing students, faculty, staff, visitors and all other members of the university community with a positive, healthy environment conducive to the promotion of the university's core values of scholarship, community, and faith. Sexual misconduct, including dating violence, domestic violence, sexual assault and stalking are prohibited.

Education and training are important aspects to the existence of a positive environment free of sexual harassment and misconduct. Educational programs conducted by the university include primary prevention programs and awareness programs.

Primary prevention programs are defined as programming, initiatives, and strategies intended to stop dating violence, domestic violence, sexual assault and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Awareness programs are defined as community-wide or audience specific programming, initiatives and strategies that increase audience knowledge, and share information and resources to prevent violence, promote safety, and reduce perpetration.

The University's programs regarding the prevention of dating violence, domestic violence, sexual assault and stalking include primary prevention and awareness programs directed at all new students and employees. Primary prevention and awareness programs for new students and employees are conducted as part of new student and employee orientation activities.

In addition to primary prevention and awareness education for new students and employees, the University conducts ongoing prevention and awareness programs for students and employees. These programs include the same types of information as primary prevention and awareness programs detailed above. Ongoing prevention and awareness programs include the dissemination of information pertaining to crime prevention via campus email and printed literature; displays and information at university events; programs for students, faculty and staff including residence hall programs and faculty and staff meetings; joint activities with student activities organizations and staff; and other opportunities throughout each school year.

Primary prevention and awareness programs include:

- A statement that Milligan University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking.
- Definitions of dating violence, domestic violence, sexual assault and stalking in the Clery Act and in Tennessee state law.
- The university's institutional definition of consent in reference to sexual activity. This definition is provided because there is no specific definition of consent in reference to sexual activity in Tennessee state law.
- A description of safe and positive options for bystander intervention
- Information about risk reduction

More information about each of these four components is listed below.

Prohibition of Criminal Activity

Milligan University prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as defined by the Clery Act and the state of Tennessee.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

Domestic Violence:

- i. A Felony or misdemeanor crime of violence committed—
 - A) By a current or former spouse or intimate partner of the victim;
 - B) By a person with whom the victim shares a child in common;
 - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
or
 - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- ii. For the purposes of this definition—
 - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - B) Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

- **Rape** is defined as 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** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is

incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

Stalking:

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - A) Fear for the person’s safety or the safety of others; or
 - B) Suffer substantial emotional distress.
- ii. For the purposes of this definition—
 - A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - a. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Tennessee Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Domestic Violence: The state of Tennessee defines domestic violence as follows.

TCA 39-13-111 defines Domestic Assault.

A person commits domestic assault who commits an assault as defined in § 39-13-101 against a domestic abuse victim.

TCA 39-13-101 states:

(a) A person commits assault who:

(1) Intentionally, knowingly or recklessly causes bodily injury to another;

(2) Intentionally or knowingly causes another to reasonably fear imminent bodily injury; or

(3) Intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative.

TCA 39-13-111 states:

Domestic abuse victims are:

- (1) Adults or minors who are current or former spouses;
- (2) Adults or minors who live together or who have lived together;
- (3) Adults or minors who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two (2) individuals in a business or social context;
- (4) Adults or minors related by blood or adoption;
- (5) Adults or minors who are related or were formerly related by marriage; or
- (6) Adult or minor children of a person in a relationship that is described in subdivisions

Therefore a person commits domestic assault who intentionally, knowingly or recklessly causes bodily injury to another; intentionally or knowingly causes another to reasonably fear imminent bodily injury; or intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative AND when victim of such crime is/are adults or minors who are current or former spouses; adults or minors who live together or who have lived together; adults or minors who are dating or who have dated or who have or had a sexual relationship, but does not include fraternization between two (2) individuals in a business or social context; adults or minors related by blood or adoption; adults or minors who are related or were formerly related by marriage; or adult or minor children of a person in a relationship that is described in the previous categories.

Dating Violence: The state of Tennessee does not specifically define dating violence. Dating violence falls under the definition of domestic assault where it specifies:

TCA 36-3-601(5)(c) includes among victims of domestic abuse

(C) Adults or minors who are dating or who have dated or who have or had a sexual relationship. As used herein, "dating" and "dated" do not include fraternization between two (2) individuals in a business or social context;

Thus an act of dating violence is considered an act of domestic assault and subject to TCA 39-13-111 listed above.

Sexual Assault: The state of Tennessee defines Clery sexual assault offenses (rape, fondling, incest and statutory rape) as follows:

TCA 39-11-501 through 39-11-505 and 39-15-302 provide definitions for categories of sexual assault.

39-13-502. Aggravated rape.

(a) Aggravated rape is unlawful sexual penetration of a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon;

(2) The defendant causes bodily injury to the victim;

(3) The defendant is aided or abetted by one (1) or more other persons; and

(A) Force or coercion is used to accomplish the act; or

(B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless.

39-13-503. Rape.

(a) Rape is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual penetration is accomplished by fraud.

39-13-504. Aggravated sexual battery.

(a) Aggravated sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act and the defendant is armed with a weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a weapon;

(2) The defendant causes bodily injury to the victim;

(3) The defendant is aided or abetted by one (1) or more other persons; and

(A) Force or coercion is used to accomplish the act; or

(B) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The victim is less than thirteen (13) years of age.

39-13-505. Sexual battery.

(a) Sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual contact is accomplished by fraud.

(b) As used in this section, "coercion" means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future.

39-13-506. Mitigated statutory rape -- Statutory rape -- Aggravated statutory rape.

(a) Mitigated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is at least four (4) but not more than five (5) years older than the victim.

(b) Statutory rape is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

(1) The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years but less than ten (10) years older than the victim; or

(2) The victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is more than five (5) but less than ten (10) years older than the victim.

(c) Aggravated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least thirteen (13) but less than eighteen (18) years of age and the defendant is at least ten (10) years older than the victim.

39-15-302. Incest.

(a) A person commits incest who engages in sexual penetration as defined in § 39-13-501, with a person, knowing the person to be, without regard to legitimacy:

(1) The person's natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, adoptive parent, adoptive child; or

(2) The person's brother or sister of the whole or half-blood or by adoption.

(b) Incest is a Class C felony.

Stalking: The state of Tennessee defines stalking as follows:

TCA 39-17-315 defines Stalking.

(4) Stalking means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested;

There are additional degrees of stalking, as defined below.

(c) (1) A person commits **aggravated stalking** who commits the offense of stalking as prohibited by subsection (b), and:

(A) In the course and furtherance of stalking, displays a deadly weapon;

(B) The victim of the offense was less than eighteen (18) years of age at any time during the person's course of conduct, and the person is five (5) or more years older than the victim;

(C) Has previously been convicted of stalking within seven (7) years of the instant offense;

(D) Makes a credible threat to the victim, the victim's child, sibling, spouse, parent or dependents with the intent to place any such person in reasonable fear of death or bodily injury; or

(E) At the time of the offense, was prohibited from making contact with the victim under a restraining order or injunction for protection, an order of protection, or any other court-imposed prohibition of conduct toward the victim or the victim's property, and the person knowingly violates the injunction, order or court-imposed prohibition.

(d) (1) A person commits **especially aggravated stalking** who:

(A) Commits the offense of stalking or aggravated stalking, and has previously been convicted of stalking or aggravated stalking involving the same victim of the instant offense; or

(B) Commits the offense of aggravated stalking, and intentionally or recklessly causes serious bodily injury to the victim of the offense or to the victim's child, sibling, spouse, parent or dependent.

Consent: The state of Tennessee does not have a definition of consent, in relation to sexual activity. The definition of consent as defined by Milligan University is listed below.

- Consent: Agreement to engage in sexual activity, which is voluntary (consent is not possible when coercion, force, or threat is present), aware (consent is impossible when incapacitation occurs for any reason), clear (silence or absence of resistance does not imply consent), immediate (past consent does not imply future consent), continuous (consent can be withdrawn at any time), and specific (consent with one person does not imply consent with others).

Safe and Positive Options for Bystander Intervention

The term **bystander intervention** refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of criminal offenses such as domestic violence, dating violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders witness inappropriate behaviors such as harassment or disrespectful language being committed in the world around them. By choosing to act by speaking up or reporting these observations, active bystanders can have a significant impact on sexual misconduct prevention. The most effective result of bystander intervention is to diffuse potentially harmful situations before they escalate into sexually abusive incidents.

The first priority for any act of bystander intervention is to ensure as much as possible the safety of all parties involved. When witnessing troubling behavior and deciding when and how to act, bystanders should contact the authorities when they fear for their own safety or the safety of others. Intervention is more effective and safer when intervention is conducted by a group rather than by an individual. When choosing to intervene, it is important to be firm and honest about the situation, but also to be respectful and to avoid aggressive or violent behavior while intervening.

Another component of bystander intervention is providing care to victims of inappropriate behavior and/or sexual assault. Bystanders provide care and assistance for victims by asking if the victim is OK, helping them to secure medical help at the victim's discretion, contacting authorities if the victim chooses to do so, and ensuring the victim gets to a safe place after any incidents.

The first steps to becoming an active bystander are to educate yourself about sexual harassment, misconduct and assault; and to speak up or report abusive behavior or inappropriate language in situations you feel may lead to future cases of sexual misconduct. Some basic guidelines and information regarding bystander intervention are listed below.

Six Steps to Bystander Action (© 2004 Active Bystander Program and Mediation@MIT.)

1. *Notice an occurrence out of the ordinary*
2. *Decide "in your gut" that something is amiss or unacceptable*
3. *Ask yourself, "Could I play a role here?"*

- *If no one intervenes, what will likely happen?*
 - *Is someone else better placed to respond?*
 - *What would be my purpose in responding?*
4. *Assess your options for giving help*
 5. *Determine the potential risks of taking action.*
 - *Are there risks to myself?*
 - *Are there risks to others (e.g. potential retaliation against person being "helped")?*
 - *Is there a low-risk option?*
 - *How could I reduce risks?*
 - *Is there more information I can get to better assess the situation?*
 6. *Decide whether to act, at the time or later*

(adapted and expanded from Darley & Latane's Bystander Intervention Model)

Why Bystanders Don't Act (© 2004 Active Bystander Program and Mediation@MIT.)

According to Mary Rowe of the MIT Ombuds Office, bystanders often hesitate to act because...

1. *They fear loss of relationships, with the problem person or with others who may disapprove of action.*
2. *They fear retaliation, especially if the problem person is powerful.*
3. *They fear embarrassment, especially if they may not be believed or they may be viewed as troublemakers, or as violating other community norms.*
4. *They feel a lack of competence, or uncertainty about what action would be best.*
5. *They believe someone else will take action (perhaps someone else with more authority or expertise) .*

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.

3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.

(Items listed below discuss risk reduction strategies regarding alcohol. While Milligan's alcohol policy prohibits alcohol use on campus and underage students from alcohol use or possession, the relationship between alcohol use and sexual assault is pervasive enough that some references to alcohol use are necessary to fully discuss risk reduction.)

11. **Don't leave your drink unattended.**
12. **Don't accept drinks from people you don't know or trust.**
13. **Watch out for your friends, and vice versa.**
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately.**
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the

person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

Procedures for Victims of Dating Violence, Domestic Violence, Sexual Assault, and Stalking

If an incident of dating violence, domestic violence, sexual assault, or stalking is reported to a campus security authority, victims will be provided, both verbally and in writing, information about options for further individual or institutional action, including:

- Victims are encouraged to seek medical attention at a local hospital to identify any injuries and/or health concerns and to preserve evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Victims should understand that seeking medical attention at a hospital may lead to the notification of law enforcement authorities by the hospital. The victim can choose whether or not he or she wishes to talk to the authorities if they are contacted.
- To make an official report, the victim should report the incident to one of the following persons on campus: the Vice President for Student Development, Director of Security/ Title IX Coordinator, Dean of Students, or Residence Hall staff.
- The victim is encouraged to, but not required to report the incident to the Elizabethton Police Department for criminal investigation. The University will provide reasonable assistance to students who request such assistance in filing a report on or off campus. Victims also have the option to decline to notify the police.
- Where applicable, university authorities will issue no contact orders to students reported to be involved in incidents of sexual misconduct. University authorities will also assist the victim in contacting the authorities to pursue restraining orders, at the victim's request. For information about pursuing orders of protection without assistance from law enforcement or campus authorities, contact the Carter County Clerk's Office at 423-542-1825 during business hours or the Carter County Sheriff's Office-Judicial Commissioner at 423-542-1850 after business hours.
- When incidents of dating violence, domestic violence, sexual assault or stalking are reported, a range of additional protective measures may be offered to the victim including assistance with academic, living, transportation, and working situations. Such accommodations and protective measures will be provided if they are deemed necessary by university officials and/or requested by the victim and if they are reasonably available, regardless of whether the victim chooses to report to law enforcement or makes a request for their name or other personally identifiable information not to be shared, that an investigation not take place, or that a formal resolution not be pursued.

In the case of an occurrence of dating violence, domestic violence, sexual assault or stalking, below is a list of campus and community agencies which also provide referral, information, and/or counseling to students and/or employees:

- Milligan University Counseling Center 423-461-8500
- Milligan University Office of Student Development 423-461-8760
- Milligan University Campus Minister 423-461-8748
- Frontier Health Safe House Sexual Assault 24-Hour Hotline 423-306-5169
- Safe Passage Domestic Violence Shelter 24 Hour Hotline 423-926-7233
- Contact Ministries (Resource Center) 423-926-0144 or 211
- National Sexual Assault Hotline 800-656-HOPE
- National Domestic Violence Hotline 800-799-7233
- National Center for Victims of Crime– Stalking Resource Center 800-FYI-CALL (304-2255)

Confidentiality of Victims

When a report of dating violence, domestic violence, sexual assault, or stalking is made, the University will protect the confidentiality of the victim and other necessary parties to the greatest extent possible. The University will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without inclusion of personally identifying information about the victim. The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

If the victim wishes to speak to someone confidentially, without initiating a university investigation into the incident, he or she should contact the Milligan University Counseling Center (423-461-8500) or the Campus Minister (423-461-8748). While these professional and pastoral counselors may maintain the victim's confidentiality regarding a university investigation, they may be required to report the incidents in cases involving minors, imminent harm to self and others, or to comply with state or federal laws. In cases in which the victim chooses to maintain confidentiality, the university will likely be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

The discipline process involving cases of dating violence, domestic violence, sexual assault, and stalking will remain confidential, with information shared with only those individuals directly involved in the disciplinary process. The university will make every effort to protect the confidentiality of victims of these crimes and others.

Written Notification

When incidents of dating violence, domestic violence, sexual assault or stalking are reported, the reporting party will be provided with written notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations. Such accommodations and protective measures will be provided if they are deemed necessary by university officials and/or requested by the reporting party and if they are reasonably available, regardless of whether the reporting party chooses to report to law enforcement or makes a request for their name or other personally identifiable information not to be shared, that an investigation not take place, or that a formal resolution not be pursued (See [Rights and Options of Victims of Sexual Assault, Dating Violence, Domestic Violence, and Stalking](#)).

When incidents of dating violence, domestic violence, sexual assault or stalking are reported, the reporting party will be provided with written notification about existing counseling, health, legal assistance, visa, and immigration assistance, student financial aid and other services available for victims, both within the university and in the community (See [Rights and Options of Victims of Sexual Assault, Dating Violence, Domestic Violence, and Stalking](#)).

Procedures for Institutional Disciplinary Action

In cases in which dating violence, domestic violence, sexual assault, and stalking are reported, the person or persons accused (respondent) will face campus disciplinary proceedings in accordance with the investigation and adjudication procedures listed below and appropriate sanctions will be imposed upon a finding of responsibility of a violation. The University will cooperate fully with law enforcement agencies in any investigation and prosecution of offenders who will be subject to all applicable legal sanctions under local, state, or federal laws. Disciplinary complaints can be filed with:

- Title IX Coordinator (423-461-8740) for all cases
- Dean of Students (423-461-8760) for cases involving student respondents
- Vice President for Academic Affairs/Academic Dean (423-461-8720) for cases involving faculty respondents
- Vice President for Business and Finance (423-461-8680) for cases involving non-faculty employee respondents

Sexual Misconduct Policy Investigation and Adjudication Procedures

The Title IX Coordinator is responsible for coordinating the university's response to all complaints involving acts of sex discrimination including dating violence, domestic violence, sexual assault, and stalking. Upon receiving a report of an act of dating violence, domestic violence, sexual assault, or stalking, the Title IX Coordinator or another university official designated by the Title IX Coordinator will conduct an initial assessment, engaging other staff members, as appropriate.

Upon receiving a report of dating violence, domestic violence, sexual assault, or stalking, the Title IX Coordinator or designee may implement supportive measures while the university investigation and

resolution process is conducted, when such measures are reasonably possible. Supportive measures may include, but are not limited to, no-contact orders, interim suspensions (in consultation with the dean of students), changes in housing, class assignments, internship or work study placements, or transportation. Academic relief, including requests for a grade of “incomplete” in a course or taking a course as an independent study, may also be appropriate.

If a reporting party does not wish for their name or other personally identifiable information to be shared, does not want a formal investigation to take place, or does not want a formal resolution to be pursued, the reporting party may make such requests to the Title IX Coordinator or other school official during the initial assessment. The Title IX Coordinator or other school official conducting the assessment will evaluate such requests in the context of providing a safe and nondiscriminatory environment for all students, including the student who reported the prohibited conduct. Therefore, such requests are strongly considered, but not guaranteed. Factors that may lead to the denial of such requests include, but are not limited to, the severity of the reported conduct, a pattern of prohibited conduct by the same individual, and/or the use of force, threat, weapons or violence during the reported prohibited conduct. The reporting party will be informed if such request is denied. For reports that the assessment determines an investigation is not possible without the cooperation of the reporting party a decision not to pursue further action may be necessary when reviewing such requests.

When prohibited conduct is reported and the Title IX coordinator or other staff member conducting the assessment determines the conduct reported is a potential violation of the university’s sexual misconduct policy, the Title IX Coordinator or designee conducting the assessment will initiate an investigation of the prohibited conduct, contingent upon the consent of the reporting party or consideration of any request for their name or other personally identifiable information not to be shared, that an investigation not take place, or that a formal resolution not be pursued that determines that the prohibited conduct must be investigated to ensure a safe and non-discriminatory campus environment. Interviews, documents, and written reports conducted and/or compiled during the inquiry may be provided to the assigned investigators to aid in the investigation.

The investigation and resolution process will be conducted in accordance with the conduct, disciplinary and harassment policies detailed in the [Student Handbook](#) (for reports involving student respondents), Personnel Handbook (for reports involving non-faculty employee respondents), or Faculty Handbook (for reports involving faculty respondents).

Informal resolutions between the reporting party and the party accused of a policy violation (respondent) may be used to resolve some types of sexual harassment complaints. The reporting party will be notified of the right to end the informal process any time and begin the formal stage of the disciplinary process.

All investigation, hearing, and disciplinary actions will be conducted by officials who do not have a conflict of interest or bias for or against the reporting party or the respondent. Either party may raise issues related to the potential conflicts of interest of such individuals.

All investigations of reports of dating violence, domestic violence, sexual assault, and stalking will be conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Both parties will be given the same opportunity to present witnesses and evidence during any investigations.

The reporting party and respondent shall be provided with the same opportunities to have others present during interviews and/or any further proceedings, including the opportunity to be accompanied by an advisor of their choice. Advisors serve the roles of support, guidance and advice to reporting parties and respondents. While advisors are permitted to attend any meeting, interview, or other proceedings, their participation is limited to the roles listed above and support persons are not permitted to represent, speak for, or actively participate in any proceedings or disciplinary process, except when such participation is required to comply with [regulations](#) amending Title IX issued May 19, 2020 in volume 85, number 97 of the Federal Register. Advisors who are disruptive or do not comply with university policy may be removed or dismissed.

The standard of evidence used in all investigations and determinations of findings regarding incidents of dating violence, domestic violence, sexual assault, and stalking will be the preponderance of the evidence standard (it is more likely than not that a policy violation occurred).

In cases of dating violence, domestic violence, sexual assault, and stalking, the reporting party and respondent will be simultaneously notified in writing of the findings of the investigation, the institution's procedures for the appeal of the findings, any change in the findings that occurs prior to the time the findings become final, and when the findings become final.

All investigations will include a prompt, fair and impartial investigation and resolution. Every reasonable effort shall be made to complete the investigation in a timely manner to provide all parties with resolution.

Appeals processes will follow the procedures outlined in the student, faculty and personnel handbooks.

For formal complaints of sexual misconduct covered by Title IX as stated in [regulations](#) amending Title IX issued May 19, 2020 in volume 85, number 97 of the Federal Register, the university processes and procedures referenced in this section will be conducted in compliance with the grievance procedures as defined by the regulations.

Sanctions and Protective Measures

Possible sanctions following a final determination of a disciplinary procedure involving dating violence, domestic violence, sexual assault, and stalking include all sanctions listed in the student disciplinary

guidelines (see below) up to and including suspension and expulsion. Sanctions for faculty and staff employees include warnings, reprimands, suspension and termination of employment.

Sanctions Listed in Student Disciplinary Guidelines

III. DISCIPLINARY SANCTIONS

The student receiving one or more of the following sanctions shall be considered to be on social probation. The Dean of Students shall enforce all sanctions and keep all other affected offices and persons informed.

The following sanctions may be imposed:

- A. General**
- B. Warning**
- C. Counseling**
- D. Reprimand**
- E. Campusing**
- F. Work on Campus**
- G. Restitution/Apology**
- H. Exclusion from Extra-Curricular Activities**
- I. Options for Alcohol Infractions (Not applicable to disciplinary proceedings involving dating violence, domestic violence, sexual assault, and stalking)**
- J. Suspension**
- K. Expulsion**
- L. Interim Suspension**

Other Sources of Information Regarding Crime on Campus

A daily crime log is maintained in the office of the Director of Security. This log includes a record of all crimes reported to campus security or local law enforcement authorities. Information on the daily crime log includes the nature, date, time, and general location of each crime and the disposition of the complaint, if known. As new information about a crime becomes available to campus security, such new information is recorded in the log within two business days of the information becoming available, except in cases where disclosure of the new information is prohibited by law or such disclosure would

jeopardize the confidentiality of the victim; or in cases in which the release of the new information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. In these cases, information may be withheld until that damage is no longer likely to occur from the release of the information.

The daily crime log is open to public inspection and new reports or updated information are added within two business days of the initial report being made to the department or a campus security authority, except in cases where disclosure of information contained in the daily crime log is prohibited by law or such disclosure would jeopardize the confidentiality of the victim; or in cases in which the release of information contained in the daily crime log would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. In these cases, information may be withheld until that damage is no longer likely to occur from the release of the information.

In addition to the composition and dissemination of the daily crime log and annual security report, the university submits on an annual basis to the Department of Education a copy of statistics relating to Clery Act crimes, which will be made available to the public by the Department of Education (<http://ope.ed.gov/security/>).

Milligan University also reports all incidents to the Tennessee Bureau of Investigation (TBI) through the Tennessee Incident Based Reporting System (TIBRS) in compliance with the Tennessee University and University Security Information Act. Statistics based on these reports are published annually in the TBI's Crime on Campus Report (<https://www.tn.gov/tbi/divisions/cjis-division/recent-publications.html>)

**FIRE SAFETY REPORT
FOR CAMPUS HOUSING
2020**

The Fire Safety Report is published annually to provide information about campus fire safety policies and procedures related to fire safety relating to student housing on campus and to publish fire statistics for on-campus housing facilities.

Description of Each On-Campus Student Housing Facility Fire Safety System

Milligan University Residential Facilities-Fire Safety Systems and Fire Drills						
Residence Hall	Central Monitoring	Sprinkler System	Smoke Detection	Fire Extinguisher	Evacuation Plans	Number of Drills/year
Dorms						
Hart	x		x	x	x	2
Sutton	x		x	x	x	2
Webb	x		x	x	x	2
Kegley	x		x	x	x	2
Quillen	x		x	x	x	2
Williams	x		x	x	x	2
Jeanes	x	x	x	x	x	2
McAnally	x	x	x	x	x	2
Pardee	x	x	x	x	x	2
Wigginton	x	x	x	x	x	2
Hampton	x	x	x	x	x	2
Emmanuel Village Townhouses						
Gragg			x	x		
Unnamed			x	x		
Keefauver			x	x		
Ellis			x	x		
Nutter-Bradley			x	x		
Schnelle			x	x		
Newberry			x	x		
Moore			x	x		
Calvin Phillips			x	x		
Strickland			x	x		
Bush			x	x		
Married/Graduate Student Apartments						
MSA #2			x	x		
MSA #3			x	x		
MSA #4			x	x		

Policies and Rules Regarding Portable Electrical Appliances, Smoking, and Open Flames in Milligan University Residential Facilities

Milligan University prohibits open flames of any kind in all housing units. Candles, lanterns, potpourri, simmering potpourri, plug-in deodorizers, or other flammable items are strictly forbidden in the residence halls. Violation can result in fines and disciplinary sanctions. Open coil heating units, hot plates, indoor grills, toasters or ovens are prohibited. Smoking or the use of tobacco in any form is not permitted on the campus of Milligan University, including in its residential facilities.

Procedures for Student Housing Evacuation in the Case of a Fire

If you find or suspect a fire and don't hear an alarm, activate a fire alarm immediately.

- If smoke is present in your room, keep close to the floor and move to the door. If the door is hot, do not open it. Seal the cracks with available cloth and call 911 and campus security at 423-461-8911 to report your location. If the phone isn't working, open the window and hang a sheet or other material out of the window to attract attention.

In case of fire:

- Close your windows and open the draperies; turn on all lights.
- Take a coat or blanket and a towel with you; wear shoes.
- Unlock and close your door when you leave.
- Go to the nearest exit.
- Walk rapidly, but do not run; keep to the right; go quietly, PREVENT PANIC.
- Stay with the group and away from the building until a signal is given to re-enter the hall.
- Never re-enter the building during a fire. Your personal belongings are not worth your life.

If you hear an alarm and your door is not hot, close the windows, open the curtains/blinds, turn the lights on, leave the room and close the door leaving it unlocked. Proceed to the nearest exit, checking to see if the rooms next to you are empty. (Each dorm/apartment building has posted evacuation routes which are designed to eliminate confusion.) Proceed to the nearest evacuation location. Do not return to the building until you receive approval from the residence hall staff, the Physical Plant Director or the Fire Department.

Students who knowingly refuse to vacate a hall during a fire or fire drill will be fined \$100 and are subject to disciplinary action.

Do not tamper with smoke alarms. Any tampering with fire equipment is a \$100 fine by the University and may be prosecuted by the State Fire Marshal as a misdemeanor. Individually starting false alarms will be prosecuted by the Fire Marshal.

Policies Regarding Fire Safety Education and Training Programs Provided to Students and Employees

Fire safety training is conducted with residence life staff before the start of the fall semester each year, and periodically throughout the year if necessary. This training includes information about types and

causes of fires, general fire safety, fire exits, the location and correct operation of fire extinguishers, and evacuation procedures. During the first week of school, each Residence Hall conducts a mandatory meeting of all residents to review policies and guidelines and to inform residents about the procedures that students and employees should follow in the case of a fire.

Milligan University Residential Facilities-Fire Statistics						
Residence Hall		Number of Fires	Cause of Fire	Number of Injuries Due to a fire Requiring Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire
Hart	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Sutton	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Webb	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Kegley	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Quillen	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Williams	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Jeanes	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	1	Defective Toaster	0	0	\$10
McAnally	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Pardee	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Wigginton	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Hampton	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0

Gragg	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Unnamed	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Keefauver	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Ellis	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Nutter-Bradley	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Schnelle	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Newberry	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Moore	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Calvin Phillips	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Strickland	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
Bush	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
MSA #2	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
MSA #3	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0
MSA #4	2017	0	NA	0	0	0
	2018	0	NA	0	0	0
	2019	0	NA	0	0	0