CAMPUS SECURITY REPORT
2017

Reporting Period January 1, 2016 to December 31, 2016

6015 Ledford Mill Road
P.O. Box 8500
Lynchburg, Tennessee 37352-8500
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The following is the annual Campus Security Report for Motlow State Community College for the year 2016. The Motlow State Community College Public Safety Department prepares this annual report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report can also be accessed on the College’s web page at: http://www.mscc.edu/security/index.aspx. This report contains security policies, procedures, and guidelines. Crime statistics for the period of 2014-2016 are included in the report. These statistics are based on incidents reported at four (4) campus locations. You may request a paper copy from the Motlow State Public Safety Department, located on the Moore County campus at 6015 Ledford Mill Road, Tullahoma, Tennessee, 37388.

Crime Statistics: Statement Concerning Law Enforcement (All Campuses)

Motlow State Community College does have the Motlow State Department of Public Safety and the Department is authorized as a law enforcement agency. The College also utilizes local law enforcement agencies as deemed necessary. The following is a list of Motlow campuses, along with the law enforcement agency with concurrent jurisdiction over each campus:

- The Fayetteville campus is located in the City of Fayetteville, and is under the jurisdiction of the Fayetteville Police Department, 308 Market Street West, Fayetteville, Tennessee, 37334.
- The McMinnville campus is located in the City of McMinnville, and is under the jurisdiction of the McMinnville Police Department, 204 Red Road, P.O. Box 7088, McMinnville, Tennessee, 37111.
- The Moore County campus is located in Metropolitan Moore County, and is under the jurisdiction of the Metropolitan Moore County Sheriff’s Department, 58 South Elm Street, Lynchburg, Tennessee 37352-8323.
- The Smyrna Campus is located in the City of Smyrna, and is under the jurisdiction of the Smyrna Police Department, 400 Enon Springs Road East, Smyrna, Tennessee 37167.

Crime Statistics [34 CFR §668.46(b)(1)] (All Campuses)

Motlow State Community College has published the crime statistics described in 34 CFR 668.46(c) for the last three (3) reporting periods for all campuses on its website at http://www.mscc.edu/security/index.aspx. Additionally, copies of the crime statistics for the reporting period covered under this report along with aerial maps of each campus geographical areas have been included as Appendix A of this report.
How to Report Criminal Offenses [34 CFR §668.46(b)(2)] (All Campuses)

To report an emergency, always dial 9-911. To report a crime to the local law enforcement agency, contact the numbers listed below depending on your campus location. Any suspicious activity or person(s) seen in the parking lots or loitering around vehicles and inside buildings should be reported to the Motlow State Public Safety Department, at 931-393-1737.

Law Enforcement Agency Contacts by Campus Location:

- **Fayetteville Campus**
  - Fayetteville Police Department
  - 931-438-7771

- **McMinnville Campus**
  - McMinnville Police Department
  - 931-668-7000

- **Moore County Campus**
  - Moore County Sheriff’s Department
  - 931-759-7323

- **Smyrna Campus**
  - Smyrna Police Department
  - 615-459-6644

Campus Security Authorities:

In addition to reporting crimes to local law enforcement, a crime may be reported to any institutional campus security authority (CSA). The Campus Security Authorities for Motlow State Community College are listed below:

**Fayetteville Campus**

- Josh Caldwell
  - jcaldwell@mscc.edu
  - 931-433-9343

- Dawn Copeland
  - dcopeland@mscc.edu
  - 931-433-1699

- Michael Hartman
  - mhartman@mscc.edu
  - 931-433-9360

- Cynthia Jackson
  - cjackson@mscc.edu
  - 931-433-9346

- Randy Morey
  - rmorey@mscc.edu
  - 931-433-9362

- Debra Smith
  - dsmith@mscc.edu
  - 931-438-9766

- Lisa Smith
  - lsmith@mscc.edu
  - 931-433-9350

**McMinnville Campus**

- Laura Brown
  - lbrown@mscc.edu
  - 931-668-2145

- Shane Buchanan
  - sbuchanan@mscc.edu
  - 931-668-2138

- Dayron Deaton-Owens
  - ddeaton@mscc.edu
  - 931-668-2126

- Melody Edmonds
  - medmonds@mscc.edu
  - 931-668-7010

- Gregg Garrison
  - ggarrison@mscc.edu
  - 931-668-2120

- Sally Pack
  - spack@mscc.edu
  - 931-668-2133

- Fred Rascoe
  - frascoe@mscc.edu
  - 931-668-2123

- Allen Sanders
  - asanders@mscc.edu
  - 931-668-2140

**Moore County Campus**

- David Bethea
  - dbethea@mscc.edu
  - 931-393-1616

- David Bowlby
  - dbowlby@mscc.edu
  - 931-393-1726

- LaTanya Collins
  - lcollins@mscc.edu
  - 931-393-1619

- Belinda Champion
  - bchampion@mscc.edu
  - 931-393-1765

- Scott Cook
  - scook@mscc.edu
  - 931-393-1738

- Rhonda Cotham
  - rcotham@mscc.edu
  - 931-393-1719
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Ti mely Warnings [34 CFR §668.46(b)(2)(i)] (All Campuses)

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety or campus management constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the “MOTLOW ALERT” system, Motlow’s Facebook page, and the Motlow website: http://www.mscc.edu/security/index.aspx. The Vice President of Finance & Administration should be contacted to initiate a timely warning. Timely warnings may also be issued by the Chief Information Officer, and/or the Director of Public Safety.

Anyone with information warranting a timely warning should report the circumstances to the Motlow State Public Safety Department, 931-393-1737. The Motlow State Public Safety Department will coordinate with the Vice President of Finance & Administration to determine whether or not a timely warning will be issued.

Preparation of Disclosure of Crime Statistics [34 CFR §668.46(b)(2)(ii)] (All Campuses)

The Director of the Motlow State Public Safety Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website at http://www.mscc.edu/security/index.aspx. The report is prepared in cooperation with the local law enforcement agencies surrounding each of the Motlow campuses. Campus crime, arrest, and referral statistics include those reported to the campus officials and local law enforcement agencies. Upon completion of the Annual Security Report, an e-mail notification is made to all enrolled students, faculty and staff that provide the website to access this report. Copies of the report may also be obtained at the office of the Motlow State Public Safety Department located at 6015 Ledford Mill Road, Tullahoma, Tennessee 37388, or by calling 931-393-1737.

Voluntary Confidential Reporting of Crimes [34 CFR §668.46(b)(2)(iii)] (All Campuses)

Motlow State Community College does not have procedures for voluntary, confidential reporting of crime statistics, except in cases of sexual misconduct. Violations of the law will be referred to the Motlow Department of Public Safety, local law enforcement agencies, and when appropriate, to the appropriate disciplinary committee for review. When a potentially dangerous threat to the college community arises, timely reports or warnings will be issued. All reports of criminal activity will be investigated.

Motlow State Community College encourages anyone who is the victim or witness or has knowledge of any crime to promptly report the incident. The confidentiality of persons reporting criminal activity can be requested and will be respected when possible, but cannot be ensured pending the nature of the crime reported.


**Security and Access [34 CFR §668.46(b)(3)] (All Campuses)**

During business hours, the College will be open to students, parents, employees, contractors, guests and invitees. During non-business hours access to all college facilities is by key, if issued. Some facilities may have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the person responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. Safety and security have been considered in the landscape and lighting of the campus. All maintenance needs are reported to the Director of Facility Services, at 931-393-1575. Any identified security concern will be evaluated by the appropriate facilities personnel and the appropriate personnel from the Motlow State Public Safety Department. These evaluations examine security issues such as landscaping, locks, alarms, lighting, and communications.

**Campus Law Enforcement Authority [34 CFR §668.46(b)(4)(i)] (All Campuses)**

All Motlow State Public Safety Department personnel are commissioned law enforcement officers, commissioned by the Tennessee Peace Officer Standards and Training (POST) Commission. They have law enforcement authority and jurisdiction on all Motlow campuses and all Motlow State Community College property. All Motlow State Public Safety Department personnel maintain a highly professional working relationship with each of the local law enforcement agencies in the communities of each campus location and work together with those agencies whenever necessary. All crime victims and witnesses are strongly encouraged to report the crime to either the Motlow State Public Safety Department, a Campus Security Authority (CSA), or the appropriate law enforcement agency immediately. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics. The following law enforcement agencies have concurrent jurisdiction on Motlow campuses and also have law enforcement authority on the campus where they have concurrent jurisdiction:

- Fayetteville Police Department, Lincoln County Sheriff’s Department – **Fayetteville campus**
- McMinnville Police Department, Warren County Sheriff’s Department – **McMinnville campus**
- Metropolitan Moore County Sheriff’s Department – **Moore County Campus**
- Smyrna Police Department, Rutherford County Sheriff’s Department – **Smyrna campus**

**Memorandum of Understanding (MOU) with Local Law Enforcement [34 CFR §668.46(b)(4)(i)] (All Campuses)**

The Motlow State Public Safety Department staff maintains a close working relationship with the local law enforcement agencies having concurrent jurisdiction on all campuses. There are written memorandums of understanding between Motlow State Community College and the law enforcement agencies having concurrent jurisdiction at each campus location. The memorandums of understanding are on file at Motlow State Community College and at each law enforcement agency.
Encouragement of Accurate and Prompt Crime Reporting [34 CFR §668.46(b)(4)(ii)] (All Campuses)

The campus community (students, faculty and staff) are to report any criminal behavior or suspected criminal acts promptly to the Motlow State Department of Public Safety for investigation. In the event an emergency is occurring, call 9-911 to obtain immediate assistance from the appropriate local law enforcement agency, and then contact the Director of the Motlow State Public Safety Department, at 931-393-1737. It is a core objective of Motlow State Community College to maintain a safe environment for the entire campus population and public visitors. To ensure this, each person must take the proper reporting of criminal activity seriously and act promptly.

All incident reports are forwarded to the Motlow State Public Safety Department for review and potential action. Local law enforcement may be asked to investigate a report when it is deemed appropriate. Additional information obtained via the investigation may also be forwarded to student services and/or human resources as necessary.

If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the local law enforcement agency can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, Motlow State Community College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to any potential danger. Reports filed in this manner are counted and disclosed in the institution’s annual crimes statistics.

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Motlow State Public Safety Department, at 931-393-1737, in a timely manner. Your promptness in reporting a crime increases the chance of the suspect, or suspects, being apprehended and will aid in preventing future criminal activity.

Security Awareness Programs for Students and Employees [34 CFR §668.46(b)(5)] (All Campuses)

Members of the Motlow State Public Safety Department staff conduct security and safety awareness programs during assemblies and employee orientations and other events throughout the year.

Programs Designed to Inform Students and Employees About Prevention of Crime [34 CFR §668.46(b)(6)] (All Campuses)

Monitoring Off-campus Student Organizations [34 CFR §668.46(b)(7)] (All Campuses)

Motlow State Community College does not have officially recognized student organizations with off-campus locations.

Alcohol and Illegal Drugs [34 CFR §668.46(b)(8) & (b)(9)] (All Campuses)

Motlow State Community College students and employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, use of or being under the influence of illicit drugs and/or alcohol on any Motlow campus, property owned or controlled by Motlow, or as part of any Motlow activity.

A. Penalties for Violation

1. Legal Sanctions under Federal, State or Local Law

Various federal, state, and local statutes make it unlawful to manufacture, distribute, dispense, deliver, sell, or possess with intent to manufacture, distribute, dispense, 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; whether death or serious bodily injury resulted from the use of such 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, 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 college campus; or (2) distribution to persons less than 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 as a Class A misdemeanor; if there is an exchange between a minor and an adult at least two (2) years the minor’s senior, and the adult knew that the person was a minor, the offense is classified a felony as provided in TCA § 39-17-417. (21 U.S.C. 801, et. Seq.; TCA § 39-12-417) It is unlawful for any person under the age of twenty-one (21) to buy, possess, transport (unless in the course of his or her employment), or consume alcoholic beverages, wine or beer, such offenses being classified as Class A misdemeanors punishable by imprisonment for not more than 11 months, 29 days, or a fine of not more than $2,500, or both. (TCA § 1-3-113 and TCA § 57-5-304) It is further an offense to provide alcoholic beverages to any person under the age of twenty-one (21), such offense being classified a Class A misdemeanor. (TCA § 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. (TCA § 39-17-310)
2. Students

In addition to penalties students may be subject to under local, state or federal law, students violating this policy will be subject to disciplinary action, including, but not necessarily limited to:

a. Warning  
b. Probation  
c. Reprimand  
d. Referral for prosecution  
e. Expulsion from school

3. Employees

In addition to penalties employees may be subject to under local, state or federal law, employees violating this policy will be subject to disciplinary action, including but not limited to:

a. Letter of Warning  
b. Probation  
c. Suspension without pay  
d. Recommendation for professional counseling  
e. Referral for prosecution  
f. Demotion  
g. Termination

As a condition of employment, employees, including student employees, must abide by the terms of this policy and must notify their supervisor of any criminal drug statute or alcohol abuse conviction for a violation occurring in the workplace no later than five days after such conviction.

B. Dissemination of Policy

1. Employees

a. The Human Resources office will provide new employees with a copy of this policy, as part of the new employees’ orientation.  
b. New employees will sign orientation forms acknowledging that the policy was disseminated as part of their orientation.  
c. The Human Resources office will send e-mail copies of this policy annually to all employees with e-mail access. Supervisors of employees without e-mail access will distribute paper copies to those employees.
2. Students
   a. A copy of this policy will be included in the Motlow “Student Handbook” and
      on the college’s web page http://www.mscc.edu/policies/.
   b. The student services and enrollment management office will provide new
      students with a copy of this policy, as part of the new students orientation.

C. Violations

2. Supervisor Notification of Human Resources

   Any supervisor becoming aware of an employee violation of this policy, whether
   by virtue of notification by an employee of a conviction or by other means, will
   immediately notify the Director of Human Resources.

3. Employees Funded by Federal Grants

   The Director of Human Resources will notify the appropriate sponsor or granting
   agency within ten days after the college receives actual notice of an employee
   conviction.

Policy Statement Addressing Substance Abuse Education [34 CFR §668.46(b)(10)] (All
Campuses)

A. General

   Drug and Alcohol Awareness

   Motlow State Community College is committed to raising the awareness of students
   and employees of the health risks associated with the use of illicit drugs and the abuse
   of alcohol.

   A synopsis of those health risks is presented below.

B. Alcohol

   Alcoholism is a complex, progressive disease that interferes with health, social and
   economic functioning. Untreated alcoholism results in physical incapacity, permanent
   mental damage and/or premature death. Alcohol is involved in one-third of all suicides,
   one-half of all traffic accidents and one-fourth of all other accidents and is involved in
   over 50% of all arrests. Alcohol is the third leading cause of birth defects involving
   mental retardation. Use during pregnancy may cause spontaneous abortion, various
   birth defects or fetal alcohol syndrome. Drinking is implicated in cancer, heart disease,
   gastrointestinal disease and other illnesses. Alcoholism has been estimated to reduce
   life expectancy by twelve years. Alcohol Beverage can damage all body organs, leading
   to liver, heart and digestive problems, circulatory system interference, change in
   personality, reproductive problems and central nervous system disorder such as poor
vision, loss of coordination, memory loss, loss of sensation, mental and physical disturbances and permanent brain damage. The physical and psychological changes that occur as a result of addiction to alcohol can pave the way for addiction to pharmacologically similar drugs.

C. **Illicit Drugs**

The use of illicit drugs results in many of the health risks that are involved with alcohol use. Illicit drug use increases the risk of mental deterioration, death from overdose, physical and mental dependence or addiction, hepatitis and skin infections from needle use, psychotic reactions, inducement to take stronger drugs, brain damage, danger of flashback phenomenon, hallucinations, unconsciousness, deep depression, distortion of time and space, permanent damage to lungs, brain, kidneys and liver, death from suffocation or choking, anemia, amnesia, AIDS and other infections. If used excessively, the use of alcohol and drugs singly or in certain combinations may cause death.

D. **Counseling, Treatment and Rehabilitation Programs**

The Human Resources Department will assist students and/or employees by providing information concerning treatment resources in the surrounding area and assisting individuals in making initial contact with treatment providers. Regular employees may also use the Employee Assistance Program (EAP) by calling Optum at 1-855-437-3486, or on the web at [http://www.here4tn.com/](http://www.here4tn.com/). Additional information concerning the EAP is available in the Human Resources office.

**Sexual Misconduct [34 CFR §668.46(b)(11)] (All Campuses)**

Sexual misconduct is a form of sex discrimination prohibited by Title IX. Motlow State Community College is committed to eliminating any and all acts of sexual misconduct and discrimination on its campuses. As set forth in this policy, sexual misconduct includes dating violence, domestic violence, stalking, and sexual assault. Motlow State Community College strictly prohibits these offenses.

**Definitions:**

**Consent**—an informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

**Dating Violence**—violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two (2) individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to:
1. Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
2. Placing the accuser in fear of physical harm;
3. Physical restraint;
4. Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
5. Placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser – TCA § 36-3-601(5)(c); or,
6. Placing a victim in fear of physical harm to another person: friends, family, or associate.

**Domestic Violence Victim**—violence against a person when the accuser and accused:
1. Are current of former spouses;
2. Live together or have lived together;
3. Are related by blood or adoption;
4. Are related or were formally related by marriage; or,
5. Are adult or minor children of a person in a relationship described above.

**Domestic Violence** – includes, but is not necessarily limited to:
1. Inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
2. Placing the accuser in fear of physical harm;
3. Physical restraint;
4. Malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
5. Placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser – TCA § 36-3-601; or,
6. Placing a victim in fear of physical harm to another person: friends, family, or associate.

**Sexual Assault**—the nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without consent of the accuser, and the accused knows or has reason to know at the time of the contact that the accuser did not or could not consent. Sexual contact includes, but is not limited to, the intentional touching of the accuser’s,

**Sexual Misconduct**—for the purposes of this policy, “sexual misconduct” is defined as dating violence, domestic violence, stalking, and sexual assault.

**Stalking**—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 accuser to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
Sexual Contact—includes, but is not limited to, the intentional touching of the accuser’s, the accused’s, or any other person’s intimate parts, or the intentional touching of the clothing covering the immediate area of the accuser’s, the accused’s, or any other person’s intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification.

Sex Discrimination—is treating someone less favorably because of that person’s sex, sexual orientation, or gender identity/expression.

Sexual Harassment—is conduct based on a person’s sex, sexual orientation, or gender identity/expression that:

1. Adversely affects a term or condition of an individual’s employment, education, participation in an institution’s activities or living environment.
2. Has the purpose or effect of unreasonably interfering with an individual’s employment or academic performance or creating and intimidating, hostile, offensive, or abusive environment of the individual; or
3. Is used as a basis for or a factor in decisions that tangibly affect that individual’s employment, education, participation in an institution’s activities or living environment.

Sexual Harassment—conduct directed toward the accuser that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the accuser to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose - TCA § 39-17-315.

Sexual Misconduct Educational Programs And Campaigns [34 CFR §668.46(b)(11)(i)] (All Campuses)

Motlow State Community College will engage in comprehensive educational programming to prevent sexual misconduct. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students, staff, and faculty that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault and stalking;
3. Defines what behavior and actions constitute consent to sexual activity;
4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault and stalking against a person other than the bystander;
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and

Procedures Victims Should Follow If A Sex Offense Occurs [34 CFR §668.46(b)(11)(ii)]
(All Campuses)

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. Motlow State Community College strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault can be reported directly 911, the Motlow State Public Safety Department, or to a local law enforcement agency. If the victim wishes to make a confidential notification, the victim should follow the procedure outlined below for confidentially reporting sexual misconduct. The victim may be assisted by campus authorities in notifying local law enforcement. The victim should contact the office of Compliance, or the Title IX Coordinator for assistance.

A victim has the right to decline to notify local law enforcement. However, filing a police report with a local law enforcement agency will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- ensure the victim has access to confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a victim of sexual misconduct presents to Motlow State Community College, the College will provide written information about the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. The College will also provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims, both on our campus and in the community. The College will further provide written notification to victims about options for, and available assistance in, changing academic, transportation, and working situations. The College must make such accommodations if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

Regardless of whether an offense occurred on or off campus, Motlow State Community College will provide a student or employee a written explanation of their rights and options when a student or employee reports to the institution that they have been a victim of dating violence,
domestic violence, sexual assault, or stalking. Protection from abuse orders may be available through [TNCOURTS.gov](http://www.tncourts.gov), with forms found at: [www.tncourts.gov/programs/self-help-center/forms/order-protection-forms](http://www.tncourts.gov/programs/self-help-center/forms/order-protection-forms), and additional information related to such orders may be found at [www.tncoalition.org/resources/legal-resources.html](http://www.tncoalition.org/resources/legal-resources.html).

**Reporting Sexual Misconduct [34 CFR §668.46(b)(11)(ii)] (All Campuses)**

Motlow State Community College encourages victims of sexual violence to talk to somebody about what happened so they can get the support they need and so the institution can respond appropriately. Though reports will be kept as confidential as possible, the institution cannot guarantee the confidentiality of every report or complaint. The following provisions detail the confidentiality options available to individuals.

A. Reporting Confidentially

If a victim chooses to report an incident of sexual misconduct in a confidential manner, the victim can report the incident to the following person who is a licensed therapist and is required by Tennessee State law to maintain confidentiality of a victim:

**Lisa Stone**  
Licensed Therapist  
(931) 393-7913

B. Filing an Institutional Complaint

Reports of acts of sexual misconduct must be reported to the Title IX Coordinator, and the institution will take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

1. The College shall not share information with law enforcement without the complainant’s consent or unless the victim has also reported the incident to law enforcement.
2. Before a complainant reveals any information to an employee, the employee must ensure that the complainant understands the employee’s reporting obligations.
3. If the complainant wants to maintain confidentiality, the employee must direct the victim to confidential resources as detailed in Section A above.
4. If the complainant wants to tell an employee what happened, but also maintain confidentiality, the employee must advise the complainant that the institution will consider the request, but cannot guarantee that it will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the employee will also inform the Title IX Coordinator of the complainant’s request for confidentiality.
5. In addition to all other employees on campus, an institutional complaint can be filed directly with either or both of the following:

- **Title IX Coordinator:**
  - Brian Stacy
  - Associate Director of Compliance
  - Eff Hall, Room 202
  - (931) 393-1713 office

- **Deputy Title IX Coordinator:**
  - Laura Jent
  - Executive Director of Human Resources
  - Ingram Administration Building, Room 122
  - (931) 393-1544 office

### C. Filing a Criminal Complaint

If the incident happened on Motlow campus property, contact the Motlow State Public Safety Department, (931) 393-1737, or contact the local law enforcement agency having concurrent jurisdiction where the assault occurred. The contacted agency will determine the subsequent steps. An advocate from the local rape crisis center and/or the Title IX Coordinator can assist in the reporting process. Local rape crisis centers are available in each community where Motlow campuses are located.

Here are the rape crisis centers for each of the Motlow campuses:

- **Fayetteville Campus**
  - Haven of Hope
  - 1-800-435-7739

- **McMinnville Campus**
  - Families in Crisis
  - 1-800-675-0766

- **Moore County Campus**
  - Haven of Hope
  - 1-800-435-7739

- **Smyrna Campus**
  - Sexual Assault Services
  - (615) 494-9262

### D. Filing an Anonymous Complaint

Filing an anonymous report will assist the institution with compiling statistical information that can call attention to the number of incidents that occur at the institution. If the survivor’s identity is not known, no subsequent appropriate services will be made available. The report will be sent to the Director of the Motlow State Public Safety Department for recording and tracking of incidents on and around all Motlow State Community College campuses.

To file an anonymous report, use the following method:

Send by mail to:

**Title IX Coordinator**

**ATTN: Brian Stacy**

PO Box 8500, Dept. 200

Lynchburg, TN 37352-8500

### E. Motlow State Community College will, to the extent possible, complete publicly available record-keeping, including Clery reporting, without identifying information about the victim.
F. The College will, to the extent possible, 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.

Investigation Requirements And Procedures [34 CFR §668.46(b)(11)(ii)] (All Campuses)

A. All proceedings will include a prompt, fair, and impartial investigation and result. The College will provide the respondent and complainant equitable rights during the investigative process.

B. All complaints of sexual misconduct shall be presented to the Title IX Coordinator or designee for investigation and appropriate disposition, subject to the confidentiality policy.

C. Mediation between the complainant and respondent will never be considered an appropriate resolution in sexual misconduct cases.

D. Initiating an inquiry

1. Immediately upon receipt of a complaint, the Title IX Coordinator shall communicate with the complainant to identify and implement any reasonable interim measures necessary. Absent good cause, within three (3) business days of receipt of a report of sexual misconduct the Title IX Coordinator or designee shall attempt to get a written statement from the complainant that includes information related to the circumstances giving rise to the complaint, the dates of the alleged occurrences, and names of witnesses, if any. The complainant should complete a complaint form and submit a detailed written report of the alleged incident.

2. When the complainant chooses not to provide or sign a written complaint, the Title IX Coordinator or designee will initiate an inquiry and take appropriate action.

3. In addition to immediate interim measures, the Title IX Coordinator shall consider what, if any, interim measures may be necessary during the pendency of the inquiry.

4. Complaints made anonymously or by a third party will be investigated to the extent possible.

5. After consultation with TBR General Counsel, if the Title IX Coordinator determines that the complaint contains an allegation of sexual misconduct, the Title IX Coordinator shall follow the procedures set forth in this policy to gather the facts and adjudicate the complaint.

6. The Title IX Coordinator may appoint a qualified, sufficiently trained person to act as a fact-finder to conduct an inquiry into the allegations made in the complaint.

7. Only one person shall be identified as the fact-finder for a complaint.
8. Inquiries shall be conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.

9. If the complainant or respondent believes the assigned fact-finder has a conflict of interest, that party must submit a written explanation of the reason for that belief to the Title IX Coordinator. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The Title IX Coordinator will determine if the facts warrant the appointment of a different fact-finder and respond to the party in writing within three (3) business days, absent good cause. The decision of the Title IX Coordinator shall be final.

E. What the inquiry should and should not entail

1. Once the fact-finder receives the complaint, the fact-finder shall notify the complainant in writing of his/her rights and request a meeting.

2. The fact-finder shall also notify the respondent in writing of the complaint and his/her rights and request a meeting with the respondent.

3. The fact-finder shall notify the complainant, respondent, and all individuals interviewed during the inquiry that retaliation is strictly prohibited and may be grounds for disciplinary action. In addition, the fact-finder shall advise all interviewees that they should contact the fact-finder immediately if they believe they are being retaliated against.

4. The inquiry shall include interviews with both the complainant and respondent, unless either declines an in-person interview.

5. The complainant and respondent shall be provided with the same opportunities to have others present during any interview, including the opportunity to be accompanied by the advisor of their choice to any related meeting or proceeding.

6. Motlow State Community College will not limit the choice of advisor for either the complainant or respondent; however, the fact-finder may limit the participation of advisors during the inquiry.

7. The inquiry shall include interviews with relevant witnesses identified by the complainant and respondent, or any other potential, relevant witness made known to the fact-finder via other means.

8. The inquiry shall include the gathering and reviewing of any documentary, electronic, physical, or other type of relevant evidence.

9. The fact-finder is expected to request a list of relevant witnesses and evidence from complainant and respondent and take such into consideration.

10. The fact-finder shall not consider any evidence about the complainant’s prior sexual conduct with anyone other than the respondent. Evidence of a prior consensual dating or sexual relationship between the parties does not, by itself imply consent or preclude a finding of sexual misconduct. Past consent does not imply future consent.
Outcome of Inquiry and Determination of Appropriate Action

A. Upon completion of the inquiry, the fact-finder shall prepare a written report that includes the allegations made by the complainant, the response of the respondent, corroborating or non-corroborating statements of the witnesses, review of other evidence obtained.

B. It is the responsibility of the fact-finder to weigh the credibility of all individuals interviewed and to determine the weight to be given to information received during the course of the inquiry.

C. The report shall be delivered to the appropriate “decision-maker.”
   1. The Deputy Title IX Coordinator if the respondent is an employee;
   2. The Title IX Coordinator if the respondent is a student

D. After reviewing the preliminary report, the decision-maker may refer back to the fact-finder with a request for additional information, or adopt the findings of the preliminary report as final.

E. The decision-maker’s determination will be based on a preponderance of the evidence submitted as to whether a violation of the sexual misconduct policy occurred.

Timeframe for Conducting the Inquiry

A. Every reasonable effort shall be made to conclude the inquiry and resolve the complaint within sixty (60) calendar days following receipt of the complaint. Within this sixty (60) day timeframe, absent good cause, it is expected that the fact-finder will conclude the inquiry, that the fact-finder will present a report to the decision-maker, and that the decision-maker will notify the parties in writing of decision-maker’s determination.

B. If the fact-finder or decision-maker determines that additional time is needed, both parties shall be notified in writing of the delay, the anticipated date that the inquiry will be concluded, and the reasons for such delay.

C. If either party determines that additional time is needed, that party shall request such in writing to the fact-finder. The written request for additional time shall include the reasons for the requested delay and the number of additional days needed.

D. The fact-finder shall make every reasonable effort to respond to the request for additional time within two (2) business days following receipt of the request and shall notify both parties in writing as to whether or not the request is granted.
Appeal of the Decision-Maker’s Determination to the Vice President

A. Either the respondent or the complainant may appeal the determination of the decision-maker. All appeals will be made as follows:

1. If the respondent is a faculty or adjunct faculty member, the appeal shall be to the Vice President for Academic Affairs.
2. If the respondent is a student or non-faculty employee, the appeal shall be to the Vice President for Student Affairs.
3. Should the Vice-President slated to hear the appeal believe that a conflict of interest exists, they may submit a request to be recused from the appeal to the Title IX Coordinator. The Title IX Coordinator will determine if the facts warrant the appointment of a different vice president to hear the appeal within three (3) business days, absent good cause. The decision of the Title IX Coordinator shall be final.

B. If the complainant or respondent believes the Vice President slated to hear the appeal has a conflict of interest, that party must submit a written explanation of the reason for that belief to the decision-maker.

1. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew of, or should have known the facts that would give rise to the alleged conflict of interest.
2. The Title IX Coordinator will determine, in consultation with the TBR Office of General Counsel, if a conflict of interest exists and arrange for assignment of a substitute to hear the appeal. The Title IX Coordinator will respond to the parties, in writing, within three (3) business days, absent good cause. The Title IX Coordinator’s determination shall be final.

C. Written requests for appeals to the appropriate Vice President shall be delivered to the decision-maker within ten (10) calendar days from receipt of notice of the decision.

D. If a written request to appeal the determination is not received within ten (10) calendar days, the decision-maker’s determination is final.

E. The appeals process to the Vice President shall be conducted consistent with the procedures established in Motlow State Community College Policy 3:02:00:06 for a student disciplinary hearing with the Vice President sitting in place of the Institutional Hearing Committee.
1. Vice Presidents will apply the preponderance of evidence standard in the appeal proceedings.
2. The appeal to the Vice President shall be limited to a determination as to whether the underlying factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied and how errors with regard to those factors would change the determination of the complaint.
3. All notices from the Vice Presidents will be delivered to the complainant and respondent at the same time and in the same form.
4. The Vice President will issue a written determination regarding the appeal as promptly as possible.
5. Both the complainant and the respondent shall have an opportunity to appeal the Vice President’s decision to the President.
6. Requests for appeals to the President shall be delivered to the decision-maker within ten (10) calendar days from receipt of notice of the Vice President’s decision.
7. If a written request to appeal the Vice President’s decision is not received within ten (10) calendar days, the Vice President’s determination is final.

Appeal of the Vice President’s Decision to the President

A. Either the respondent or the complainant may appeal the determination of the Vice President to the President.

B. The appeals process to the President shall consist of an opportunity for the parties to provide information to the institution’s attention that would change the determination of the complaint.

1. The appeal process will not be a de novo review of the decision, and the parties will not be allowed to present their appeals in person to the President unless the President determines, in his/her sole discretion, to allow an in-person appeal.
2. The appealing party or parties must explain why it is believed the factual information was incomplete, the analysis of the facts was incorrect, and/or the appropriate legal standard was not applied and how this would change the determination of the complaint.
3. The President will issue a written response to the appeal as promptly as possible. This decision will constitute Motlow State Community College’s final decision on the complaint.
Effect Of A Finding Of A Violation Of This Policy [34 CFR §668.46(b)(11)(vii)] (All Campuses)

A. If the final decision has been made that a policy violation occurred, disciplinary sanctions will be administered as follows:

1. If the respondent is a student, Motlow State Community College will follow the procedures for disciplining students as described in TBR Policy 3:02:00:01 General Regulations on Student Conduct & Disciplinary Sanctions and Motlow State Community College Policy 3:03:00:03 Student Disciplinary Policy-Part 6 Disciplinary Procedures.
2. If the respondent is an employee, the College will follow the procedures related to disciplining employees as described in applicable employee policies.

B. Notwithstanding any policy to the contrary, the following additional requirements apply to disciplinary actions related to violations of this policy:
   1. The complainant shall receive sufficient notice of and be allowed to attend any meeting or hearing during the disciplinary process.
   2. The complainant shall be allowed to have an advisor of her/his choice attend any meeting or hearing.
   3. The complainant shall be allowed to testify at any hearing during the disciplinary process, even if neither party intends to call the complainant as a witness during the case-in-chief.
   4. The complainant shall be allowed access, consistent with FERPA requirements, to any evidence presented during any disciplinary meeting or hearing.
   5. The decision-maker or designee shall be appointed as the complainant’s contact person for any questions or assistance during the disciplinary process.
   6. The complainant shall receive written notice of the outcome of the disciplinary process.

C. Once any disciplinary proceedings are complete, the decision-maker or designee shall determine if any remedies are required to address the campus-wide environment, taking into consideration the impact of an incident of sexual misconduct on the campus as a whole and on specific groups or areas on campus. For example, the decision-maker or designee may determine that specific training is needed for a student group whose members have been accused of sexual assault.
Interim Measures [34 CFR §668.46(b)(11)(v)] (All Campuses)

In situations that require immediate action because of safety or other concerns, Motlow State Community College will take any reasonable administrative action that is appropriate. Examples of such interim actions include, but are not limited to:

A. Providing an escort to ensure that the complainant can move safely between classes and activities;

B. Ensuring that the complainant and respondent do not attend the same classes;

C. Providing referrals or access to counseling services;

D. Providing referrals to medical services;

E. Providing academic support services, such as tutoring;

F. Issuing no contact orders; and

G. Arranging for the complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant’s academic record.

Sex Offender Registration [34 CFR §668.46(b)(12)] (All Campuses)

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Motlow State Community College is providing a link to the Tennessee State Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student.

Members of the campus community may obtain the most recent information received from the Tennessee Bureau of Investigation (TBI) concerning sex offenders employed, enrolled, or volunteering at this institution from the TBI’s website listing of sex offenders located at: https://www.tn.gov/tbi/section/tennessee-sex-offender-registry. Unlawful use of the information for purposes of intimidating or harassing another is prohibited and a willful violation shall be punishable as a misdemeanor.
Emergency Response and Evacuation Procedures [34 CFR §668.46(b)(13)] (All Campuses)

Motlow State Community College maintains an Emergency Preparedness Plan for each campus. These plans are not available to the public. The Emergency Preparedness Plans are available on the College intranet and access to these plans is restricted. Each of these plans document the procedures that the individual campus will use to immediately notify the campus community of significant emergencies or dangerous situations involving threats to human health or safety of students or employees occurring on campus.

In the event of a serious incident that poses an immediate threat to members of the College community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network emails, social media web sites, and emergency text message notifications that can be sent to a phone or announced through the campus wide intercom speaker system at each campus.

The College 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 will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The College conducts emergency preparedness drills to test the emergency response and evacuation procedures of each facility at all campuses on a semi-annual basis.

Missing Student Notification Procedures [34 CFR §668.46(b)(14)] (All Campuses)

The Department of Education requires under 34 CFR §668.46(b)(14) that any institution that provides any on-campus student housing facilities must include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities in its annual security report. Motlow State Community College does not provide any on-campus student housing facilities.
Appendix A
CAMPUS CRIME REPORTS

This disclosure complies with requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) as amended in 1998 as well as the proposed guidelines of the Violence Against Women Act (VAWA) and the Campus Sexual Violence Elimination (SAVE) Act. Information supplied represents all incidents reported to the police or to other school officials with significant responsibility for student and campus activities.

### Fayetteville Campus

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<thead>
<tr>
<th>Crimes Reported</th>
<th>On Campus</th>
<th>Public Property</th>
<th>Hate Crimes</th>
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<tr>
<td><strong>Murder/Non-negligent Manslaughter</strong></td>
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<tr>
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<tr>
<td><strong>Sex Offenses-Forcible</strong></td>
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</tr>
<tr>
<td><strong>Sex Offenses-Non-forcible</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Robbery</strong></td>
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<tr>
<td><strong>Aggravated Assault</strong></td>
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<tr>
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<tr>
<td><strong>Motor Vehicle Theft</strong></td>
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<tr>
<td><strong>Arson</strong></td>
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<tr>
<td><strong>Larceny</strong></td>
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</tr>
<tr>
<td><strong>Simple Assault</strong></td>
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<tr>
<td><strong>Intimidation</strong></td>
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<tr>
<td><strong>Vandalism</strong></td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td><strong>Other Bodily Injuries (Hate Crimes Only)</strong></td>
<td>0</td>
<td>0</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Arrests/Disciplinary Referrals</th>
<th>On Campus</th>
<th>Public Property</th>
<th>Hate Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Liquor Law Arrests</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td><strong>Liquor Law Referrals</strong></td>
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<tr>
<td><strong>Drug Arrests</strong></td>
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<td><strong>Drug Referrals</strong></td>
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<tr>
<td><strong>Weapons Arrests</strong></td>
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<table>
<thead>
<tr>
<th>Hate Crimes</th>
<th>On Campus</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Larceny/Theft</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Simple Assault</strong></td>
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<table>
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<tr>
<th>VAWA Crimes</th>
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<th>Public Property</th>
<th>Hate Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Domestic Violence</strong></td>
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</tr>
<tr>
<td><strong>Dating Violence</strong></td>
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</tr>
<tr>
<td><strong>Stalking</strong></td>
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MOTLOW - Fayetteville Campus MAP
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<th>McMinnville Campus</th>
<th>On Campus</th>
<th>Public Property</th>
<th>Hate Crimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crimes Reported</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murder/Non-negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
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</tr>
<tr>
<td>Sex Offenses-Forcible</td>
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<td>Other Bodily Injuries (Hate Crimes Only)</td>
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<td>Arrests/Disciplinary Referrals</td>
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### Smyrna Campus

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<td>Vandalism</td>
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<tr>
<td><strong>Other Bodily Injuries (Hate Crimes Only)</strong></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

| **Arrests/Disciplinary Referrals** |           |      |      |      |      |      |      |      |      |
| Liquor Law Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Liquor Law Referrals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Referrals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Weapons Arrests | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Weapons Referrals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| **Hate Crimes** |           |      |      |      |      |      |      |      |      |
| Larceny/Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Simple Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Intimidation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Vandalism | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| **VAWA Crimes** |           |      |      |      |      |      |      |      |      |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

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MOTLOW – Smyrna SITE MAP
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