



**Annual Security Report 2015
Annual Fire Safety Report 2015**

Memphis Theological Seminary of the Cumberland Presbyterian Church

**Public Safety Department
Crime Awareness and Campus Security
Information Report 2016**



Mission Statement

The mission of Memphis Theological Seminary is to educate and sustain men and women for ordained and lay Christian Ministry in the Church and the World through shaping and inspiring lives devoted to scholarship, piety and justice.

Annual Crime Awareness and Campus Security Report

In fulfillment of the U. S. Department of Education's regulations under the Jeanne Clery Disclosure of Campus Security Policy & Campus Crime Statistics relating to the Student Right-to-Know and Campus Security Act (Public Law 101-542, amended by Public Law 102-26), [formerly the Campus Security Act].

Memphis Theological Seminary provides its students, faculty and staff with the following information. Each year the U.S. Department of Education collects crime statistics and publishes data for colleges and universities at its web site: <http://ope.ed.gov/security/Search.asp>.

This policy sets forth the provisions of compliance of this act in order to provide necessary information about college crime. Reportable crimes included in this act are murder, non-negligent manslaughter, negligent manslaughter, forcible/non-forcible sex offences, robbery, aggravated assault, burglary, motor vehicle theft and arson.

The Administration is concerned with the well being and safety of all students and will strictly enforce regulations necessary for the protection of all. All incidences of unlawful acts should be reported to the Director of Facilities and Safety.

The Public Safety Office, with the assistance from other departments within MTS, prepares the annual report in compliance with federal and state law. Statistics are compiled from reports made directly to the Public Safety Office or other Campus Safety Authorities. Information regarding campus disciplinary referrals is obtained from Student Affairs, Information about crimes occurring at off-campus property owned, leased, or controlled by Memphis Theological Seminary is solicited from the respective agencies. Data received from these sources is compiled with and included in the annual disclosure of crime statistics.

Policy Statement: Disclosure of Crime Statistics

The 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 at <https://surveys.ope.ed.gov/security>. The Crime Statistic for the last three calendar years is also available at www.MemphisSeminary.edu. This report is prepared in cooperation with local law enforcement agencies surrounding our main campus and alternate sites.

Crime Statistics information is compiled using a daily reporting system for the MTS Campus and public information resources from the Memphis Police Department, Shelby County Sheriffs Office and the Tennessee Bureau of Investigations for crime in the campuses Clery geographic area.

These statistics may also include crimes that have occurred in private residences or businesses and is not required by law. Tennessee Penal Code requires prompt, mandatory reporting to the local law enforcement agency by when medical services are provided to a person they know or reasonably suspect is suffering from a wound inflicted by a firearm or is a result of assault or abusive conduct.

It is the responsibility of the Director of Student Services and/or the Director of Facilities and Safety to inform students of the procedure to report crime to the Memphis Police Department on a voluntary or confidential basis, should they feel it is in the best interest of the student. A procedure is in place to anonymously capture crime statistics disclosed confidentially.

Each year, an e-mail notification is made to all enrolled students, faculty and staff that provide the web site to access the report. Copies of the report may also be obtained in the Office of the Director of Facilities and Safety located at 2385 Union Avenue or by calling 901.334.5834.

Prospective employees may obtain a copy from the Human Resources office located in Founder's Hall outside the Presidents Office or by calling 901.334.5809. The web site address will be attached to the Memphis Theological Seminary employment application.

CRIME STATISTICS

As reported to the Tennessee Bureau of Investigation's Crime On Campus Report published pursuant to the enactment of the "College and University Security Information Act of 1989" (Public Chapter No. 317) and to the Department of Education.

Criminal Offenses - On campus

Criminal offense	Total occurrences On campus		
	2015	2014	2013
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible			
Incest	0	0	0
Statutory rape	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Domestic Violence	0	0	0
k. Dating Violence	0	0	0
l. Stalking	1	0	0
Caveat:			

Criminal Offenses - On-Campus including Student Housing Facilities

Criminal offense	Total occurrences in On-Campus Student Housing Facilities		
	2015	2014	2013
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible			
Incest	0	0	0
Statutory rape	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Domestic Violence	0	0	0
k. Dating Violence	0	0	0
l. Stalking	0	1	
Caveat:			

Criminal Offenses – Non-Campus

Criminal offense	Total occurrences in or on Noncampus buildings or property		
	2015	2014	2013
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-Forcible			
Incest	0	0	0
Statutory rape	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	1	0	0
g. Burglary	1	2	1
h. Motor vehicle theft	0	0	1
i. Arson	0	0	0
j. Domestic Violence	0	2	0
k. Dating Violence	0	0	0
l. Stalking	0	0	0
Caveat:			

Criminal Offenses - Public Property

Criminal offense	Total occurrences on Public Property		
	2015	2014	2013
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Sex offenses - Non-forcible			
Incest	0	0	0
Statutory rape	0	0	0
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	1	0
i. Arson	0	0	0
j. Domestic Violence	0	0	0
k. Dating Violence	0	0	0
l. Stalking	0	0	0
Caveat:			

Hate Crimes - On campus

Occurrences of Hate crimes							
Criminal offense	2015 Total	Category of Bias for crimes reported in 2015					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Criminal offense	2014 Total	Category of Bias for crimes reported in 2014					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Revised: 4/12/2016

Hate Crimes - On campus cont.

Criminal offense	2013 Total	Category of Bias for crimes reported in 2013					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Caveat:							

Hate Crimes - On-campus Student Housing Facilities

Occurrences of Hate crimes							
Criminal offense	2015 Total	Category of Bias for crimes reported in 2015					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Criminal offense	2014 Total	Category of Bias for crimes reported in 2014					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Revised: 4/12/2016

Hate Crimes - On-campus Student Housing Facilities cont.

Criminal offense	2013 Total	Category of Bias for crimes reported in 2013					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Caveat:							

Hate Crimes – Non-Campus

Occurrences of Hate crimes							
Criminal offense	2015 Total	Category of Bias for crimes reported in 2015					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Criminal offense	2014 Total	Category of Bias for crimes reported in 2014					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Revised: 4/12/2016

Hate Crimes – Non-Campus cont.

Criminal offense	2013 Total	Category of Bias for crimes reported in 2013					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Caveat:							

Hate Crimes - Public Property

Occurrences of Hate crimes							
Criminal offense	2015 Total	Category of Bias for crimes reported in 2015					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Occurrences of Hate crimes							
Criminal offense	2014 Total	Category of Bias for crimes reported in 2014					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0

Revised: 4/12/2016

Hate Crimes - Public Property cont.

Criminal offense	2013 Total	Category of Bias for crimes reported in 2013					
		Race	Religion	Sexual orientation	Gender	Disability	Ethnicity
a. Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0
b. Negligent manslaughter	0	0	0	0	0	0	0
c. Sex offenses - Forcible	0	0	0	0	0	0	0
d. Sex offenses - Non-forcible							
Incest	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0
e. Robbery	0	0	0	0	0	0	0
f. Aggravated assault	0	0	0	0	0	0	0
g. Burglary	0	0	0	0	0	0	0
h. Motor vehicle theft	0	0	0	0	0	0	0
i. Arson	0	0	0	0	0	0	0
j. Simple assault	0	0	0	0	0	0	0
k. Larceny-theft	0	0	0	0	0	0	0
l. Intimidation	0	0	0	0	0	0	0
m. Destruction/damage/ vandalism of property	0	0	0	0	0	0	0
Caveat:							

Arrests - On campus

Law Violation	Number of Arrests		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Arrests - On-campus Student Housing Facilities

Law Violation	Number of Arrests		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Arrests – Non-Campus

	Number of Arrests		
	2013	2014	2015
Law Violation			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Arrests - Public Property

	Number of Arrests		
	2013	2014	2015
Crime			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Disciplinary Actions - On Campus

	Number of persons referred for Disciplinary Action		
	2013	2014	2015
Law Violation			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Disciplinary Actions - On-campus Student Housing Facilities

	Number of persons referred for Disciplinary Action		
	2013	2014	2015
Law Violation			
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Disciplinary Actions – Non-Campus

Law Violation	Number of persons referred for Disciplinary Action		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Disciplinary Actions - Public Property

Law Violation	Number of persons referred for Disciplinary Action		
	2013	2014	2015
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0
Caveat:			

Fires - On-campus Student Housing Facilities

Enter the name, address and number of fires for each On-campus Student Housing Facility.								
Housing Facilities								
	Facility Name	Street Address	2013		2014		2015	
			# of Fires	Status	# of Fires	Status	# of Fires	Status
1	129/131 Men's Housing	129 Roberta	0	N/A	0	N/A	0	N/A
2	135/137 Todd House	135 Roberta	0	N/A	0	N/A	0	N/A
3	139/141 Men's Housing	139 Roberta	0	N/A	0	N/A	0	N/A
4	Overflow Housing	143 Roberta	0	N/A	0	N/A	0	N/A
5	Overflow Housing	145 Roberta	0	N/A	0	N/A	0	N/A
6	Guest House	2397 Union	0	N/A	0	N/A	0	N/A
		Total	0	N/A	0	N/A	0	N/A

Fires – Summary

SUMMARY OF FIRES									
	2013			2014			2015		
Name of Facility	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
129/131 Men’s Housing	0	0	0	0	0	0	0	0	0
135/137 Todd House	0	0	0	0	0	0	0	0	0
139/141 Men’s Housing	0	0	0	0	0	0	0	0	0
Overflow Housing	0	0	0	0	0	0	0	0	0
Overflow Housing	0	0	0	0	0	0	0	0	0
Guest House	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0

Policy Statement: Timely Warnings

In the event that a situation arises, either on or off Campus, that, in the judgment of the President, Vice President of Operations and or the Director of Facilities and Safety constitutes an ongoing threat , a campus wide “timely warning” will be issued. The warning will be issued through MTS –Everbridge Mass Communication System to students, faculty, staff and the campus housing.

Depending on the particular circumstance of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Safety Department may also post a notice on MTS website and or bulletin boards located throughout the campus. Notices will also be posted on the bulletin boards within commuter housing. Notices are also posted throughout the neighborhoods to promote awareness of crime within our campus geography. Anyone with information warranting a timely warning should report the circumstances immediately to the Director of Facilities and Safety by phone, 901.334.5834, or 901-262-1111 or to the Security Personnel on duty, 901.834.7877. The Director of Facilities and Safety Office is located at 2385 Union Avenue directly behind Founder’s Hall.

Policy Statement: How to report a criminal offense.

To report a crime:

Contact Memphis Theological Seminary Security at 901.834.7877 (non-emergencies), or from a phone which is located within MTS or Commuter Housing Dial 9-9-1-1 (emergencies only).

Any suspicious activity or person seen in the parking lot or loitering around vehicles, inside buildings, or around the commuter housing should be reported to the Security Officer at 901.834.7877.

In addition you may report a crime to the following:

1. Director of Facilities and Safety at 901.334.5834 or 901.262.1111 located in the Facilities and Safety Office at 2385 Union Avenue.
2. Director of Student Services at 901.334.5806 located in Founder’s Hall.
3. Receptionist at 901.334.5800 located in Founder’s Hall.

Revised: 4/12/2016

Policy Statement: Voluntary Confidential Reporting. Pastoral Privilege

Crimes reported to a pastoral or professional counselor are not required to be reported by an institution under the Clery Act; however, institutions are strongly encouraged to establish voluntary, confidential reporting processes so that incidents of crime that are reported exclusively to professional and pastoral counselors will be included in the annual crime statistics. 34 C.F.R. §668.46(b) (2) (iii).

If you are a victim of a crime and do not want to pursue action within MTS System or the criminal justice system, you may still want to consider making a confidential report to the Pastoral Counselors. Pastoral Counselors are allowed and encouraged to report information to the Director of Facilities and Safety for Statistical Data only; not releasing the reporting individual's identity and maintain the spirit of Pastoral privilege. Pastoral Counselors would be CSA authorities in Student Services and the Chaplain.

With your permission, Pastoral Counselors or a designee of Memphis Theological Seminary 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 others and yourself.

With such information, MTS 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 potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

The Facilities and Safety Office at Memphis Theological Seminary encourages anyone who is a victim or witness to any crime to promptly report the incident to the Memphis Police Department. Police reports are public records under TN state law and the Memphis Police Department cannot hold reports of crime in confidence.

Confidential reports of crime can be directed to the Memphis Police Department by calling 901.528.CASH (2274).

Policy Statement: Addressing Security and Access

During business hours, MTS (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests and invitees. During non-business hours access to all Seminary facilities is by key, if issued, or by admittance via the Facilities and Safety Department or the Security staff. In the case of periods of extended closing, MTS will admit only those with prior written approval to all facilities.

Over extended breaks, the doors of all buildings will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Library or Brown Shannon Student Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic may have security surveys conducted of them.

Administrators from the President's Office, CFO Vice President of Operations, Dean's Office and the Director of Facilities and Safety and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting and communications.

Additionally, during the academic year, the Director of Facilities and Safety and the CFO Vice President of Operations meet weekly to discuss issues of pressing concern.

Policy Statement Campus Law Enforcement Authority

Memphis Theological Seminary CSA's and Security officers have the authority and the obligation to ask persons for identification and to determine whether individuals have lawful business at Memphis Theological Seminary. Security officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty and staff. CSA's and Security officers do not possess arrest power.

Criminal incidents are referred to the Memphis Police Department who have jurisdiction on the campus. The Facilities and Safety Department at Memphis Theological Seminary maintains a highly professional working relationship with the Memphis Police Department.

Policy Statement Campus Law Enforcement Authority continued:

All crime victims and witnesses are strongly encouraged to immediately report crime to the campus Safety and Security Office and the Memphis Police Department. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Policy Statement Addressing the Encouragement of Accurate and Prompt Crime Reporting

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the Director of Facilities and Safety, Security Officers and the Memphis Police Department in a timely manner.

The Memphis Police Department should be contacted at 901.545.2677 when incidents, non-emergencies, or crimes occur at MTS. In the event of an emergency, please call 9-9-1-1 from any campus telephone.

To report a crime or an emergency on the Memphis Theological Seminary campus, call 911 or 9-911 when using a land line located within MTS. To report a Non-emergency security or public safety related matter, call the Director of Facilities and Safety at extension 5834 or, from outside MTS phone system, 901.334-5834 or 901-262-1111

The direct number to the Security Officer on duty is 901.834.7877. In response to a call, Memphis Theological Security will take the required action, dispatching an officer and report the incident to the Memphis Police Department to file an incident report.

All incident reports are forwarded to the President, Vice President of Operations, Dean of Students and the Director of Facilities and Safety for review and potential action by the President and/or Dean. If assistance is required from the Memphis Police Department the Memphis Theological Seminary will contact the appropriate unit.

Policy Statement Addressing Crime Reporting

Students, faculty, staff and visitors to campus are encouraged to report emergencies and criminal activity to the Director of Facilities and Safety.

To report an Emergency dial 9-9-1-1 from any campus telephone.

It is important to cooperate with Police agencies so proper investigation can occur. Anonymous crime reports may be sent to the Director of Facilities and Safety, 168 East Parkway South, Memphis, TN 38104.

Campus Security Authorities, Employees, Faculty and Staff must document crimes they have personally observed or that have been reported to them. Campus Security Authorities may use the General Incident Reporting Form to report crimes.

These reports must be immediately forwarded to the Director of Facilities and Safety. Crime observed by a Campus Security Authority or reported by a victim or witness is included in the campus crime statistics.

Policy Statement Addressing Security Awareness Programs for Students and Employees

During new student orientation students are informed of services offered by the Facilities and Safety Department. Verbal and written presentations outline ways to maintain personal and campus safety and security. Similar information is presented to new employees.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

When time is of the essence, information is released to MTS community through security alerts sent MTS's Mass Notification service - Everbridge.

The Facilities and Safety Department facilitate safety programs for student, staff and faculty and new employee orientations providing a variety of educational strategies and tips.

Policy Statement Addressing Security Awareness Programs for Students and Employees continued:

Suggestion: To enhance personal safety and especially after an evening class, walk with friends or someone from class that you know well, or call the Security Officer on Duty at 901.834.7877 for a security escort. The security officer on duty is here for your protection; do not hesitate to utilize this service.

Policy Statement Addressing the Use of Alcohol

Illicit drugs and alcohol are dangerous because they are addictive both physically and psychologically. Memphis Theological Seminary prohibits the possession, use or distribution of alcohol and illegal drugs on the property or as any part of a MTS social function. Communion wine may be used in chapel service with prior notification to the President. Employees or students must notify the President or Dean of any observed violation within five days of the offense.

All employees and students are subject to applicable laws related to this matter. Any violation of this policy will result in disciplinary action up to and including termination of employment or student tenure with MTS and mandatory satisfactory participation in a drug abuse assistance or rehabilitation program. The administration, faculty and staff at Memphis Theological Seminary stand ready to make referrals for persons who may need counseling for drug and alcohol related problems.

Disciplinary action will be taken with any employee or student who is in violation of these regulations. This action may include the following:

1. Oral reprimand
2. Written reprimand
3. Suspension
4. Termination

Policy Statement Regarding Drug and Alcohol Free Workplace

Drug and Alcohol Free Workplace

Memphis Theological Seminary has vital interests in ensuring a safe, healthy and efficient working environment for our employees, their colleagues and the students we serve. The unlawful or improper use of controlled substances or alcohol in the workplace presents a danger to everyone.

In addition, as a federal contractor and/or grantee we have a duty to comply with the requirement of the Drug-Free Workplace Act of 1988. For these reasons, we have established as a condition of employment and continued employment with MTS the following drug and alcohol free workplace policy.

Employees are prohibited from reporting to work or working while using illegal or unauthorized substances.

Policy Statement Regarding Drug and Alcohol Free Workplace

Employees (This includes regular and temporary employees, student employees and employees working at MTS under the guidelines of federal contract or grant. Compliance with the policy is considered a condition of employment under terms of the employment.)

Employees are prohibited from reporting to work or working when the employee uses any drugs, except when the use is pursuant to a doctor's orders and the doctor has advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties.

Employees are also prohibited from reporting to work or remaining on the job with any alcohol in their systems. Employees are also prohibited from consuming alcohol during working hours, including meal and break periods.

In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, sale or possession of illegal or unauthorized substances and alcohol in the workplace including: on student paid time, on student premises, in student vehicles or while engaged in student activities.

Revised: 4/12/2016

Disciplinary Actions to Prevent Substance Abuse

In accordance with the Drug-Free Workplace Act of 1988, employees must notify your immediate supervisor of any criminal drug statute conviction for a violation occurring within the workplace within five days of such conviction.

As a condition of employment, each employee must abide by the terms of this statement and must notify the Director of Safety and the Human Resources Department of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Failure to provide this notification within five days after conviction will result in termination of employment.

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 statement, other than notification, may include one or more of the following:

1. Termination
2. Suspension
3. Mandatory participation in and satisfactory completion of, a substance abuse program or rehabilitation program; and, recommendation for professional counseling.

Disciplinary Actions to Prevent Substance Abuse

Your employment or continued employment with MTS is conditioned upon your full compliance with the foregoing drug and alcohol free workplace policy. Any violation of this policy may result in disciplinary action, up to and including discharge.

Furthermore, any employee who violates this policy who is subject to termination may be permitted in lieu of termination, at MTS's sole discretion, to participate in and successfully complete an appropriate treatment, counseling or rehabilitation program as recommended by a substance abuse professional as a condition of continued employment and in accordance with applicable federal, state and local laws.

Consistent with its fair employment policy, MTS maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics and those having a medical history reflecting treatment for substance abuse conditions.

We encourage employees to seek assistance before their drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves, or others.

MTS will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence and other measures, consistent with MTS's policies and applicable federal, state or local laws.

This policy does NOT punish people who seek rehabilitation. All information provided by people who voluntarily avail themselves of alcohol or other drug counseling or rehabilitation services will be confidential. It will NOT be used against the individual seeking assistance.

MTS further reserves the right to take any and all appropriate and lawful actions necessary to enforce this drug and alcohol free workplace policy including, but not limited to, the inspection of Seminary issued lockers, desks or other suspected areas of concealment, as well as an employee's personal property when MTS has reasonable suspicion to believe that the employee has violated this drug and alcohol free workplace policy.

Annually, each MTS employee is required to complete and sign the MTS DRUG FREE WORKPLACE AGREEMENT found in the Employee Handbook. The original, signed copy of the agreement is kept in the Employee's personnel file.

Drug and Alcohol Free Workplace

This policy has been developed to provide a comprehensive overview of the health risks and legal implications related to alcohol and other drug use and to serve as a reference for on- and off- campus resources that are available to students, faculty and staff at Memphis Theological Seminary.

In keeping with its primary purpose, Memphis Theological Seminary will utilize educational strategies as its major approach to its problem of alcohol and other drug use.

It is important, however, that everyone be aware that any member of the MTS community who uses illegal drugs or abuses any drug including alcohol may be subject to prosecution and punishment by the civil authorities and to disciplinary proceedings by MTS.

Memphis Theological Seminary's interest in punishing offenders is not punitive, but rather to establish clear limits of conduct for all members of the campus community.

It is the policy of this institution that the unlawful manufacture, distribution, acquisition, possession, or use of alcohol and illegal drugs on the Memphis Theological Seminary campus, on property owned or controlled by Memphis Theological Seminary, or as part of any activity of Memphis Theological Seminary is strictly prohibited.

Memphis Theological Seminary is dedicated to the pursuit and dissemination of knowledge and, as such, expects all members of the academic community to behave in a manner conducive to that end. The highest standards of personal and professional conduct must be maintained by faculty, staff and students.

Illegal or abusive use of alcohol and other drugs by members of MTS community adversely affects the mission of MTS and is prohibited.

Accordingly, Memphis Theological Seminary adopts the following policy, consistent with federal, state and local laws. The policy is intended to accomplish the following:

1. Prevent substance abuse through strong educational efforts.
2. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of MTS community who require assistance in stopping substance abuse.
3. Discipline appropriately those members of MTS community who engage in illegal substance-related behaviors.

Educational Efforts to Prevent Substance Abuse

In keeping with its primary mission Memphis Theological Seminary will conduct a strong educational program through the Safe Colleges training and education modules aimed at preventing drug abuse and illegal drug or alcohol use.

Educational efforts shall be directed toward all members of the MTS community and will include information about the incompatibility of the use or sale of illegal substances with the goals of Memphis Theological Seminary, the health hazards associated with illegal drugs or alcohol use, the incompatibility of substance abuse with the maximum achievement of education, career and other personal goals and the potential legal consequences of involvement with illegal drugs or alcohol.

Counseling and Rehabilitation Services to Prevent Substance Abuse

Those faculties, staff or students who seek assistance with a substance abuse-related problem will be provided with information about alcohol and other drug counseling and rehabilitation services through Memphis Theological Seminary and also through community organizations. Those who choose to utilize Seminary services can be assured that all applicable professional standards of confidentiality will be observed.

Disciplinary Actions to Prevent Substance Abuse

Any member of MTS community who violates laws regarding possession of a controlled substance is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by MTS.

It is expected that Memphis Theological Seminary students, faculty and staff who use or possess alcoholic beverages will do so as legally prescribed by the laws of the state of Tennessee, within the regulations of Memphis Theological Seminary and live in a manner that does not disrupt the lives of others.

A person whose conduct is outside these parameters will be subject to the judicial rules and procedures of MTS.

It is not "double jeopardy" for both the civil authorities and MTS to proceed against and punish a person for the same specified conduct. MTS will initiate its own disciplinary proceeding against a student or employee when the alleged conduct is deemed to affect the interests of MTS.

Sanctions will be imposed by MTS in accordance with this policy, Staff Handbook, Faculty Handbook, Student Code of Conduct and other appropriate Seminary policies.

Disciplinary Actions to Prevent Substance Abuse

Students, faculty and staff members of Memphis Theological Seminary with substance abuse problems are encouraged to take advantage of available diagnostic, referral, counseling and prevention services.

However, employees and students using these services will not be granted special privileges and exemptions from standard academic and student conduct requirements.

Memphis Theological Seminary will not excuse acts of misconduct committed by employees and students whose judgment is impaired due to substance use.

Disciplinary Actions to Prevent Substance Abuse

Students (This shall mean any person who is registered for study at Memphis Theological Seminary for any academic period. A person shall be considered a student during any period that follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period and during any period while the student is under suspension from MTS.)

Possible disciplinary sanctions for failure to comply with the terms of this statement may include one or more of the following:

1. Expulsion
2. Suspension
3. Probation
4. Mandatory educational program

In addition to the above, students may be required to participate in and satisfactorily complete a substance abuse program or rehabilitation program.

In addition to imposed Seminary sanctions, a student may be referred for criminal prosecution. As a condition for receiving Federal Title IV financial aid, each student must certify that he/she will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance and must notify the Director of Student Financial Aid and the Director of Facilities and Safety of any conviction within five days after such conviction. A student convicted of violating the regulation may lose his/her federally funded financial aid and may be subject to disciplinary action under the Student Code of Conduct.

Institutional Compliance

The Director of Facilities and Safety in Conjunction with the Human Resource Department is responsible for overseeing the Seminary's compliance with the Drug-Free Schools and Communities Act regulations and the Biennial review.

Appendix A

HEALTH RISKS

TYPES OF DRUGS

Schedule I

Schedule I drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Schedule I drugs are the most dangerous drugs of all the drug schedules with potentially severe psychological or physical dependence. Some examples of Schedule I drugs are:

heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone, and peyote

Health Risks: Psychologically and physically addictive; depression, withdrawal symptoms – convulsions, death, unpredictable behavior with hallucinogens; possible damage to unborn fetus.

Schedule II

Schedule II drugs, substances, or chemicals are defined as drugs with a high potential for abuse, less abuse potential than Schedule I drugs, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous. Some examples of Schedule II drugs are:

Combination products with less than 15 milligrams of hydrocodone per dosage unit (Vicodin), cocaine, methamphetamine, methadone, hydromorphone (Dilaudid), meperidine (Demerol), oxycodone (OxyContin), fentanyl, Dexedrine, Adderall, and Ritalin

Health Risks: Psychologically and physically addictive; withdrawal symptoms – convulsions, respiratory failure, frequent accidents; possible damage to unborn fetus; death; cocaine and amphetamines increase blood pressure which can lead to irregular heartbeat and death; amphetamines can cause agitation, increase in body temperature, hallucinations, convulsions, possible death.

Schedule III

Schedule III drugs, substances, or chemicals are defined as drugs with a moderate to low potential for physical and psychological dependence. Schedule III drugs abuse potential is less than Schedule I and Schedule II drugs but more than Schedule IV. Some examples of Schedule III drugs are:

Products containing less than 90 milligrams of codeine per dosage unit (Tylenol with codeine), ketamine, anabolic steroids, testosterone

Health Risks: Psychologically and physically addictive; potential liver damage, nausea and vomiting; dizziness, disorientation, shallow breathing, cold and clammy skin, coma, possible death; withdrawal symptoms – anxiety, tremors, insomnia, convulsions; possible damage to unborn fetus

Schedule IV

Schedule IV drugs, substances, or chemicals are defined as drugs with a low potential for abuse and low risk of dependence. Some examples of Schedule IV drugs are:

Xanax, Soma, Darvon, Darvocet, Valium, Ativan, Talwin, Ambien, Tramadol

Health Risks: Psychologically and physically addictive; drowsiness, withdrawal symptoms – tremors, abdominal and muscle cramps, insomnia, anxiety, convulsions, possible death; possible damage to unborn fetus.

Schedule V

Schedule V drugs, substances, or chemicals are defined as drugs with lower potential for abuse than Schedule IV and consist of preparations containing limited quantities of certain narcotics. Schedule V drugs are generally used for antidiarrheal, antitussive, and analgesic purposes. Some examples of Schedule V drugs are:

cough preparations with less than 200 milligrams of codeine or per 100 milliliters (Robitussin AC), Lomotil, Motofen, Lyrica, Parepectolin Stimulants

Health Risks: Psychologically and physically addictive; nausea, gastrointestinal symptoms, drowsiness, withdrawal symptoms – runny nose, watery eyes, panic, chills, cramps, irritability, nausea; possible damage to unborn fetus.

Schedule VI

Schedule VI drugs are:

Marijuana, Tetrahydrocannabinols, Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis

Health Risks: Psychologically addictive; increased risk of lung cancer, bronchitis and emphysema; contributes to heart disease, fatigue, paranoia, possible psychosis; withdrawal symptoms – insomnia, hyperactivity and decreased appetite; depression of the immune system; decrease sperm count in men and irregular ovulation in women.

TYPES OF ALCOHOL

Malt beverage is beer, ½ of 1% to 6% alcohol.

Unfortified wine is wine not more than 17% alcohol.

Fortified wine is wine not more than 24% alcohol.

Spirituous liquor is distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin, etc.

Mixed beverage is a drink composed in whole or part of spirituous liquor.

Health Risks: Psychologically and physically addictive; respiratory depression; depression of the immune system; increase risk of heart disease, cancer, accidents, hypertension; brain damage; liver damage; damage to the unborn fetus; impotence at high dosage levels.

Appendix B:**Tennessee Regulations****TYPES OF DRUGS**

Schedule I: High potential for abuse; and no accepted medical use in the US or lacks accepted safety for use in treatment under medical supervision. Specific drugs refer to TCA 39-17-406.

Schedule II: High potential for abuse; than the substance has currently accepted medical use in treatment in the US, or currently accepted medical use with severe restrictions; and the abuse of the substance may lead to severe psychic or physical dependence. Specific drugs refer to TCA 39- 17-408.

Schedule III: Less potential for abuse than the substances listed in Schedules I and II; the substance has currently accepted medical use in treatment in the US; and abuse of the substance may lead to moderate or low physical dependence or high psychological dependence. Specific drugs refer to TCA 39-17-410 (includes anabolic steroids).

Schedule IV: Low potential for abuse relative to substances in Schedule III; the substance has currently accepted medical in treatment in the US; and abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. Specific drugs refer to TCA 39-17-412.

Schedule V: Low potential for abuse relative to the substances in Schedule IV; the substance has currently accepted medical use in treatment in the US; and the substance has limited physical dependence or psychological dependence liability relative to the substance in Schedule IV. Specific drugs refer to TCA 39-17-414.

Schedule VI: Substances not included in Schedules I through V and include marijuana; Tetrahydrocannabinols; and synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity. TCA 39-17-415.

Schedule VII: Substance not included in Schedules I through VI, the controlled substances includes is Butlynitrate and any isomer thereof. Class X: Designated amounts of certain drugs within multiple Schedules Amounts refer to TCA 39-17-417 2)(j)(1-13).

"Mega Drug" Offense: Designated amounts of certain drugs within multiple Schedules. Amounts refer to TCA 39-17-417 (2)(j)(1-13). Deliver or sale of a Schedule I-V to a minor under the age of 12 yrs.

Alcohol

TCA 57-3-412(3)(A): It is unlawful for any person under the age of 21 years to have in such person's possession and/or transport any intoxicating liquor for any purpose, whether the same be possessed in a dry county or a wet county. Any person 18 yrs of age or older may, in the course of such person's employment transport, possess, sell and/or dispense intoxicating liquors.

Penalties

Class A Misdemeanor: Punished by a fine of not less than \$25 nor more than \$500 and by not more than 30 days of community service work. Upon a person's second or subsequent conviction for such offense, such person shall be punished by a fine of not less than \$50 nor more than \$1,000 and by not more than 30 days of community service work.

Alcohol

TCA 57-3-412(4): Any person who purchases an alcoholic beverage for or at the request of a person under 21 years of age commits a Class A Misdemeanor.

Penalties

Class A Misdemeanor: jail time of up to 11 months and 29 days.

Alcohol

TCA 57-3-412(5)(A): It is unlawful for any person who is younger than 21 years of age to purchase or attempt to purchase or attempt to purchase any alcoholic beverage.

Penalties

Class A Misdemeanor: A person younger than 21 year of age but 18 years of age or older is convicted of the purchase of attempt to purchase of possess alcoholic beverages shall prepare and send to the department of safety, driver control division, within 5 working days of the conviction, an order of denial of driving privileges for the offender.

Alcohol

TCA 57-3-412(2)©: Any person under 21 years of age who knowingly makes a false statement or exhibits false identification of the effect that he is 21 or older to any person engaged in the sale of alcohol beverages for the purpose of purchasing or obtaining the same commits a Class A Misdemeanor.

Penalties

If the person violating is less than 18 years of age, that person shall be punished by a fine of \$50 or not less than 20 hours of community service work, which fine or penalty shall not be suspended or waived. If the person violating is 18 years of age or older but less than 21, that person shall be punished by a fine of not less than \$50 nor more than \$200 or imprisonment in the county jail or workhouse for not less than 5 days nor more than 30 days.

TCA 39-17-418 states it is an offense for a person to knowingly possess or casually exchange a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription order of a medical practitioner. In addition, it is an offense for a person to distribute marijuana not in excess of ½ ounce. A violation of the statute is a Class A Misdemeanor with penalties of up to 11 months and 29 days of jail time and/or a requirement to attend a drug offender school or perform community service work at such a school.

Alcohol

TCA 57-4-203(C)(c) It is unlawful for any licensee or other person to sell or furnish any alcoholic beverage to any person who is known to be insane or mentally defective, or to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, to any person who is known to be a habitual user of narcotics or other habit-forming drugs.

Penalties

Class A Misdemeanor, jail time of up to 11 months and 29 days.

Driving

TCA 55-10-401 Driving under the influence of intoxicant or drug prohibited: It is unlawful for any person or persons to drive or to be in physical control of any automobile or other motor vehicle on any of the public roads and highways of the state of Tennessee, or on any streets or alleys, or while on the premises of any shopping center, trailer park or any apartment house complex, or any other premise which is generally frequented by the public at large, while under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system.

Driving Under the Influence Penalty

First Offense: Fine of not less than \$350 nor more than \$1,500 and such person or persons shall be confined in the county jail or workhouse for not less than 48 hours nor more than 11 months and 29 days; and loss of driver's license for 1 year.

Second Offense: Fine of not than \$600 nor more than \$3,500 and the person or persons shall be confined in the county jail or workhouse for not less than 45 days nor more than 11 months and 29 days; and loss of driver's license for 2 years. In addition, for a second offense inpatient alcohol or drug treatment.

Third and subsequent offense: Fine of not less than \$1,100 nor more than \$10,000 and the person or persons shall be confined in the county jail or workhouse for not less than 120 days nor more than 11 months and 29 days and the court shall prohibit such person or persons from driving a vehicle for a period of time of not less than 3 years nor more than 10 years.

Driving Under the Influence Penalty

All persons sentenced under TCA 55-10-403(a) shall, in addition to service of at least the minimum sentence, be required to serve the difference between the time actually served and the minimum sentence on probation.

The judge shall impose the following conditions: participation in an alcohol or drug safety DUI school and/or drug offender school program, if available; or upon second or subsequent conviction for violating the provisions of TCA 55-10-401 or 39-17-418, involving the possession of a controlled substance, participation in a program of rehabilitation for alcohol and other drug treatment; and the payment of restitution to any person suffering physical injury or person losses as the result of such and offense. Driving while restriction of license in place is a Class E Felony; 1-6 years in jail.

TCA 55-10-406 Tests for alcohol or drug content of blood. Any person who drives any motor vehicle in the state of Tennessee shall be deemed to have given consent to a test for the purpose of determining the alcohol or drug content of that person's blood; provided that such test is administered at the direction of a law enforcement officer having reasonable grounds to believe such person to have been driving while under the influence or an intoxicant or drug. Any law enforcement officer who requires that the driver of a motor vehicle submit to a test for the purpose of determining the alcohol or the drug content of the driver's blood shall, prior to conducting such test, advise the driver that refusal to submit to such test will result in the suspension of the driver's operator's license by the court. If such person having been placed under arrest and thereafter having been requested by a law enforcement officer to submit to such test and advised of the consequences for refusing to do so, refuses to submit, the test shall not be given and such person shall be charged with driving under the influence.

TCA 55-10-408 Tests for alcohol or drug content of blood— Presumption of intoxication and impairment: Evidence that there was, at the time alleged, .05%, or less, by weight of alcohol in the blood of the defendant, shall create no presumption.

Evidence that there was, at the time alleged, .10% or more by weight of alcohol in the defendant's blood shall create a presumption that the defendant was under the influence of such intoxicant and that the defendant's ability to drive was impaired thereby, sufficiently to constitute a violation of TCA 55-10-401.

If the defendant has been convicted 1 or more times of violating TCA 55-10-401, a presumption that the defendant is under the influence shall be made if the blood alcohol content is .08%.

TCA 55-10-412 Additional penalties—Ignition interlock devices: The court may order the person to operate only a motor vehicle which is equipped with a functioning ignition interlock device and this restriction may continue with a period up to 1 year after such person's license is no longer suspended or restricted.

55-10-416 Open container law: No driver shall consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle.

Class C Misdemeanor: punishable by fine only

Driving Under the Influence Penalty

TCA 55-10-414 Child endangerment - Drunk driving child protection: A person who violated TCA 55-10-410 and who at the time of the offense was accompanied by a child under 13 years of age commits the offense of child endangerment, a Class A misdemeanor commits a Class D Felony of aggravated child endangerment when the child suffers serious bodily injury as a result of the violation; and commits a Class C Felony of especially aggravated child endangerment when the death of the child is the result of the violation.

Class A Misdemeanor: up to 11 months and 29 days jail time.

Class D Felony: 2-12 years jail time.

Class C Felony: 3-15 years jail time.

TCA 55-10-415 Driving while impaired - Penalties Person age 16 or older but under age 21 may not drive or be in physical control of an automobile or other motor drive vehicle while: the alcohol concentration in the person's blood is more than .02%; or under the influence of alcohol; or under the influence of any intoxicant, marijuana, narcotic drug, or drug producing stimulating effects on the central nervous system; or under the combined effects.

Person 18 or older but less than 21 years of age is a Class A misdemeanor punishable only by a driver license suspension of 1 year and by a fine of \$250. As an additional punishment the court may assign public service hours. Person 16 or over but under 18 years of age commits a delinquent act and is punishable only by a driver license suspension of 1 year and by a fine of \$250. As an additional punishment, the court may impose public service hours.

Appendix C: Federal Regulations

Federal Trafficking Penalties

Narcotics Penalties & Enforcement Act of 1986

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<p>First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.</p> <p>Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p>First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p> <p>2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 80 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture	Methamphetamine 50 grams or more pure or 500 grams or more mixture		
II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture		
Substance/Quantity		Penalty		
Any Amount Of Other Schedule I & II Substances		<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Any Drug Product Containing Gamma Hydroxybutyric Acid		<p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.</p>		
Flunitrazepam (Schedule IV) 1 Gram		<p>First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.</p> <p>Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.</p>		
Any Amount Of Other Schedule III Drugs		<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)		<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</p>		
Any Amount Of All Schedule V Drugs F		<p>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</p> <p>Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

Appendix C: Federal Regulations (continued)**Possession of Drug Paraphernalia
Purpose of Ingesting a Controlled Substance**

To possess with intent to sell or deliver to manufacture; or to sell and/or deliver:

One year in prison and/or \$500 fine.
(Misdemeanor)

Two years in prison and/or \$1,000 fine.
(Misdemeanor)
-However-
Delivery of drug paraphernalia by a person over
age eighteen
to a person under age eighteen who is at least
three years younger than defendant. Five years
imprison and/or fine.
(Felony)

Federal Trafficking Penalties - Marijuana
Narcotics Penalties & Enforcement Act of 1986

Quantity	Description	Second Offense
1,000 kg or more	MARIJUANA Mixture containing detectable quantity. **	Not less than 20 years; not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual; \$20 million other than individual.
		First Offense
		Not less than 10 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine not more than \$4 million individual; \$10 million other than individual.
100-1,000 kg	MARIJUANA Mixture containing detectable quantity. **	Not less than 10 years; not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual; \$10 million other than individual.
		Not less than 5 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine not more than \$2 million individual; \$5 million other than individual.
50-100 kg 10-100 kg 1-100 kg 100 or more plants	MARIJUANA HASHISH HASHISH OIL MARIJUANA	Not more than 30 years. IF death or serious injury, not less than life. Fine \$2 million individual; \$10 million other than individual.
		Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. Fine \$1 million individual; \$5 million other than individual.
Less than 50 kg Less than 10 kg Less than 1 kg	MARIJUANA HASHISH HASHISH OIL	Not less than 10 years. Fine \$500,000 individual; \$2 million other than individual
		Not more than 5 years. Fine not more than \$250,000 individual; \$1 million other than individual.

Federal Trafficking Penalties

Narcotics Penalties and Enforcement

Drug- Others * Does Not include Marijuana or Hashish Oil.

Quantity- Any

First offense - Not more than 20 years. If death or serious injury occurs, not less than 20 years ; not more than life. Fine 1 million individual; \$ 5 million not individual

Second offense- Not More than 30 years. If death or serious injury, Life. Fine 2 million individual: \$19 million not individual.

Sch. III

Drug –All

Quantity-Any

First Offense- Not more than 5 years. Fine not more than \$250,000 individual \$1 million not individual.

Second Offense- Not more than 1 years. Fine not more than \$500,000 individual; \$2million not individual.

Sch. IV

Drug –All

Quantity_ Any

First Offence_ Not more than 6 years. Fine not more than \$250,000 individual \$1 million not individual.

Second Offense- Not more than 8 years. Fine not more than \$500,000 individual; \$2 million not individual.

Sch. V

Drug –All

Quantity_ Any

First Offence_ Not more than 1 year. Fine not more than \$100,000 individual \$250,000 not individual.

Second Offense- Not more than 2 years. Fine not more than \$200,000 individual; \$500,000 not individual.

Counterfeit Controlled Substances

To create, Sell, or Possess with Intent to Sell or Deliver a Maximum Penalty: Five years in prison and/or fine.

Counterfeit Controlled Substance. (Any substance that is represented as a controlled substance.)

For Your Information

If any person commits a controlled substance violation in which the punishment includes imprisonment for not more than two years and if he/she has been previously convicted for one or more controlled substance violations, he/she shall be punished as a Class I Felon. Up to five years in prison and/or fine.

If the violation includes imprisonment for not more than six months in prison and if he/she has been previously convicted of one or more then two years and/or maximum fine of \$2,000.

Any person eighteen years of age or older who sells or delivers any controlled substance to a person under sixteen years of age shall be punished as a Class E Felon. Up to thirty years in prison and/or fine.

Appendix D**Alcohol and Drug Resources**

Note: The resources listed below are informational only. Memphis Theological Seminary does not endorse nor oppose the services offered by the listed organizations. It is our hope that individuals with substance abuse issues will seek help in addressing substance abuse problems.

Alcoholics Anonymous – Shelby County 901.452.0923

Alcoholics Anonymous – Desoto County 662.280.3435

Grace House (Women)

329 N Bellevue Blvd.

Memphis, TN 38105

901.722.8460

www.gracehouseofmemphis.org

Harbor House Alcohol and Drug for Men

1979 E Alcy Road

Memphis, TN 38114

901.743.1836

www.harborhousememphis.org

Serenity Recovery Centers

1094 Poplar Avenue

Memphis, TN 38105

901.521.1131

www.serenityrecovery.org

Memphis Recovery Centers

219 N Montgomery Street

Memphis, TN 38104

901.272.7751

www.memphisrecovery.com

La Paloma

1248 LaPaloma Street

Memphis, TN 38114

901.505.6518

<http://theoakstreatment.com/>

Policy Statement Addressing Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses

Memphis Theological Seminary will, upon written request, will disclose to the alleged victim of a crime of violence, as defined in Section 16 of Title 18 United States Code or a non-forcible sex offense, the results of any disciplinary hearing conducted by MTS against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Memphis Theological Seminary will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Policy Statement Addressing Preventing and Responding to Sex Offenses

If a sexual assault or rape should occur, staff on the scene, including Memphis Theological Seminary safety representatives, will offer the victim a wide variety of services. The Memphis Police Department has a Sexual Assault Crisis Consultation Team that has trained members who are available to assist a victim 24 hours a day. This publication contains information about on-campus and off campus resources. That information is made available to provide Memphis Theological Seminary community members with specific information about the resources that are available in the event that they become the victim of a crime. The information about "resources" is not provided to infer that those resources are "reporting entities" for MTS. MTS will assist the student in notifying these authorities, if the student requests the assistance of MTS personnel.

Crimes should be reported to the Memphis Police Department and the Director of Facilities and Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported only to the Memphis Police Department would not be included in the MTS crime statistics.

Seminary disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Student Handbook. The Handbook provides for established and formal proceedings. Only a written, signed complaint to the President of MTS can initiate formal procedures against an individual accused of sexual misconduct/harassment. People who are in authority who receive reports of misconduct of harassment must respond promptly and fairly and comply with the laws of the State of Tennessee. MTS will respect the right of confidentiality of all. Prompt and fair response will be given to all in matters regarding sexual misconduct. Appeals must be made to the Board of Trustees of Memphis Theological Seminary.

MTS will change a victim's academic and living situations after an alleged sex offense and the options for those changes if those changes are requested by the victim and are reasonably available.

The accuser and the accused are entitled to the same opportunity to have others present during disciplinary proceedings.

Both the accuser and the accused will be informed of the outcome of any MTS disciplinary proceeding that is brought alleging a sex offense. MTS may impose sanctions following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses up to and including expulsion.

Resources for Victims of Sexual Assault Shelby County Rape Crisis Center

Coordinator, Forensic Nursing Services

1750 Madison Ave., Ste. 102

Memphis, TN 38104

Ph: 901.222.4350

Fax: 901.222.4351

www.shelbycountyttn.gov/rapecrisiscenter

Regular Business Hours (emergency, through MPD dispatch and non-emergency access available) Monday – Friday
8:30 am - 5:00 pm. Weekends and outside of regular business hours (emergency only access through Memphis Police Department Dispatch)

Counseling for Sexual Assault Victims

Rape Crisis Center (RCC) counselors are available to help victims and families manage the emotional impact of an assault. Counselors are specially trained to help victims understand the complicated range of emotions that often follow a sexually violent assault. All Rape Crisis Center (RCC) counseling is free and confidential.

The Shelby County Rape Crisis Center (RCC) has been empowering and caring for victims of sexual violence, by providing free and confidential, comprehensive forensic nursing, advocacy and counseling services regardless of whether or not the victim is reporting to law enforcement. Victims reporting a sexual assault to law enforcement are transported by police to the center where they receive treatment in a safe, supportive environment. Services to those reporting to police are available 24 hours a day, 365 days a year. Full services are available during regular business hours (8:30 a.m. to 5 p.m. Monday through Friday) to victims not wishing to report to law enforcement.

Additional Resources

Memphis City Government Sexual Assault Resource Center

2234 Truitt St.
901.636.4844

Memphis City Government Sexual Assault Resource Center

123 Eastman Rd.
901.272.2020

Reporting sexual violence gives voice to the victim within the justice system and enhances community safety. Evidence collection enables law enforcement to move forward with the arrest and prosecution of the rapist.

Facts about Sexual Assault in Memphis and Shelby County
For the period January 1 through December 31, 2012
Agency services were provided to 615 females and 61 males.

Four hundred and forty-six evidence kits were collected for use by law enforcement

The majority of forensic examination services were provided to victims between the ages of 13 and 29

Thirty-two women over the age of 50 were seen following a report of rape

Alcohol remains the number one date rape drug in sexual assaults in Memphis and Shelby County

An alarming number of young, female victims are drinking themselves to incapacitation, increasing their risk for exploitation by sexual predators

Nearly half of all rape victims seen at the center were transported by car to another location where they were assaulted; many having accepted rides from complete strangers.

85% of reported rapes were committed by someone known to the victim.
17% of sexual assaults committed statewide occurred in Memphis.

Eleven hundred victims engaged in follow up advocacy and counseling activities.

Steps to Take After Sexual Assault

Get to a safe place, far away from your attacker(s)

Call 9-1-1 or the Shelby County Rape Crisis Center

Rape Crisis Center Hotline at 901.222.4350

1. If physically injured, go immediately to the nearest hospital emergency Department
2. Don't bathe or change clothing
3. Don't brush your teeth
4. If you have to urinate, keep the urine in a container to give to medical staff when you present to the center.
5. If you are assaulted orally, don't eat or drink until seen by medical staff.
6. If you don't want to report the assault, you can still receive services at the center from 8:30 am to 5:00 pm, Monday through Friday
7. Anyone sexually assaulted within Memphis or Shelby County is eligible to receive counseling that is free and confidential, whether or not you chose to report the assault and regardless of when it occurred.

Report Child Sexual Abuse

Arkansas Department of Child Services Hotline: 800.482.5964

Mississippi Department of Child Services Hotline: 800.222.8000

Tennessee Department of Child Services Hotline: 877.237.0004

Memphis Theological Seminary Resources Number:**After Hours Number**

Director of Facilities and Safety
Gregory Spencer
901.262-1111

During Business Hours

Director of Facilities and Safety
Gregory Spencer
901.334.5834

Director of Student Services
Dr. Barry Anderson
901.334.5806

Security Officer on Duty
901.834.7877

Tennessee Sexual Offender Registry

Individuals who would like information about sexual offenders located near the campus may find that information located online at http://www.tbi.state.tn.us/sex_ofender_reg/sex_ofender_reg.shtml through the TN Bureau of Investigation website.

Information may also be obtained by the Director of Facilities and Safety. A list of known sexual offenders within a one mile radius of MTS Campus is maintained within the Director of Facilities and Safety Office.

Unlawful use of the information for the purpose of intimidating or harassing another is prohibited and willful violation shall be punishable as a Class I misdemeanor

Missing Student Notification Policy and Procedures

If a member of MTS community has reason to believe that a student who resides in on campus housing is missing, he or she should immediately notify the Director of Facilities and Safety at 901.334.5834 or 901.262.1111. Additionally, the Director of Student Services should be notified at 901.334.5806.

The Director of Facilities and Safety will generate a missing persons report and initiate an investigation. After investigating a missing person report, should the Director of Safety and/or the Director of Student Services determines the student has been missing for 24 hours. The Director of Facilities and Safety and/or Director of Student Services are required to notify the Memphis Police Department and the student's emergency contact no later than 24 hours after the student is determined to be missing.

If the student is under the age of 18 and is not an emancipated individual, Memphis Theological Seminary will notify the students' parent or legal guardian immediately after the Director of Safety and/or the Director of Student Services has determined that the student has been missing for 24 hours.

Sexual Misconduct Policy and Procedures

Purpose

Memphis Theological Seminary is revising its conduct codes to be in compliance with the new requirements of Title IX of the Education Amendment of 1972 that prohibits discrimination on the basis of sex in federally funded education programs and activities.

The new amendments are the Campus SaVE Act and the Violence Against Women Act, both addresses sexual misconduct.

Memphis Theological encourages members of the Seminary's campus community who experience any form of sexual misconduct discussed in this policy to contact one of the persons/offices listed. The act can be reported whether on or off campus. These persons/offices may be able to provide assistance/resources to help the student recover from the experience, and in deciding what course of action/options that are available: the student conduct process, the criminal justice system.

In compliance with the Title IX, Memphis Theological Seminary provides a procedure (described below) for reporting, investigating, and adjudicating sexual misconduct committed by students. Students experiencing sexual misconduct committed by a Seminary employee or third party should contact the Academic Dean of students or the Seminary's Title IX Coordinator for information about the correct complaint procedures. Although the Seminary encourages students to use Seminary procedures, students may also file a Title IX complaint with the office of Civil Right, Department of Education.

Anonymity and Confidentiality: Students Who Do Not Want To Take Formal Action Or Pursue Conduct Charges.

Students who are not sure whether they want to make a complaint should still seek help from the resources listed below. Contacting the Academic Dean of Students or another campus resource does not mean that the student must file an official report the Seminary or report the assault to enforcement.

Sexual Misconduct Policy and Procedures: continued

These resources are provided to offer non-judgmental support and information to help the student decide what is best for her or him as she or he recovers.

The Seminary makes every effort to protect student's privacy and confidentiality. Information reported will be shared only on a need to know basis, and after consultation with the reporting student. The Seminary also takes steps to protect students against further misconduct, including retaliation, as described below. If a student informs a campus resource of an incident of sexual violence or other form of sexual harassment. The Seminary may need to investigate and take appropriate action to fulfill its Title IX obligation to provide a non-discriminatory, even if the student wishes to remain anonymous or not to pursue a conduct charge.

Amnesty from Student Discipline for the Reporting Party

Amnesty from Student reports sexual misconduct to any campus resource that resource will work with the Academic Dean to make sure the reporting student is protected against further misconduct. The Dean will consult with the reporting party regarding protective measure such as changes to Seminary housing, and /or academic classes, removing the student's information from the Seminary's directory, and issuing a "no contact order" The Office of the Academic Dean will enforce protective measures under the Code of Conduct.

Resources

On- Campus Resources

The Office of the Academic Dean, Dr. Stan Woods

- May assist academic class adjustments
- May assist with housing assignment changes
- Provide information on code of Conduct processes, legal and criminal options, other remedies
- Phone: 901-334-5830
- rswood@memphisseminary.edu

MTS Campus Security

- Accept formal reports and /or complaints
- Provide the victim with a list of their guaranteed rights
- Provide referral to resources on campus: counseling, academic support, housing.
- Phone: 901-355-5882/ 901-334-5834
- Email: Director of Facilities and Safety gspencer@memphisseminary.edu
- Title IX Coordinator, Dr. Barry Anderson
 - May provide information about rights and responsibilities concerning discriminatory behavior, including the application of Title IX
 - May answer questions about Seminary's Compliance with Title IX
 - Address: 168 E Parkway South, Memphis TN 38104
 - Phone: 901-334-5806
 - Email: banderson@memphisseminary.edu

1. a.)Resources continued

Deputy Title IX Coordinator. Dr. Gail Robinson

- Address: 168 E Parkway South, Memphis , TN 38104
- Phone: 901-334-5826
- Email: grobenson@memphisseminary.edu

Resources continued

Off Campus Resources

- Methodist University Hospital, 1265 Union Ave. Memphis TN 38104
- Phone: 901-516-7000

Overview and Purpose of Sexual Misconduct Policy

Memphis Theological expect all of its students to treat one another with respect, dignity and fairness. In an intimate relationship, these values are of paramount importance. Sexual misconduct, as defined by this policy, includes a broad range of behavior such as inappropriate physical touching, sexual exploitation, and sexual intercourse without the consent and other forms of sexual violence. Sexual misconduct may be a crime. Memphis Theological Seminary is committed to maintaining an environment that is free from sexual violence and in which the freedom to make individual choices regarding sexual behavior is respected by all. Sexual intimacy requires effective consent. Sexual misconduct by anyone is unacceptable and will be addressed in a timely fashion and with serious consequences by the University. This policy and procedure are MTS's grievance procedure required by Title IX. This policy and procedure are designed to provide students charged with sexual misconduct with due process while ensuring a reporting student's protections under Title IX and providing prompt and equitable resolution of charges.

A. Violations

Sexual Misconduct is a Category of behavior that includes actual or attempted:

- Sexual harassment
- Non-consensual sexual contact
- Non-consensual intercourse, and
- Sexual exploitation

Sexual Misconduct can occur between strangers, including people involved in an intimate or sexual relationship. Sexual misconduct can be committed by males or females, and it can occur between the same or different sex. Sexual violence is also sexual misconduct.

Sexual Harassment is defined by the Seminary policy as Unwelcome Conduct, including sexual violence, when

- Submission to such conduct is made or threatened to be made a term of or condition of employment, education, or participation in a University activity, such as admission to a class or program/ or
- Submission to or rejection of such conduct is used or threatened to be used as a factor in a decision affecting employment, education, or participation in a University activity, such as a student's grade.

Another form of sexual harassment is unwelcome conduct based on sex or gender that unreasonably interferes with a student's academic (or work) performance or living conditions, or creates an intimidating, hostile, or offensive environment based on sex that is not sexual in nature. Each situation is considered in context to determine if sexual harassment has occurred. Conduct must be severe or persuasive in order to create a hostile environment; conduct may be inappropriate, offense or hurtful yet not be sexual harassment.

Sexual Misconduct: continued

Non-Consensual Sexual Contact is either of the following without effective consent:

- Deliberately touching a person's intimate parts, or
- Using force or threat of force to cause a person to touch his or her own or another person's intimate parts.

Non-Consensual Sexual Intercourse is the penetration by penis, tongue, or an inanimate object without effective consent.

Sexual Exploitation is taking sexual advantage of another person without effective consent and includes, without limitation, causing the incapacitation of another person for a sexual purpose; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and /or knowingly transmitting a sexually transmitted infection, including HIV, to another person.

Effective Consent and Incapacitation

Effective Consent for Sexual Activity

Students choosing to engage in any form of sexual activity- from touching or kissing to intercourse- must obtain consent from their partner(s) prior to engaging in such activity.

Consent for sexual activity can only be obtained in situations where all people involved have equal power in deciding what will and will not happen during an encounter. Getting consent is an active process that involves clearly communication intentions and desires. Consent for sexual activity is based on the mutual understanding and respect of all people involved for the desires and wishes of their partner(s). Consent is informed, with all people involved having the information relevant to the sexual activity in question.

Consent:

- Is mutually understandable when a reasonable person would consider the words or action of the parties to have manifested an understandable agreement between them to do the same thing, in the same way, at the same time and with one another.
- Is merely the absence of a verbal "no".
- Is never final or irrevocable.
- Is time-limited and situation-specific; even if someone obtained consent from a partner(s) in the past, this does not mean that consent is automatically granted again.
- Can only be given by someone who is free from verbal or physical pressure, coercion, intimidation, threat or force.
- Can only be given by someone in an unimpaired state of mind who is able to understand what is happening; consent is not valid if the party from whom the consent is sought is impaired by the use of alcohol or drugs, if the party is asleep, passed out or unconscious.

Note: The use of drugs or alcohol is not an excuse for failing to obtain consent for sexual activity.

Incapacitation

One who is incapacitated cannot provide effective consent. Incapacitation is the physical and/or mental inability to make informed, rational judgments. State of incapacitation include, without limitation, sleep and blackouts.

Where alcohol or drugs are involved, incapacitation is a state beyond drunkenness or intoxication, and is defined with respect to how the alcohol consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments.

Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) is a federal law enacted on October 28, 2000, which provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

The Act amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require sex offender already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. It also mandates that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and it is entered into appropriate state records or data systems.

A listing of all registered sex offender in Tennessee State is maintained by the Tennessee Bureau of Investigation. This Information is available online at http://www.tbi.state.tn.us/sex_ofender_reg.shtml.

Workplace Violence

The Department of Safety and Security investigates all reports of crimes. In serious cases, referrals are made to the Memphis Police Department.

Campus Sexual Violence Elimination Act (Campus SAVE)

Campus SAVE was signed into law in March 2013 as part of the Reauthorization of the Violence Against Woman Act. It amends the Clery Act to include domestic violence, dating violence, and stalking statistics to be collected and disclosed. It also requires higher education institutions to hold educational programs to promote awareness of domestic violence, dating violence, sexual assault, and stalking. This requires institutions of Higher Education to develop and distribute the procedures we will follow when an incident of domestic violence, dating violence, and sexual assault or stalking are reported.

Note: Memphis Theological Seminary provides additional and reinforced policies in keeping with the Violence Against Women Act.

Whenever there is a conflict between this and the Violence Against Women Policy then the higher standard shall prevail.

Fire Safety Disclosures:**Fire Log:**

Memphis Theological Seminary is required by the Higher Education Association to maintain a daily fire log. The Daily Fire Log is maintained and prepared daily and submitted with the daily crime log. The fire log is maintained and made available thru the Director of Facilities and Safety. The fire log is required for the following student commuter housing residences 129-131 Roberta Dr., 133-135 Roberta Dr., 139-141 Roberta Dr., and 143-145 Roberta Dr.

Fire Statistics for 2013-2014-2015 Annual Fire Safety Report					
Statistics and Related Information Regarding Fires in Residential Facilities					
Residential Facilities	Total Fire Each Building	# of Fires	Cause of Fire	Death or Injuries	Value of Property Damage
129-131 Roberta Dr.	0	0	N/A	0	0
133-135 Roberta Dr.	0	0	N/A	0	0
139-141 Roberta Dr.	0	0	N/A	0	0
143-145 Roberta Dr.	0	0	N/A	0	0
2397 Union	0	0	N/A	0	0

FIRE SAFETY SYSYSTEMS IN M.T.S. COMMUTER HOUSING						
Address	Fire Alarm Monitored	Sprinkled	Smoke Detection	Fire Extinguisher	Evacuation Plan	Fire Drills
129-131 Roberta	No	No	Yes	Yes (2)	Yes	No
133-135 Roberta	No	No	Yes	Yes (2)	Yes	No
139-141 Roberta	No	No	Yes	Yes (2)	Yes	No
143-145 Roberta	No	No	Yes	Yes	Yes	No
2397 Union	No	No	Yes	Yes	Yes	No

Policy Statement Addressing Policies and Rules on Portable Electric Appliances, Smoking and Open Flames in Student Housing Facilities

The Facilities and Safety Department performs monthly Health and Safety Inspections within the commuter housing. Inspections will be unannounced. The inspections are designed to find and eliminate safety violations. Students are required to read and comply with Student Housing Guidelines which include rules and regulations for residential usage. The inspections include but are not limited to, a visual examination of electrical cords, testing of smoke detectors, fire extinguishers and other life safety systems.

In addition each room will be inspected for the presence of prohibited items (e.g. sources for open flames, such as candles, non surge protected extension cords, halogen lamps, portable cooking appliances in non kitchen areas) or prohibited activity (e.g. smoking in the room, tampering with life safety equipment, procession of pets etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled with a locking devise or confiscated and donated/discarded if found without reimbursement.

Procedures for Student Housing Evacuation In Case of a Fire/ Fire Drill:

In the event a fire occurs within student housing MTS expects that all community members will evacuate by the nearest exit, closing doors as they leave. Once you are safely out of the building it is appropriate to dial 911 and the Director of Safety at 901.334.5834 or 901.262.1111. Students and staff are informed where to relocate at the time of the alarm. The policy of Memphis Theological Seminary is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppressions activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke and to activate the alarm as they exit if available. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

FIRE/EMERGENCY DRILL/EVENT FORM	
Year	# of Fire Drills per Year
2013	1
2014	1
2015	1

**List of Persons Whom Students and Employees
Should Report a Fire Occurred**

Per Federal Law, Memphis Theological Seminary is required to annually disclose statistical data on all fires that occur in on campus student housing facilities. Listed below are the non- emergency numbers to call to report fires that have already been extinguished in on campus student housing. These fires for which you are unsure whether the Memphis Theological Seminary may already be aware. If you have evidence of such a fire or if you hear about such a fire, please contact one of the following.

Director of Facilities and Safety

Gregory Spencer

901.334.5834 / afterhour's emergency only 901-262-1111

Director of Student Services

Dr. Barry Anderson

901.334.5806

Security Officer on Duty

901.834.7877