

Safety, Campus Police and Security

Policy and Procedures

INCIDENTS, ACCIDENTS OR INJURIES



FIRE OR OTHER EMERGENCY



FIREARMS ON CAMPUS



SMOKING REGULATIONS



DRUG-FREE CAMPUS



EMPLOYEE ID BADGES & VISITORS



SEXUAL ASSAULT AND OTHER CRIMES OF VIOLENCE



SEXUAL HARRASSMENT

Incident Procedures

In the unfortunate occurrence that you are involved in an accident, whether in a university owned or rental vehicle, or any type of on/off campus accident, the following steps should be observed:

You must complete a Lincoln Memorial University Incident Report. This document is located on the LMU Website (Human Resources page) or by contacting the Finance Office or the Office of Human Resources.

Auto Loss or General Liability Loss:

- Seek medical assistance for any injured persons if necessary
- Report the loss as soon as possible to campus security at ext. 6911 or 423-869-6911
- **DO NOT ADMIT FAULT** or **OFFER PAYMENT**
- **DO NOT DISCUSS** the occurrence with anyone except campus security or the police
- Discussion regarding university insurance policies should be directed to the Finance Office
- Preserve any evidence. Take a photo if possible
- As soon as possible, in your own words, write down a description of the event and forward it to the Finance Office
- Obtain witness names, addresses, and phone numbers
- Should anyone receive notice of a lawsuit relating to the accident, contact the Finance Office

NOTE: Vehicles are university property. Only university employees or persons who have been approved by the university and added to the insurance policy are allowed to operate a vehicle. If a vehicle requires a special license for operation; only those employees who possess such license will be permitted to operate that vehicle. To operate a 15 passenger van, additional training is required and the operator must be at least 25 years of age.

Property Loss:

- If injured, seek medical assistance as soon as possible
- Report the loss as soon as possible to campus security at ext. 6911 or 423-869-6911
- Do not discard any damaged property. The insurance company may need to inspect the scene and any damaged property
- Take pictures of loss site if possible
- Take all reasonable steps to protect the property from further damage
- Preserve any evidence relating to the cause of the loss
- As soon as possible, in your own words, write down a description of the event and forward to the Finance Office
- Notify campus security or the police if a law has been broken

Work Related Injury:

- Seek medical assistance for serious injury as soon as possible
- Notify immediate supervisor as soon as possible
- Preserve any evidence that may be applicable to the occurrence
- Obtain witness names, addresses and phone numbers
- Notify Human Resources at ext. 7157 or campus security at ext. 6338 or 423-526-7911

- As soon as possible, in your own words, write down a description of the event and forward to the Office of Human Resources and the Finance Office

DO NOT DISCUSS the occurrence with anyone except the Office of Human Resources or the Finance Office

NOTE: All media questions and inquiries are to be directed to the Director of Public Relations at ext. 6389

Firearms and Weapons on Campus

LMU is committed to providing a safe, healthy learning and working environment, and to making adequate provisions for the safety and health of its students, staff, faculty and the public, and will not permit its students or employees, as well as visitors, to act in ways that may endanger themselves or others.

All visitors, students and employees are prohibited from possessing, carrying, trading or showing weapons of any kind, including firearms, fireworks, guns, explosives, bows and arrows, knives, etc. while on LMU premises, while on duty, while operating LMU vehicles or equipment, or while operating personal vehicles for LMU purposes. Visitors, students and employees are also prohibited from keeping weapons in their personal vehicles parked on LMU's premises. LMU premises include any property owned, operated, controlled or managed by it. Individuals are permitted to carry mace, pepper spray and pocket knives with blades no longer than four (4) inches as long as they are stored in a pocket, purse, briefcase or other personal belongings. Also permitted are paintball weapons to be used for organized recreational purposes on LMU premises.

This policy does not apply to those who are expressly authorized by LMU to use explosives and other authorized tools that could be viewed as weapons in the performance of their jobs.

LMU reserves the right, based upon reasonable suspicion of a violation of this policy, to search an office desk, and other property under the control of the visitor, student or employee, as well as the packages, purses, lunch boxes, briefcases, and students' or employees' vehicles parked on its premises. Individuals may also be required to remove a jacket or sweater and to turn out their pockets. Reasonable suspicion sufficient to justify a search may be based on a clear and reasonable belief, through observation or information provided by a reliable and credible source, that an employee is in violation of this policy. Searches of LMU property under the control of the visitor, student or employee are subject to being conducted without notice, once the reasonable suspicion standard has been met.

Violation of this policy may result in disciplinary action, up to and including expulsion or termination.

Alcohol, Tobacco, Drug Free Campus and Workplace Policy

In support of the Drug-Free Workplace Act of 1988 (Public Law 100-690), the Drug-Free Schools and Communities Act of 1989 and the “Non-Smoker Protection Act” of the State of Tennessee (T.C.A. 39-17-1801), Lincoln Memorial University is notifying all faculty, staff and students of the following University policy.

It is the policy of Lincoln Memorial University to maintain a safe and healthful environment for its students and employees. Therefore, University policy prohibits the unlawful use, manufacture, possession, distribution, or dispensing of drugs (“controlled substances” as defined in the Controlled Substance Act, 21 U.S.C. 812) alcohol and tobacco on University property or during University activities. It is also a violation of this policy for any employee to report to work under the influence of drugs or alcohol.

Violation of this policy constitutes grounds for disciplinary action up to and including immediate discharge of an employee. Federal and State Laws provide additional penalties for such unlawful activities, including fines and imprisonment (21 U.S.C., 84 et seq; T.C.A. 39-6-401 et seq.). Local ordinances also provide various penalties for drug and alcohol related offenses. The University is bound to take all appropriate actions against violations, which may include referral for legal prosecution or requiring the individual to participate satisfactorily in an approved alcohol, tobacco or drug abuse assistance or rehabilitation program.

Individuals who are paid by Lincoln Memorial University from federal grants or contracts must notify the University of any Criminal Drug Statute Conviction for a violation occurring in the workplace within five (5) days after such conviction. The University is, in turn, required to inform the granting or contracting agency of such violation within 10 days of the University’s receipt of notification.

Violations of this policy should be immediately reported to the employee’s direct supervisor.

Employees and their families needing treatment information should call the Lincoln Memorial University Office of Enrollment Management and Student Services at (423) 869-6251.

Employee Identification Badges

To promote safety and security of faculty/staff and students, each employee is strongly encouraged to keep LMU identification on his/her person when representing the University during the workday and at LMU functions.

Visitors in the Work Area

Because of potential safety and other problems, LMU cannot allow non-business visitors (including family members and, particularly, children), in any working areas at any time without advance permission of the supervisor. If you observe any unauthorized non-business visitor in any working area at any time, please immediately notify the supervisor or the University personnel in charge of the work area at that time.

SEXUAL ASSAULT AND OTHER CRIMES OF VIOLENCE

SEXUAL AND OTHER DISCRIMINATORY HARASSMENT

LMU is committed to maintaining study and work environments that are free from discriminatory harassment based on sex, race, color, national origin, religion, pregnancy, age, military status, disability or any other protected discriminatory factor. Sexual or other discriminatory harassment of its students is strictly prohibited, whether by non-employees (such as contractors or vendors), other students, or by its employees, and LMU will take immediate and appropriate action to prevent and to correct behavior that violates this policy. Likewise, students are strictly prohibited from engaging in harassing behavior directed at LMU's employees, its visitors, vendors and contractors. All students must comply with this policy and take appropriate measures to create an atmosphere free of harassment and discrimination. Appropriate disciplinary action, up to and including, as appropriate, suspension, expulsion, and termination from employment or being banned from LMU properties, will be taken against individuals who violate this policy.

Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests or sexual favors or other verbal or physical contact of a sexual nature.

This conduct constitutes unlawful sexual harassment when:

1. Submission to this conduct is explicitly or implicitly made a term or condition of an individual's employment or academic success;
2. Submission to or rejection of this conduct is used as the basis for an employment or academic decision; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment refers to behavior that is not welcome, is personally offensive, is debilitating to morale and interferes with academic or work effectiveness. It frequently (though not necessarily) occurs as an abuse of authority where the parties are in an unequal power relationship. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment can include:

- Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, implied or explicit threats, and offensive or obscene language.
- Non-Verbal: Sexually suggestive objects, graffiti, cartoons, posters, calendars, writings, pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, stalking, staring and making obscene gestures.
- Physical: Unwanted or unwelcome physical contact, including touching, pinching, grabbing, holding, hugging, kissing, brushing the body, assault and rape.

While sexual harassment usually involves members of the opposite sex, it also includes “same sex harassment,” (*i.e.*, males harassing males and females harassing females because of the recipient’s sex).

Sexual harassment may be subtle or overt. Some behavior that is appropriate in a social setting is not appropriate in the workplace or in an academic environment. Regardless of the form it takes, verbal, non-verbal or physical, sexual harassment is inherently destructive, insulting and demeaning to the recipient and will not be tolerated at LMU.

Other Discriminatory Harassment

Other discriminatory harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, national origin, pregnancy, age, military status, disability, or other protected discriminatory factor, when such conduct (1) has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment; (2) has the purpose or effect of unreasonably interfering with an individual’s work or academic performance; or (3) otherwise adversely affects an individual’s employment or academic opportunities.

Examples of discriminatory harassing conduct include, but are not limited to, using epithets, slurs, negative stereotyping, threatening, intimidating or hostile acts or words, or showing, exhibiting or creating written or graphic material that denigrates or shows aversion or hostility toward an individual or group because of race, color, religion, national origin, pregnancy, age, military status, or disability.

All students, faculty and staff must avoid any action or conduct that might be viewed as discriminatory harassment (whether sexual or other). Approval of, participation in or acquiescence in conduct constituting such harassment is a violation of this policy. Note: Individuals may be disciplined for behavior which is not so severe as to independently constitute unlawful harassment, but which is nonetheless offensive.

Complaint and Reporting Procedure

Students who experience, witness or are otherwise informed that a sexual offense has occurred should, at the student’s option, contact local law enforcement, a campus police and security officer, or university official as soon as possible. Prompt reporting is important in order to preserve available evidence, to obtain necessary treatment and support for the victim, and to prevent further harm to others. They need not complain first to the offending person. All complaints or reports should be directed either to the Title IX coordinator, Director of Human Resources, the Dean of Students or the Associate Dean of Students. A prompt, thorough, and fair investigation will be conducted based on the individual’s statement of what has occurred. In an effort to protect the individual who reports or complains of harassment, to encourage prompt reporting, and to protect the accused interests during the pendency of an investigation, access to information related to the investigation will be maintained on a strict “need to know” basis and all individuals involved in an investigation will be instructed not to discuss the matters in question outside of the investigation. LMU will retain confidential documentation of all allegations and investigations and will take appropriate corrective action to remedy all violations of this policy.

Investigations will normally include conferring with the parties involved and any named or apparent witnesses. Signed statements from the parties and witnesses will usually be requested, though

complainants are not required to make a written complaint. All complainants and witnesses will be protected from coercion, intimidation, retaliation, interference or discrimination for raising a bona fide complaint or properly assisting in an investigation. If the investigation reveals that the complaint is valid, prompt and appropriate corrective action designed to stop the harassment immediately and to prevent its recurrence will be taken.

Retaliation against any complaining individual, any witness, or anyone involved in a complaint is strictly prohibited. LMU will follow up any complaint or investigation as appropriate to insure that no retaliation occurs. Students should *immediately* report any perceived retaliation to the Title IX coordinator, Director of Human Resources, the Dean of Students or the Associate Dean of Students. The University will not tolerate retaliation and will take prompt and immediate steps to eliminate it.

Whether a particular act or incident produces a discriminatory employment or academic effect or amounts to harassment, or whether it otherwise violates this policy, requires a factual determination based on all the facts and circumstances. Given the nature of this type of discrimination, the University recognizes that false accusations of sexual or other discriminatory harassment can have serious effects on innocent individuals. Therefore, if after investigating any complaint or report, it determines the complaint or report is not bona fide and was made in bad faith or for an improper purpose, or that an individual has provided false information regarding a complaint or investigation, disciplinary action may be taken against the individual who filed the complaint or who gave false information.

LMU trusts and expects that all students will continue to act responsibly to establish and maintain a pleasant and respectful community environment, free of discrimination or harassment, for all. LMU has a zero tolerance policy for sexual or other discriminatory harassment. Thus, students are subject to discipline for any inappropriate behavior.

Questions or concerns about this policy or the complaint and reporting procedure should be directed to the Associate Dean of Students or Human Resources.

LMU will cooperate with lawful investigatory processes related to criminal investigations. In addition, allegations of sexual offenses brought against a student will be handled pursuant to the University's Sexual Harassment policy and procedures. The University may impose disciplinary action against a student even in the absence of a criminal report, arrest or conviction. Sanctions may include, but are not limited to, disciplinary probation, suspension or expulsion. The Office of Student Services may, upon request or out of concern for safety, make adjustments to a student's academic or living situation.

IF YOU ARE RAPED OR SEXUALLY ASSAULTED:

- Try to preserve all physical evidence. Do not wash, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
- Get medical attention as soon as possible to make sure you are physically well and to permit collection of important evidence in the event you may later wish to take legal action.
- Contact LMU Campus Police and Security, (423) 869-6911 or the Claiborne County Police Department by dialing 911.
- Talk with an advocate or a counselor who will maintain confidentiality, help explain your options, give you information, and provide emotional support.

Past Abuse: Many individuals experience sexual assault and never tell anyone about it at the time of the incident. If you were victimized weeks or years ago, assistance is still available to you. Talking with someone now may help you cope better with abuse from the past, whether it was rape, child sexual abuse, incest, or sexual harassment. Complaints of alleged sexual assault may be made to any Campus Security Authority or the Title IX Coordinator.

Sex Offense Prevention Programs and Procedures

Education and Information

Sex offense prevention education is part of the college experience and the Office of Student Services conducts a mandatory sexual assault prevention seminar at the beginning of each academic year. Sex offense-related topics are also covered during Residence Life Staff Training. Prevention literature and contact information for local agencies is available in the Student Services lobby and at the Tagge Center for Academic Excellence, and students are encouraged to contact the Director of Counseling, Duke Hall 2nd floor with any additional concerns or requests for information.

Students may access the TBI's Tennessee Internet Crime Information Center's Sexual Offender Registry (for Claiborne County) at: http://www.ticic.state.tn.us/SEX_ofndr/sor_short_county.asp. For Bell County, KY: <http://kpsor.state.ky.us/>. For Lee County, VA: <http://sex-offender.vsp.state.va.us/>.

Assistance for Victims

The University will assist victims in notifying the appropriate legal authorities should the victim wish to do so. The University will also assist victims in finding alternate on-campus housing accommodations, if requested, and in making any additional accommodations to remedy the effects of the misconduct, including changes to academic situations.

It is important that victims understand the value of obtaining and/or receiving help in dealing with the crime. Existing counseling, mental health or student services for victims of sexual assault include:

LMU Counseling Services (423)869-6401

CEASE- CEASE is a community resource that can help victims of sexual assault. Call the 24-hour crisis line at **423.581.2220**. Claiborne, Grainger, Hamblen, Hancock, Hawkins and Union counties in Tennessee call toll-free **800.303.2220**.

National Sexual Assault Hotline (800) 656–HOPE

National Suicide Prevention Lifeline (800) 273–TALK

E. Sex Discrimination, Harassment, and Assault: MTSU Title IX

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