Mercer University places a high priority on keeping its campus safe for its students, employees, and visitors. The following information on campus security policies and campus crime statistics is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [20 U.S.C. 1092 (a) and (f)], for the purpose of (a) informing the University community about campus security policies and procedures; (b) encouraging students and employees to take responsible actions to lessen the chances of crime occurring on campus; and, (c) keeping Mercer a safe and secure place to learn and work.

The full text of this report can be located on Mercer’s website at www.mercer.edu/police. This report is prepared in cooperation with Mercer Police, Student Affairs, Judicial Affairs, Residence Life, the Dean of Students’ offices, Memorial Health University Medical Center Security Services Department, and the Department of Environmental Health and Safety. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act. Each year, an email notification is made to all students, faculty and staff that provides the website to access this report.

Campus crime, arrest and referral statistics include those reported to the Mercer Police, and designated campus officials. The Counseling and Psychological Services staff inform their clients of the procedures to report crime to Mercer Police on a voluntary basis, should they feel it is in the best interest of the client.

**Mercer Police Department**

The Mercer Police Department has primary responsibility for the security of the campus. All Mercer Police officers are certified by the Georgia Peace Officer Standards and Training Council as having met the qualifications and training requirements for police officers in Georgia, and they are authorized to exercise law enforcement powers, including the power of arrest, on the campus. The Mercer Police Department derives its authority as a Campus Police Department from O.C.G.A. §20-8-2.

The Atlanta Mercer Police Department works closely with the DeKalb County Police Department (DCPD). Although there are no written agreements between these agencies, the practice between the two police departments is to cooperate fully with and to assist each other. The officers of Atlanta Mercer Police Department and the DCPD communicate regularly on the scene of incidents that occur in and around the campus area. Mercer Police works closely with the investigative staff at DCPD when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information, as deemed necessary. The Atlanta Mercer Police Department also works closely with the McDonough Police Department, the Douglasville Police Department, and the Newnan Police Department.

**Law Enforcement**

Students, employees, and campus visitors are subject to all federal, state, and local criminal laws, in addition to campus regulations. The Mercer Police Department maintains a cooperative working relationship with the local and state police to ensure the enforcement of all laws. Mercer Police officers may make arrests of individuals suspected of campus crimes or may detain such individuals for arrest by
Campus Security Policies

The Mercer Police Department is a service-oriented department. Officers are available 24 hours a day, 365 days a year. In addition to routine patrols, the Department provides an escort service at night, upon request, accompanying students and employees to their cars or to other areas on campus.

The Mercer Police Department works closely with the Physical Plant Department with respect to building and parking security, including keeping a maintenance log of items that need repair or replacement and regularly reviewing campus lighting needs.

Reporting Crimes and Emergencies

Because of the size of our campus, Mercer police officers cannot possibly be on the scene at all times; therefore, it is important that all students and employees of the University promptly report to the Mercer Police Department any unusual activity on campus, in any off-campus building owned or controlled by Mercer, or on public property immediately adjacent to or accessible from the Mercer campus. Mercer policy encourages every member of the campus community to report a crime promptly to Mercer Police if the victim elects or is unable to make such a report. If you have any doubts as to whether to report an incident that has occurred, report it. The Mercer Police Department can then determine whether the event constitutes a crime that must be reported in the University's crime statistics. Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to Mercer Police in an accurate and timely manner. If assistance is required from the DeKalb County Police Department, Mercer Police will contact them. Crime alerts are published when incidents on or near the campus could present threats to the University community. Your cooperation in making reports promptly assists the University in issuing timely warnings to the campus community. Because certain police reports may be subject to the Open Records law, Mercer Police cannot hold reports of crime in confidence. In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of Mercer Police, constitutes an imminent or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued both through the Mercer email system and text messaging system to students, faculty and staff. The Mercer Police Department maintains statistical records of criminal activity on campus, in off-campus buildings owned or controlled by the University, and on public property immediately adjacent to or accessible from the Mercer campus. Statistical data reflected in the Crime Awareness and Campus Security Report is compiled from reports to the Mercer Police Department. A formal police report or investigation is not needed in order for a crime report to be included in the statistics.

When a Mercer student is involved in an off-campus offense, Mercer police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Mercer police officers routinely work and communicate with campus officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. Mercer does not operate off-campus student organization facilities. However, many students live in the neighborhoods surrounding Mercer. While DeKalb County Police Department has primary jurisdiction in all areas off campus, Mercer officers can and do respond to student-related incidents that occur in close proximity to campus.

Mercer allows confidential reporting by victims or witnesses of crimes. Further, Mercer encourages pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of the procedures for voluntary, confidential reporting of criminal activity.
When reporting a crime, suspicious activity, or other emergency on campus, be sure to provide the following information:

BEFORE HANGING UP, BE CERTAIN THE DISPATCHER HAS ALL THE INFORMATION NEEDED. DO NOT TAKE MATTERS INTO YOUR OWN HANDS; THIS COULD RESULT IN SERIOUS INJURY.

You can reach Mercer Police by using one of the following phone numbers:

- Mercer Police (678) 547-6358 or (770) 458-0595
- Emergency Line 6911 (from any campus phone)
- University Switchboard (678) 547-6000

Emergency phones are located in the following locations on the Atlanta Campus. These phones dial the Mercer Police Department as soon as they are removed from the receiver.

- Admin. Conf. Ctr. Elevator 1 East Parking Lot @ Service Road Pharmacy Elevator 1 and 2
- Academic Bldg Elevator Fine Arts Emergency Sheffield Men’s Locker Room
- Behind Apts. - North Side Gravel Parking Lot Sheffield Pool
- Behind Apts. - South Side Main Gym Emergency Sheffield Women Locker Room
- Business & Economics Bldg. Elevator North Parking - East Side Swilley Emergency Phone 1 and 2
- Residence Hall 2902 Elevator North Parking - West Side Swilley Elevator
- Cafeteria Emergency Pharmacy Snack Emergency Phone Swilley Lib. On Walkway leading to Sheffield
- College of Nursing Elevator Pharmacy Outside Emergency Phone Theology Elevator Emergency
- Davis Bldg. 2nd Floor Pharmacy Bldg Emergency 2nd Floor West Parking Lot - North Side
- Pharmacy Bldg Emergency 1st Fl West Parking Lot - South Side

To report a crime or emergency at the Douglas County Regional Academic Center call 911 or Douglas County Police Department, 770-920-3010 non-emergency 24 hours (automated system); to report a crime or emergency at the Henry County Regional Academic Center call 911 or Henry County Communications Center: 770.957.9121 (answered 24 hours); and to report a crime or emergency at the Newnan Regional Academic Center call 911 or the Newnan Police Department at 770-254-2355.
Domestic Violence, Dating Violence, and Stalking

The Campus Sexual Violence Elimination Act (“SaVE Act”) was passed in March 2013 as part of the Violence Against Women Reauthorization Act (“VAWA”). Pursuant to the SaVE Act, Mercer includes reports of domestic violence, dating violence, and stalking in its annual security report.

**Domestic Violence:**

Georgia law does not define “Domestic Violence,” but Georgia defines “Family Violence” as: “the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household:

1. Any felony; or
2. Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass.

The term ‘family violence’ shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention.” See O.C.G. A. § 19-13-1.

For the purpose of reporting domestic violence in the annual security report statistics, “Domestic Violence” is defined as felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction... or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

**Dating Violence:**

Georgia law does not define “Dating Violence,” but the definition of “Family Violence” (above) may cover some dating situations.

For the purpose of reporting dating violence in the annual security report, “Dating Violence” is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. See O.C.G. A. § 19-13-1

**Stalking:**

Georgia law defines “Stalking” as:

1. A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms "computer" and "computer network" shall have the same meanings as set out in Code Section 16-9-92; the term "contact" shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term "place or places" shall include any
public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term "harassing and intimidating" means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made.

(2) A person commits the offense of stalking when such person, in violation of a bond to keep the peace posted pursuant to Code Section 17-6-110, standing order issued under Code Section 19-1-1, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, or permanent injunction or condition of pretrial release, condition of probation, or condition of parole in effect prohibiting the harassment or intimidation of another person, broadcasts or publishes, including electronic publication, the picture, name, address, or phone number of a person for whose benefit the bond, order, or condition was made and without such person's consent in such a manner that causes other persons to harass or intimidate such person and the person making the broadcast or publication knew or had reason to believe that such broadcast or publication would cause such person to be harassed or intimidated by others.’’ See O.C.G. A. § 16-5-90.

For the purpose of reporting stalking in the annual security report, “Stalking” is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

**Sexual Assault:**

Georgia law does not have a single “Sexual Assault” definition, but does define the following crimes that are related to sex:

“Rape” is defined in Georgia as: (a) A person commits the offense of rape when he has carnal knowledge of:

(1) A female forcibly and against her will; or

(2) A female who is less than ten years of age.

Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape. See O.C.G. A. § 16-6-1.

“Statutory Rape” is defined in Georgia as: (a) A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim. See O.C.G. A. § 16-6-3.

“Sodomy; Aggravated Sodomy” is defined in Georgia as: “(a) (1) A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another.

(2) A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person or when he or she commits sodomy with a person who is less than ten
years of age. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy.” See O.C.G. A. § 16-6-2.

“Sexual assault by persons with supervisory or disciplinary authority; sexual assault by practitioner of psychotherapy against patient” is defined in Georgia as:

“(b) A person who has supervisory or disciplinary authority over another individual commits sexual assault when that person:

(1) Is a teacher, principal, assistant principal, or other administrator of any school [defined below as pre-kindergarten through 12th grade] and engages in sexual contact with such other individual who the actor knew or should have known is enrolled at the same school; provided, however, that such contact shall not be prohibited when the actor is married to such other individual;

(2) Is an employee or agent of any probation or parole office and engages in sexual contact with such other individual who the actor knew or should have known is a probationer or parolee under the supervision of the same probation or parole office;

(3) Is an employee or agent of a law enforcement agency and engages in sexual contact with such other individual who the actor knew or should have known is being detained by or is in the custody of any law enforcement agency;

(4) Is an employee or agent of a hospital and engages in sexual contact with such other individual who the actor knew or should have known is a patient or is being detained in the same hospital; or

(5) Is an employee or agent of a correctional facility, juvenile detention facility, facility providing services to a person with a disability, as such term is defined in Code Section 37-1-1, or a facility providing child welfare and youth services, as such term is defined in Code Section 49-5-3, who engages in sexual contact with such other individual who the actor knew or should have known is in the custody of such facility.”

(c) A person who is an actual or purported practitioner of psychotherapy commits sexual assault when he or she engages in sexual contact with another individual who the actor knew or should have known is the subject of the actor’s actual or purported treatment or counseling or the actor uses the treatment or counseling relationship to facilitate sexual contact between the actor and such individual.

(d) A person who is an employee, agent, or volunteer at any facility licensed or required to be licensed under Code Section 31-7-3, 31-7-12, or 31-7-12.2 or who is required to be licensed pursuant to Code Section 31-7-151 or 31-7-173 commits sexual assault when he or she engages in sexual contact with another individual who the actor knew or should have known had been admitted to or is receiving services from such facility or the actor.

(e) Consent of the victim shall not be a defense to a prosecution under this Code section.”

The words underlined above are defined as:

(1) “Actor” means a person accused of sexual assault.
(2) “Intimate parts” means the genital area, groin, inner thighs, buttocks, or breasts of a person.

(3) “Psychotherapy” means the professional treatment or counseling of a mental or emotional illness, symptom, or condition.

(4) “Sexual contact” means any contact between the actor and a person not married to the actor involving the intimate parts of either person for the purpose of sexual gratification of the actor.

(5) “School” means any educational program or institution instructing children at any level, pre-kindergarten through twelfth grade, or the equivalent thereof if grade divisions are not used. See O.C.G. A. § 16-6-25.1(b)-(e).

“Sexual battery” is defined in Georgia as: (a) For the purposes of this Code section, the term ‘intimate parts’ means the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female.

(b) A person commits the offense of sexual battery when he or she intentionally makes physical contact with the intimate parts of the body of another person without the consent of that person.” See O.C.G. A. § 16-6-22.1.

“Aggravated sexual battery” is defined in Georgia as: (a) For the purposes of this Code section, the term ‘foreign object’ means any article or instrument other than the sexual organ of a person.

(b) A person commits the offense of aggravated sexual battery when he or she intentionally penetrates with a foreign object the sexual organ or anus of another person without the consent of that person.” See O.C.G. A. § 16-6-22.2.

For the purpose of reporting sexual assault in the annual security report, “Rape” is defined as: “The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim;” “Fondling” is defined as: “The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity;” “Incest” is defined as: “Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law;” and, “Statutory Rape” is defined as: “Sexual intercourse with a person who is under the statutory age of consent.”

Georgia law does not define “Consent,” but for the purposes of Title IX investigations and Student Code of Conduct investigations at Mercer: “Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in sexual activity.

- Consent to any one form or condition of sexual activity cannot automatically imply consent to any other forms or conditions of sexual activity.
- Current and/or previous relationships or prior consent cannot imply consent to future sexual acts.
In order to give effective consent, one must be of legal age, which is 16 years. Sexual activity with someone known to be – or based on the circumstances, should reasonably have known to be – mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout) constitutes a violation of this policy.

- Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).

- This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of alcohol or drugs.

**Safety and Crime Prevention Programs**

The Mercer Police Department works together with the various Schools and Colleges to provide campus safety orientation sessions each year, promoting campus safety awareness, and informing students of precautions to enhance their security and that of the University community. These prevention and awareness programs for all students and new employees include information about Mercer’s prohibition against dating violence, domestic violence, sexual assault, and stalking. Along with these orientation sessions, the Mercer Police Department has produced and distributed an informational sheet for students and employees. During orientation, students are informed of the importance of the police/community relationship emphasizing police as “friends” based on the different cultures represented on campus, and of the services offered by Mercer Police, such as police escort to any student or employee for their safety or any other reason. Students are told about crime on-campus and how to report crime. Mercer Police also has a website [http://police.mercer.edu/](http://police.mercer.edu/) which features campus safety videos that are updated on an ongoing basis; annual crime statistics; resources for personal safety; parking maps; a tornado response plan; and contact information for MERPO on the Macon and Atlanta Campuses. Human Resources also presents similar information during orientation to new employees. The counselors and nurses of the Department of Student Health and Counseling (DSHC) participate in Resident Assistants (RA) training with the goal of building a working alliance between the two groups. As a result, the RA’s are more prepared when encountering distressed or disruptive students. RA’s are encouraged to consult with DSHC to seek assistance as needed. MERPO and the Dean of Students Office also partipate in this training for RAs from a campus safety perspective. Additionally Student Health and Counseling provides ongoing “passive” programming regarding a variety of health and safety issues via the digital media players located around campus. Also, at every new student orientation (8-10 each fall semester), students are informed about the services available to them through DSHC.

**Human Resources** presents Title IX training across campus throughout the year during New Staff and Faculty Orientations. The training dates were:

- May 13, 2015
- August 1, 2015 -- Henry Country Regional Academic Center
- August 12, 2015
- September 15, 2015
- October 13, 2015
- December 8, 2015
**Student Health and Counseling (ATL)** delivered the following programs and developed the following materials specific to the issue of sexual assault

- April 17, 2015  English Language Institute Students (150 males)  Consent and Respect: Cultural Expectations in US Higher Education
- April 17, 2015  English Language Institute Students (60 females)  Consent and Respect: Cultural Expectations in US Higher Education
- July 28, 2015  Resident Assistant Training  Proceed with Caution (sexual assault awareness and prevention among other topics)

In addition, during orientation sessions, Counseling Services is promoted as the designated location on the Atlanta Campus to report any issues of assault with an expectation of confidentiality as provided by Georgia Law. We have also promoted Campus Clarity during these sessions.

**Brochure**

- In the fall of 2014, Student Health and Counseling created the *Engaged Bears SEE SAY DO Something to Eliminate, Prevent and Address Violence and Stalking* brochure. This has been updated and maintained in collaboration with officials at primary Mercer University locations (Macon, Atlanta, Savannah, Columbus) and in consultation with the Title IX Coordinator. Copies may be found here: [http://atlstuaffairs.mercer.edu/mercersave.cfm](http://atlstuaffairs.mercer.edu/mercersave.cfm)

Residence halls are secured 24 hours a day. The residence halls are secured by keys. RAs conduct nightly security checks to check that doors are closed and locked. The Student Government Association and campus representatives conduct a walk-through survey at night from campus border to campus border once each semester with the Dean of Students, Chief of Mercer Police and the Assistant Vice President for Facilities to examine security issues such as landscaping, locks, lighting, fencing, gates, sidewalks and crosswalks.

Mercer University conducts programming to promote the awareness of dating violence, domestic violence, sexual assault and stalking. Education programs include primary prevention and awareness programs for all incoming students and new employees, which include a statement that the institution prohibits domestic violence, dating violence, sexual assault, and stalking; the definition of domestic violence, dating violence, sexual assault, and stalking in Georgia; the definition of consent, in reference to sexual activity, in Georgia; safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual; information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and ongoing prevention and awareness campaigns for students and faculty on all of the above.

To be an active bystander and reduce risk of violence and stalking, you can:

- Watch out for your friends and fellow Bears. If you see someone who looks like they are in trouble, ask them if they are ok.
- Educate yourself and others about interpersonal violence, gender inequality and the causes of gender violence.
- Have a safety plan in place with friends before going out, and look out for each other.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Call police when a person is yelling at another and it is not safe for you to interrupt.
• Interject yourself into a conversation where another person seems unsafe.
• Refuse to leave the area (or call police) if a person is trying to get you to leave so they can take advantage of another.
• Speak up against racist, sexist, homophobic, or other harmful remarks, jokes, or music.
• Offer to drive an incapacitated friend home from a party.
• Ensure friends who are incapacitated do not leave the party or go to secluded places with others.
• Confront friends who make excuses for other people's inappropriate behavior.
• Understand how your own attitudes and actions (including jokes, music you listen to, etc.) may perpetuate/normalize sexism and violence, and work toward changing them.
• If safe to do so, offer your support, and be aware of on and off campus resources if you suspect that someone close to you is being abusive or has been impacted by interpersonal violence.

Policies Concerning Alcohol and Drugs on Campus
The possession, sale, or consumption of alcoholic beverages is prohibited on campus and at University-sponsored events. Public intoxication, consumption or display of alcoholic liquors, wines or beer on campus is prohibited. Use or possession of illegal drugs and drug paraphernalia is also prohibited. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the State of Georgia, but enforcement of alcohol laws on-campus is the primary responsibility of the Mercer Police Department.

The University has adopted a Drug-Free Workplace and Campus Program as a matter of University policy and in keeping with applicable State and Federal laws, including the Drug-Free Schools and Communities Act Amendments of 1989. Copies of the Program are included in the various Student Handbooks and in the Policies and Procedures Manual (for employees). Additional policies imposing higher standards of conduct with respect to drugs or alcohol have been adopted by certain Schools and departments. These are included in the Student Handbooks or other documents available to the students or employees affected.

Mercer has developed a drug and alcohol abuse prevention program for its students and employees. A copy of the program materials is available here: https://hr.mercer.edu/mu-hr/policies/upload/Drug-FreeProgram.pdf

Policies Concerning Sex Assault, Domestic Violence, Dating Violence and Stalking
The University's campus security policies and safety and crime prevention programs, described above, are designed to promote awareness of rape and other sex offenses, domestic violence, dating violence and stalking, and to prevent such offenses from occurring.

If a student is sexually assaulted on campus, or is a victim of domestic violence, dating violence or stalking, it is particularly important, for the protection of both the victim and the University community, that the incident be reported to the Mercer Police Department as soon as possible. Mercer Police can assist the student in getting medical attention and in notifying the proper local law enforcement authorities, if the student so chooses. The sooner an assault is reported, the easier it is to preserve and collect the evidence necessary for a criminal prosecution, or for obtaining a protection order. Reporting the incident to the police does not mean the victim must press charges against the assailant, but it does help assure that the student receives assistance in deciding how to proceed. Students may also report sexual assault,
domestic violence, dating violence or stalking to the Dean of Students, or the University’s Title IX Officer. Employees may also report sexual assault, domestic violence, dating violence or stalking to the Title IX Officer. The Dean of Students or Title IX Officer will assist the student or employee in notifying Mercer Police or local police, if the student or employee would like to do so. The student or employee may also choose not to notify the police. If a student or employee reports that he or she is a victim of domestic violence, dating violence, sexual assault or stalking, regardless of where the offense occurred, the University provides the person with a written explanation of his or her rights and options. The University also notifies the student or employee of his or her right to seek a protective order, a restraining order, a no contact order, or similar lawful order from a criminal, civil or tribal court, and the University’s obligation to help enforce any protective order.

Sexual assault by a student or group of students, domestic violence, dating violence or stalking, also violates University conduct regulations and may lead to expulsion, suspension, or other disciplinary sanctions, in accordance with established disciplinary procedures. The University uses a preponderance of the evidence standard in its disciplinary hearings. In cases of alleged sexual assault, domestic violence, dating violence or stalking, all University disciplinary procedures provide prompt, fair and impartial investigation and resolution. The University permits both the accuser and the accused the same opportunities to have others present during the proceeding, including the opportunity to be accompanied to any related meeting by an advisor of his or her choice, and both the accuser and the accused receive simultaneous written notice of the outcome of the disciplinary hearing, the University’s appeal procedures, any change to the results before the results are final, and when the results become final. The University takes action to enforce its standards of student behavior and to protect the University community, regardless of whether the alleged offense is prosecuted in the criminal courts. The University procedures are conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to conduct a hearing process that protects victim safety and promotes accountability.

The University protects victim confidentiality, including publicly available records, and withholds victim identity to the extent permissible by law. Students and employees are provided written notification about counseling, health, mental health, victim advocacy, legal assistance, and other services that may be available on and off campus. Victims are also provided written notification about options for, and available assistance in, changing academic, living, transportation, and working situations if those changes are requested by the victim and are reasonably available, regardless of whether the victim reports the offense to campus or local police.

Mercer will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the final results of any institutional disciplinary proceeding dealing with that crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin may request and be provided that information. These final results shall only include the name of the student, the violation committed, and any sanction imposed by the institution on that student.

Mercer Atlanta Counseling, community counseling, mental health resources, and other services for victims of sexual assault include:

- **Mercer University Student Health and Counseling (SHAC) – Atlanta**

  [http://atlstuaffairs.mercer.edu/shac/contact-us.cfm](http://atlstuaffairs.mercer.edu/shac/contact-us.cfm)

  Health Services  
  Counseling Services  
  3001 Mercer University Drive  
  Sheffield Student Center #206  
  3001 Mercer University Drive  
  Sheffield Student Center #215
Where appropriate and possible, the University will assist students in adjusting academic schedules or making other reasonable accommodations after an alleged sexual assault incident, if requested by the student. The student's faculty advisor or the dean responsible for student affairs in the student's School should be contacted to assist the student in considering and making any such adjustments.

There shall be no retaliation against anyone who exercises rights under the Clery Act, VAWA, Campus SaVE or Title IX.

**Policy Concerning Missing Student**

**Reporting:** If a member of the University community (faculty, staff, student, parent, alumni) has reason to believe that a student is missing, that community member will refer the case immediately to the Mercer Police Department. For Regional Academic Center students (Douglas County, Henry County, and Newnan) the community member may contact Mercer Police directly or the Center Coordinator who, in turn, must report the missing student to Mercer Police and the Regional Academic Center Director of Operations.

Mercer Police will work collaboratively with others to contact and locate the student. All reasonable efforts will be made to locate the student and determine his or her state of health and well-being. The efforts include, but are not limited to:

- Phone call to student
- Email to student through Mercer email account (or other known e-mail addresses)
- Messages through social networking websites if possible
- Contact with all professors to determine last day of attendance in each class
Contact with Housing staff (Resident Advisor or Residence Life Coordinator) and roommate(s) if student is residential (Housing and/or Mercer Police will make a welfare entry into the student’s room)

If the student is located through these attempts, a determination will be made regarding his or her health and well-being. If necessary, a referral to the Counseling Center, Health Services and other appropriate offices may be made at that time. The Dean of Students Office or Mercer Police will also encourage the student to contact the community member who initiated the search or follow up with that person directly.

Policy: If the student is not located through the above measures and has been verified to be missing for more than 24 hours, then the following actions will be taken within the next 24 hours by Mercer Police (or the Director of Operations for RAC):

(1) Notification will be made (where and when applicable and appropriate) to the appropriate Dean of Students for the particular college /campus in which the student is enrolled, the students’ academic advisor, the counseling staff, and health center staff.

(2) The Police and/or Dean of Students will make contact with the student’s emergency contact and, for students under 18 years of age, a custodial parent or guardian if not emancipated. Students are asked to register and continually update emergency contact information on Bear Port. Students who reside in on-campus housing are also provided an opportunity to identify a confidential emergency contact individual during check-in. This person(s) will also be contacted within 24 hours after the student is determined to be missing unless the student is under 18 years of age and not emancipated, in which case a custodial parent or guardian will be notified as mandated by law.

Once notified, the parent/guardian/emergency contact person may need to work with Mercer Police to submit additional information with outside law enforcement agencies in order to expand the investigation. Emergency Alert

As part of Mercer’s emergency response plan, students, faculty and staff may sign up for an emergency alert that is delivered via mobile phone. Emergency Alert Registration for students is located at: http://it.mercer.edu/student/index.htm, and the Emergency Alert Registration for faculty and staff is located at: https://apps.mercer.edu/alerts/

Mercer’s Emergency Preparedness and Response Procedures

The Mercer University Emergency Preparedness Plan guides emergency preparedness, response, and recovery procedures and goals. The plan applies to a broad range of emergency incidents, which are classified according to their severity and potential impact. Mercer University has developed and tested procedures to activate the Emergency Management Team in the event of a natural or man-made disaster on the Macon or Atlanta campuses. In addition, an Emergency Operations Center has been established on each campus.

The University community cooperates with an established procedure on each campus to promptly report all incidents which present a concern or threat for public safety to the Mercer Police Department. The Mercer Police Department:

1. Operates 24 hours a day, 7 days a week, 365 days a year. The Mercer Police routinely patrol university properties to monitor and ensure public safety.
2. The Mercer Police dispatcher, shift supervisor, and officers gather information on reported concerns or observed conditions to quickly assess the severity and potential impact of an incident or situation, and determine the incident classification:
   A. Level 1: Minor, localized area or building, can be resolved with current resources
   B. Level 2: Major emergency that disrupts sizable portion of the campus
   C. Level 3: Disaster involving entire campus & surrounding community

3. Once the Mercer Police confirm that a potentially dangerous condition or emergency situation is creating risk for students, employees, and visitors on the campus, an appropriate response plan will be implemented without delay. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. Mercer Police will determine how much information is appropriate to disseminate at different points in time.

Mercer can select from multiple methods for distribution of mass notifications to the university community or communicate directly to specific groups in order to provide instructions addressing immediate public safety concerns, including but not limited to text messages, emails, fire alarms, and sirens through which messages may be broadcast to the campus. Local radio and/or television alerts may also be used.

1. The Mercer Police Department, Senior Vice President & Chief of Staff, or the Senior Assistant Vice President for Marketing Communications determines the appropriate content of emergency communications and warnings. That notice will confirm that there is an emergency, will determine which segments of the campus community must be warned, and will be sent to the campus community without delay, unless sending such a message will, in the professional judgment of the responsible campus authorities, compromise the effort to deal with the emergency, assist a victim, contain the emergency, respond to the emergency or otherwise mitigate the emergency. As soon as a significant emergency or dangerous situation exists, Mercer will take into account the safety of the campus community, determine what information to release about the situation, and begin the notification

2. The Senior Vice President & Chief of Staff, or the Senior Assistant Vice President for Marketing Communications determines when Mercer University should disseminate emergency information to local community officials. The Senior Vice President & Chief of Staff will disseminate information to local media outlets and/or will be responsible for having the Mercer University website updated to reflect the current status of the emergency.

3. The communication systems are:
   - Cell Phone text messaging system
   - Information postings on the Mercer University Online Homepage
   - Targeted emails for geographic, academic, social, and other specified groups
   - Bibb County Civil Defense siren (Macon Campus only)
   - Emergency contact lists for administration and academic officials, along with local emergency responders

The Mercer Police shift supervisor or dispatcher will initiate calls to appropriate local emergency responders and contact appropriate university officials based upon the nature of the emergency. The Mercer University Emergency Management Team is:

1. The President
2. Senior Vice President & Chief of Staff
3. Executive Vice President for Administration & Finance
4. Senior Vice President & General Counsel
5. Provost
6. Senior Vice President, Atlanta Campus
7. Senior Assistant Vice President, Marketing Communications
8. Assistant Vice President & Director of Environmental, Health, & Safety
Emergency response actions are guided by Mercer’s established emergency response goals:

1. To protect life safety
2. To secure critical infrastructures and facilities
3. To resume the teaching and research programs

Mercer University will conduct periodic tests of communication systems at least once per year. Also, the institution will utilize both table top exercises and staged emergency response events to evaluate effectiveness of the emergency preparedness plan. Mercer University will publicize the emergency response and evacuation procedures with at least one test per year.

The Emergency Management Team will:

1. Document equipment tests and training exercises, including a description of the test, the date and time of the test, and whether the test was announced or unannounced.
2. Analyze the outcome of equipment tests and training exercises.
3. Assess the need for improvements or enhancements to the Emergency Preparedness Plan based upon the outcome of equipment tests and training exercises.

Training Exercise:

April 14, 2015

Instructors: Mercer Environmental, Health and Safety Office, AVP – Mr. Alan Baca
MERPO – Major Willie Woolfolk

Guests: Dekalb County Police Department
1. Deputy Chief of Police
2. SWAT Supervisor
3. Bomb Squad Supervisor

Location: Mercer University – ACC Conference Room, Atlanta, Georgia

Content: Table Top Exercise for an Active Shooter / Atlanta Campus Scenarios

Attendees: Dr. Richard Swindle
Ms. Kellie Raiford Appel
Ms. Claire Dyes
Mr. Richard Stilley
Mr. Michael Bauer
Mr. Scott Gillies

The Residence Life staff posts emergency evacuation routes on the residential facility doors, and includes fire safety sections in its manual and handbooks. The Residence Life staff are trained on fire safety processes and procedures and their share fire safety information with their residents at floor meetings at the beginning of the semester. Residence Life, in coordination with Mercer Police, schedules unannounced fire drills once per semester, during which the residents practice emergency evacuation of the residence halls. Anyone found not evacuating during the drill or any subsequent fire alarm is documented and referred to judicial affairs.
Mercer University, Student Affairs – Housing & Residence Life Fire Safety

Fire Safety Training, Documentation, & Notification

- Fire Drills are scheduled 2 times per academic year. The first drill is held in the Fall semester (within the first two weeks of students arrival on campus). The second drill is held at the start of the Spring semester (within the first 2 weeks of their return from the holiday break).

- An incident report is created for a fire alarm incident or actual fire occurring in a Mercer residence facility, & entered into the Residence Life Professional Staff Duty Log.

- Actual fires must be promptly reported to the Mercer Police Department.

- Building staff (both Resident Assistants and Area Coordinators) report fire alarm incidents and actual fires to the Assistant Director of Residence Life, who initiates notification procedures to appropriate university administration officials.

Emergencies

- In an emergency situation, dial 2911 from any campus phone for immediate assistance from the Mercer Police Department.

- For non-emergencies, dial 301-2970, the Mercer Police administrative line.

- In the event of a campus-wide emergency, the Office of Residence Life will serve as the campus command center disseminating information to the entire campus student community.

Student Affairs Housing Handbook

Fire Rules & Regulations (excerpts)

6.0 Candles/Incense/Dangerous Materials

6.1 All open flames, embers, and/or fuels are strictly prohibited in the Residence Halls/Apartments/Greek Houses (with the exception of Greek House ritual candles properly stored in ritual closets when not in ceremonial use.).

6.2 Any candles found, regardless of whether they have been burned or not, wick or no wick, will be confiscated and may be thrown away. A charge of $50 may be assessed per candle confiscated.

6.3 The burning of incense is not permitted. A charge of $50 may be assessed per incident.

6.4 Possession/storage of combustible materials (lighter fluid, oil, kerosene, charcoal, propane, gasoline, other dangerous chemicals, etc.) or other dangerous substances in the Residence Halls, Apartments, or Greek Houses is prohibited.

18.0 Fire Safety/Equipment

In case of a fire alarm, all students must leave the building immediately. Students are not to re-enter the building until instructed to do so by the University Housing Staff.
18.1 The setting of a fire or the activation of a false fire alarm is strictly prohibited. Violators will be subject to disciplinary action and/or criminal charges may be filed.

18.2 Students refusing to vacate in a timely manner, or students returning to the building before they are told to do so may be subject to disciplinary action.

18.3 The mishandling of fire extinguishers is strictly prohibited. The inappropriate discharge of a fire extinguisher will result in a $100 charge plus refilling costs.

18.4 Tampering with fire safety equipment (fire extinguishers, smoke detectors, fire evacuation stickers, fire doors, etc.) will result in a $50 charge and possible further disciplinary action and/or criminal charges. This includes covering or disarming smoke detectors.

18.5 Emergency Exits may be used only during emergency evacuations. Any other use may result in a $50 charge.

18.6 Emergency phones & alarms located in the elevators are to be used only in emergencies. Improper use will result in a $50 charge.

18.7 Hanging items from sprinkler heads is strictly prohibited and can result in property damage of which costs would be charged to the responsible individuals.

Choosing to violate the Fire Safety/Equipment policy may result in an immediate Room Change or removal/eviction from the Housing System.

19.0 Fireworks and Explosive Devices

The possession, use, and/or threat of use of fireworks, explosives, ammunition, and/or smoke bombs are prohibited in and around all Housing facilities.

21.0 Grills

The use of electric grills, gas grills, alcohol stoves, hibachis, charcoal grills, deep fryers, smokers, etc. are strictly prohibited in rooms/apartments/houses or in breezeways. Residents wanting to use these types of devices must do so at least fifteen feet away from any campus building/structure.

31.0 Permitted & Prohibited Items

Appliances with open heating coils and deep fat fryers are prohibited.

Space heaters with exposed heating coils are prohibited.

Students should unplug appliances after use.

Use appliances in open areas free from combustible items (paper, curtains, clothes, etc.)

Permitted Items:

Microwaves, <15amps

Refrigerators, up to 5 cubic feet

Iron, must use an ironing board

Stereo

TV/VCR/DVD Player/Recorder
Coffee Makers
Hair Dryer
Game Systems/Consoles
Computers/Laptops
Desk Lamps
Crock Pots

**Prohibited Items:**
George Foreman Grills
Electric Heaters
Halogen Lights/Lamps
Toaster or Toaster Oven
Neon Lights
Microwaves, >15amps
Sun Lamps
Chest Freezers
Portable Dish/Clothes Washer
Charcoal or Gas Grills
Waterbeds

**Permitted Items in Apartments & Greek House Kitchens ONLY:**
Sandwich Maker
George Foreman Grills
Toaster Ovens

**Extension cords/Multi-Plug Adapters:**
- Only UL approved three-prong grounded extension cords are permitted
- Only one extension cord may be used per double outlet
- Only one surge protector strip is allowed per double outlet

Rewiring of student rooms by non-university employees is not permitted.

**37.0 Smoking**
Mercury University prohibits smoking in all campus buildings including the Residence Halls, Apartments, and Greek Houses.

37.1 Smoking is prohibited in all residence hall rooms, apartments, Greek houses and/or common areas. A minimum charge of $50 will be assessed if evidence of smoking is found in a room/apartment or any interior common area/space.
37.2 Smoking is prohibited within fifteen feet of any Mercer owned or managed facility.
37.3 Residents who improperly dispose of cigarette butts will be charged a $25 littering fee.

38.0 Stairwells
Stairwells, hallways, exit ramps, etc. should not be blocked at any time; this includes trash, boxes, bicycles, etc. Persons found loitering on/in the stairwells, hallways, exit ramps, etc. will be asked to move immediately. Stairwells, hallways, exit doors, etc. may not be propped.

Student Affairs Housing Handbook

Procedures in the Event of Fire

Your first priority should be to get yourself out of the building safely. If any of the following actions will jeopardize your well being, exit the building promptly and do what you can to aid the situation outside.

During a fire alarm, all occupants of the building should vacate that facility immediately and assume a position that is a substantial distance from the perimeter of the facility. Failure to vacate a facility with a centralized fire monitoring system is a violation of Mercer University Police and of Federal Law. Violators will be held accountable through the University’s Judicial System.

If you discover or strongly suspect a fire…

1. In a residence hall, apartment, or other university building, go to the nearest pull box and activate the alarm system if it has not already been activated.

2. Call Mercer Police at (678) 547-6358 and report your name, the fact you are a RA and the area and nature of the fire.

3. If practical, isolate the fire by closing doors in the vicinity.

4. Proceed to evacuate the building according to the building evacuation plan. Quickly knock on residents’ doors to make sure all residents have left the building. Assist any students with disabilities if you are able. (It is also a good idea to ask several other residents to check on any disabled students in case of fire and you’re not there.)

5. Move to the designated area within each residence hall where the staff meets when there is a fire alarm. (Check with your RLC to learn where your area is.) It is important for all staff to know who is available during the crisis and can assist when necessary.

6. When fire fighters arrive, tell them who you are and your title; inform them about the type of fire and its location, and also the possibility of people trapped by the fire. Unless the fire fighters authorize you to assist in any further evacuation area, remain outside with residents until the fire fighters give permission to return to the building.

7. Document the situation in an incident report and submit the report to your RLC immediately.

Note: if you are ever in doubt if something is or is not on fire, pull the alarm. If you see smoke, go ahead and pull the alarm. A minute or two of hesitation could be very costly. Even if the fire appears to be out, it may flare up later and need to be properly disposed. Also always use good judgment in any attempt to extinguish a fire.
**When you hear a fire alarm…**

1. **Always** assume that it could be a real fire.

2. Call Mercer Police and the professional staff member on-duty.

3. Proceed to the staff designated meeting area and await instructions from the professional staff member or Mercer police.

4. If it is determined to be a false alarm, the alarm will be silenced and Mercer Police, fire fighters or the professional staff member on-duty only will instruct residents when they can return to the building.

5. Assist with crowd control until given instructions to return to the building.

6. Document the situation in an incident report and submit it to your RLC immediately.

**If it is an announced fire drill…**

1. Do not call Mercer Police or the professional staff member on-duty.

2. Knock on each resident’s/suite doors as you leave the floor.

3. As quickly as possible while still being thorough you need to check each room:
   
   a. Knock; identify yourself as Residence Life, and key into each space.
   
   b. If you find someone take their information, ask them to leave the building, and fill out an incident report **after** the drill. If you find no one, continue on.

4. If you are an assisting staff member who is not conducting room checks stand near an exit, make sure that everyone is safe distance away from the building, and that no one re-enters the building until the clear signal is given.

**Fire Safety Systems for Atlanta Student Housing**

- **Atlanta Campus Housing (Building 2900, 2902, 2904)**
  - Sprinkler Systems in each building
  - Fire Extinguishers in each kitchen and in common areas
  - Smoke Detectors in each apartment

**Physical Plant Department**

**On Campus Housing Fire Protection Systems Service Policy:**

- Fire sprinkler systems and equipment are tested and checked every 6 months according to NFPA requirements
- Smoke detectors and fire alarms are checked and tested 2 times per year
- Fire extinguishers are checked and serviced on a monthly basis
Campus Crime Statistics -- Atlanta Campus

Statistics concerning certain criminal offenses reported to have occurred on Mercer's Atlanta campus which includes Newnan Regional Academic Center, Henry County Regional Academic Center and Douglas County Regional Academic Center during the most recent calendar year and the two preceding calendar years are set forth below, and are also posted on the Mercer Police Department's website (http://www.mercer.edu/police/). A printed copy of the Report is available in the Human Resources Department, the Mercer Police Department on the Atlanta campus, and the coordinator’s office at each regional academic center. A copy will be provided upon request.

All incidents reported below occurred in Atlanta, unless otherwise noted by a footnote.
### ATLANTA CAMPUS

#### CRIMINAL OFFENSES

<table>
<thead>
<tr>
<th>Offense</th>
<th>ON CAMPUS</th>
<th>STUDENT HOUSING FACILITIES</th>
<th>PUBLIC PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/non-negligent manslaughter</td>
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<td>Incest</td>
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<td>Stalking</td>
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* For 2014, the number of aggravated assault reports was changed from 1 to 0 due to a transposition with burglary.
* For 2014, the number of burglary reports was changed from 0 to 1 due to a transposition with aggravated assault.

#### HATE OFFENSES

<table>
<thead>
<tr>
<th>Offense</th>
<th>ON CAMPUS</th>
<th>STUDENT HOUSING FACILITIES</th>
<th>PUBLIC PROPERTY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/non-negligent manslaughter</td>
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<td>Forcible sex offenses</td>
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<td>ATLANTA CAMPUS</td>
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<td>STUDENT HOUSING FACILITIES</td>
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<td><strong>DISCIPLINARY ACTIONS/JUDICIAL REFERRALS</strong></td>
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