

BALL STATE UNIVERSITY
Annual Campus Security Report
Prepared by the Office of Student Rights and Community Standards
Published October 1, 2017

The following information is provided as a service to the Ball State University community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [20 USC 1092].

The Ball State annual fire safety report can be found at www.bsu.edu/fireandsafetyreports.

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CAMPUS CRIME STATISTICS—MAIN CAMPUS

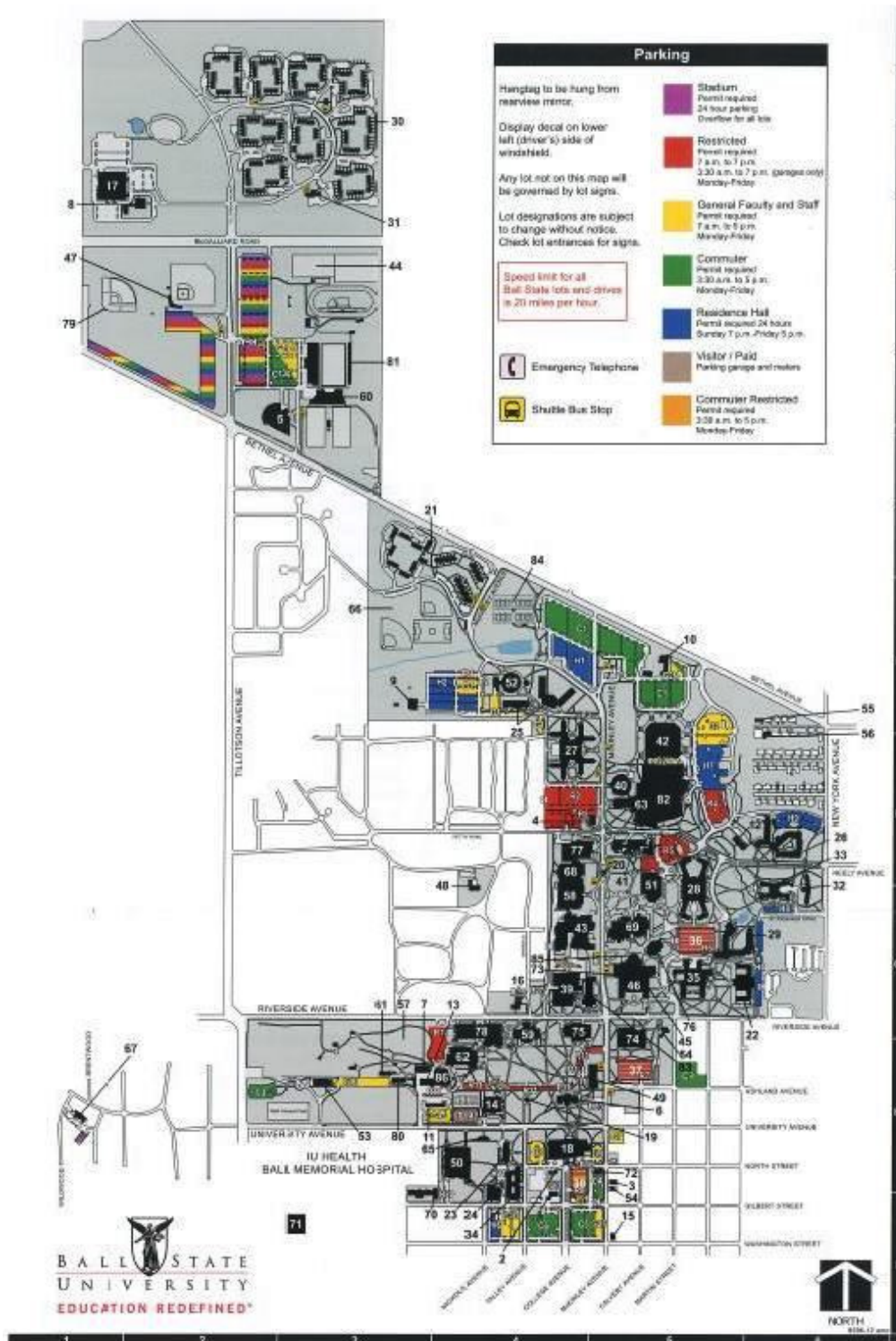
Reports of Primary Crimes	2014				2015				2016			
	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing ¹	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	14	9	0	0	18	15	8	0	13	12	2	0
Forcible Fondling	5	4	0	0	6	4	2	0	10	10	6	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	2	0	0	0	0	0	0	0
Aggravated assault	2	2	0	0	0	0	0	0	0	0	2	0
Burglary	10	5	1	0	6	4	3	0	2	1	3	0
Motor vehicle theft	0	0	0	0	2	0	0	0	1	0	0	0
Arson	0	0	0	0	1	1	0	0	1	0	0	0
Arrests												
Weapons offense	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	27	17	0	0	11	10	0	8	21	9	0	6
Liquor law violations	150	44	3	5	44	20	3	28	60	41	1	31
Disciplinary Referrals												
Weapons offense	4	3	0	0	0	0	0	0	0	1	0	0
Drug abuse violations	64 ²	54	0	0	82	78	0	1	68	53	3	6
Liquor law violations	531	526	0	1	414	412	2	0	396	395	12	1
VAWA Crimes												
Domestic Violence	4	1	0	0	3	1	0	0	0	0	0	1
Dating Violence	10	4	0	0	9	6	0	2	8	8	0	0
Stalking	8	2	0	0	11	6	0	1	6	3	0	0

No crimes that would normally be reported (meeting notice, crime type, and geography requirements) in the chart above were unfounded by the Ball State Department of Public Safety during the 2016 calendar year.

¹ “On-campus housing” is a subset of “On-campus.” All reports noted in “On-campus housing” are also noted in “On-campus.” The “On-Campus” category will always be a number equal to or greater than “On-Campus Housing.”

² Understanding Clery disciplinary referrals accurately requires considering two figures together: arrests and disciplinary referrals. When a police officer issues a citation or makes an arrest for a drug law violation is made on campus, that incident may also result in a disciplinary referral if the person involved is a student. However, as required by the Clery law only the arrest is counted in the annual crime statistics. A more illustrative measure of the annual number of on campus incidents—in which, for example, drugs are a factor—is the combination of arrests and disciplinary referrals. For example, this measure results in 93 drug arrests/referrals on campus in 2015 and 89 in 2016.

BALL STATE MAIN CAMPUS MAP



For the Clery report, the “public property” category includes public property (usually public streets and adjoining sidewalks) adjacent to the colored portions of the map above except for #67 (lower left) which is a “non-campus” property. The Public Property category also includes the public streets and adjoining sidewalks that run through the Ball State campus.

CAMPUS HATE CRIME STATISTICS—MAIN CAMPUS

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in the categories of the victim's actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Reports of Primary Crimes	2014				2015				2016			
	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	1 RA, GI	1 RA, GI	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	1 RA, SO	0	0	0
Arrests												
Weapons offense	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Weapons offense	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Crimes												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0

CAMPUS CRIME STATISTICS—INDIANAPOLIS CENTER

Primary Crimes Reports	2014			2015			2016		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	1	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

No crimes that would normally be reported (meeting notice, crime type, and geography requirements) in the chart above were reported to Ball State as being unfounded by Indianapolis/Marion County police during the 2016 calendar year.

CAMPUS HATE CRIME STATISTICS— INDIANAPOLIS CENTER

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim in the categories of the victim’s actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Primary Crimes Reports	2014			2015			2016		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Arrests									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

The Ball State University Indianapolis Center does not offer on-campus housing. The Center is secured by an alarm system monitored by a security company. In cases of emergencies, Indianapolis/Marion County police respond to 911 calls and alerts from the security company. Center staff members work with Ball State University police as well.

Staff, visitors and students at the Ball State Indianapolis Center are encouraged to report crimes to Indianapolis Center staff members who will assist with reporting to the appropriate police agency.

The Indianapolis Center is open from 8 am-5 pm Monday through Friday. Students in evening and Saturday classes are provided access by personnel on site with secure access privileges. Maintenance problems related to security are reported to the facility's owner by Indianapolis Center staff.

REPORTING CRIMES AND EMERGENCIES

University Police/Public Safety

Ball State University Police, a division of the Department of Public Safety, is headquartered at 200 N. McKinley Ave., Muncie, IN 47306, (765) 285-1111.

Public Safety officers have full police powers throughout the State of Indiana, including the authority to arrest individuals. Public Safety officers also have mutual aid agreements with the City of Muncie and Delaware County. While the mutual aid agreements do not address the investigation of criminal incidents, Public Safety has its own investigators and can receive and offer assistance to other law enforcement agencies in criminal investigations.

Public Safety officers enforce all state and local laws, including but not limited to underage drinking, controlled substances, crimes against property, and crimes against persons. Public Safety investigates all crimes reported to have occurred on campus property, refers out investigations when appropriate, and works cooperatively with local, county, and state law enforcement agencies.

Public Safety also works closely with the Office of Student Rights and Community Standards and the Office of Housing and Residential Life to enforce the *Code of Student Rights and Responsibilities* (see <http://www.bsu.edu/studentcode>).

All crimes or suspected crimes on campus should be reported immediately to Public Safety. Crimes occurring off campus can also be reported to Public Safety or to the Muncie Police Department, the Delaware County Police, or the Indiana State Police, depending on where the incident occurred.

On Campus Emergencies: (765) 285-1111 or 5-1111 from campus phones

Other Emergencies: 911

Non-Emergencies:

- Ball State Public Safety: (765) 285-1111
- Muncie Police: (765) 747-4838
- Delaware County Police: (765) 747-7878
- Indiana State Police: (765) 282-1223

In response to a call, Public Safety will take the required action, by either dispatching an officer to the caller's location, or asking the caller to report to the Ball State police station to file an incident report. Ball State Public Safety reports involving students are referred to the Office of Student Rights and Community Standards for review. Ball State Public Safety investigators will investigate a report when it is deemed appropriate.

Ball State and the Ball State University Department of Public Safety strongly encourage students, faculty, and staff members to report immediately crimes, suspected criminal activity, or other emergencies to Public Safety at the numbers found above.

Persons who have knowledge of an apparent crime and who believe the incident should be evaluated for the purposes of a timely warning to the campus community should report it immediately to Public Safety by calling (765) 285-1111 or 5-1111 from a campus phone. Reports of this nature can also be made to the list of offices and individuals noted in a later section “Annual Security Report and Disclosure of Crime Statistics.”

Anonymous and Confidential Reporting

Persons may voluntarily and anonymously report crimes to Ball State Public Safety by using the Silent Witness program at www.bsu.edu/silentwitness. Silent Witness is a web-based program that allows individuals to report anonymously information about criminal activity on campus.

Crimes reported to counselors at the Ball State Counseling Center (765) 285-1736, to staff members in the Office of Victim Services (765) 285-7844, or to medical staff members at the Student Health Center, (765) 285-8431, are confidential by law. Some crime reports made to off-campus professionals also may be legally confidential, such as reports to a private physician, Better Way, or local counseling services.

Crimes reported only to staff members in the Counseling Center or the University Health Center are not included in the annual crime statistics. The Office of Victim Services provides information that does not identify individuals to Public Safety to be included in this annual report and to be assessed for sending timely warnings.

The Counseling Center does not have a policy encouraging clients to report crimes on a voluntary, confidential basis for inclusion in the annual security report.

Due to the Open Records Law of the State of Indiana, confidentiality cannot be afforded to persons reporting crimes to other individuals or offices that supply crime statistics for this annual report.

PUBLIC SAFETY ADVISORIES (AKA TIMELY WARNINGS)

When a crime occurs on campus or on a public area adjacent to campus, the Department of Public Safety may issue a public safety advisory if the situation poses a serious or ongoing threat to the campus community.

Public safety advisories are intended to heighten safety awareness, alert campus community members of potential dangers, and seek information that could lead to an arrest and conviction of perpetrators of violent crimes or major crimes against property.

The university issues public safety advisories through Ball State email.

Process for Determining to Issue a Public Safety Advisory

The Ball State Director of Public Safety or a designee reviews all reports to determine if there is an on-going threat to the community and if the incidents warrant public safety advisories. The university issues advisories subject to the availability of pertinent information concerning the incident.

Public Safety may consult with other university officials or local law enforcement and safety personnel on a case-by-case basis.

Ball State does not publish the names of crime victims or provide information that could lead to a victim's identity.

Criteria for Issuing a Public Safety Advisory

The university will issue a public safety advisory if the Department of Public Safety determines an incident meets all of the following conditions:

- a reportable crime, under the Clery Act, has been reported: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crime (includes any of the previously mentioned offenses, as well as cases of larceny or theft, simple assault, intimidation, or destruction of property motivated by bias)
- the crime was reported to university officials
- a crime occurred on campus or the public property surrounding campus
- there is a continuing danger to the campus community and issuing the public safety advisory will not compromise law enforcement efforts to address the crime
- any non-Clery crime occurring on campus or on public property adjacent to campus that, in the opinion of the Director of Public Safety or a designee, constitutes a serious or continuing threat to the campus community

The Department of Public Safety determines cases of aggravated assault and sex offenses on a case-by-case basis.

Ball State's Department of Public Safety provides a daily summary of certain types of incidents reported to the Department of Public Safety. Additionally, press releases and crime alerts related to certain specific incidents are posted at www.bsu.edu/news.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Complete emergency response guidelines for various types of emergencies are disseminated to employees each fall. These are available online at www.bsu.edu/prepared.

Communication and Notification in an Emergency

The Department of Public Safety is responsible for determining when an emergency exists, which segments of the campus community to notify, and through which means, as well as

coordinating with Marketing & Communications on the content of any messages. The University Police and Marketing & Communications are the only campus offices authorized to disseminate official information about campus emergencies to the campus community.

When a significant emergency or dangerous situation is confirmed to exist, the Department of Public Safety will take into account the safety of the community; determine what information to release; and begin the notification process without delay unless such notification will compromise efforts to assist a victim, respond to the emergency, or contain or mitigate the emergency.

The entire campus community will be notified when the potential exists for the majority of the community to be affected by an emergency, or when a situation threatens the operation of the campus as a whole. If the threat is limited to a segment of the population, notification may be limited to that segment, but additional segments of the population will be notified as ongoing assessment of the situation reveals a need to do so. Once the campus community has been notified, Marketing & Communications will notify the neighboring community by updating local media outlets.

University faculty and staff should not discuss or post about emergencies on social media accounts that belong to Ball State. Before discussing or forwarding messages about emergency situations, please check the official communication sources to ensure the accuracy of the information.

The university conducts emergency response exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. In addition to regular testing of email/text communication, public address, sirens, etc., emergency response/evacuation tests during 2016 included:

All-hazard plan testing conducted by Ball State Department of Public Safety. Annual all-hazard plan testing is required for Ball State's accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA). Note: Ball State's Department of Public Safety is one of two college/university law enforcement agencies in Indiana accredited by CALEA and was reaccredited for its fourth time in November, 2016.

Ball State conducts a comprehensive emergency communications test on a regular basis. These are tests of communication systems including e-mail, text-messaging, voicemail, and digital signage. A test of the emergency notification system was conducted March 8, 2016.

On January 6, 2016, Ball State police and City of Muncie police conducted training in Shively Hall. Ball State police conducted a training exercise on July 28 at the Burriss Laboratory School.

Employees and students are regularly notified by email regarding emergency preparedness procedures, severe weather preparation, and prevention tips. In 2016, these notices were sent on January 11, May 13, September 23, November 18, December 5, and December 14.

Emergency notifications issued in the past 365 days are archived here:

<http://cms.bsu.edu/campuslife/healthsafety/campus-safety/emergency-notifications/archives>

Types of Notification

Ball State will inform the campus community using three types of notifications:

- Emergency Warnings
- Public Safety Advisories (see prior section)
- BSUInform Notices

Emergency Warnings (including Severe Weather)

The Director of Public Safety or a designee may determine there is an immediate threat to the health and safety of students or employees on campus who need to protect themselves from imminent danger, such as a gas leak in a building.

In these cases, the university sends emergency notifications via Ball State's website, email, campus voicemail, and mobile text messaging to subscribers. The university may also use a campus siren.

When the National Weather Service issues a tornado warning, Ball State will post pertinent information on the homepage of bsu.edu and send a text message to subscribers of the university's emergency text-messaging system. Students, employees, and others should continue to monitor the weather via radio or television until the tornado warning has been lifted for their area.

Marketing & Communications also uses this system when the Vice President for Business Affairs or designee determines classes are canceled or the campus is closed.

BSUInform Notices

The university may issue a BSUInform notice when a situation is not an emergency and does not pose an immediate threat to the campus community but it is of significant safety interest to members of the Ball State community.

The service is intended to make students and employees aware by providing information about a situation. For instance, Public Safety might receive reports of a crime but do not believe a continuing threat exists. In another instance, a crime might occur off campus, but the incident's location might concern students' or employees' safety.

The university sends BSUInform notices through Ball State email accounts.

Staff Responsible for Notifications

Director of Public Safety
Associate Director of Public Safety
Associate Vice President for Strategic Communications
Vice President for Student Affairs & Dean of Students
Associate Vice President for Student Affairs & Director of Housing & Residence Life
Associate Vice President for Facilities Planning and Management

Types of Communication

In the event of an emergency on campus, the university relies on an array of communication tools to keep the campus community informed and relay safety instructions. The University Police and Marketing & Communications are the only campus offices authorized to disseminate official information about campus emergencies to the campus community. The modes of communication include the following and vary with the nature and severity of the situation

Campus sirens: The sirens may emit a continuous three-minute sound warning. *Note: Sirens are tested at 11 a.m. each Friday.*

Emergency alerts: Text messages and e-mails sent when immediate, specific action in response to a situation is needed. To subscribe, go www.bsu.edu/emergencytext.

Public safety notices (aka BSU Inform notices): E-mails sent when no specific action to a situation is required but information may help raise awareness or mitigate rumors.

Ball State home page: In the event of an emergency, the home page would be one of the first places university officials would post official information for all audiences. Should www.bsu.edu become unavailable during an emergency on campus, the university may post information on the site <http://ballstate.info>.

Ball State Emergency Management Twitter Account (@ballstate_alert): In the event of an emergency, the university will post information and continual updates on its official emergency management Twitter account @ballstate_alert.

Emergency call boxes: Emergency call boxes are in classrooms and other places around campus where it is inappropriate to place a regular telephone. The call boxes work like a telephone and dial the Department of Public Safety once the button is pressed. Also, emergency call boxes will receive alerts and say them aloud during emergencies. This happens almost instantaneously across all call boxes on campus.

Evacuation

To be prepared for an emergency, Ball State community members are expected to recognize the sound of the evacuation alarm, know at least two ways out of the building from their regular workspaces, and know the predetermined meeting location for their units as appropriate.

When Ball State community members hear the evacuation alarm or are verbally instructed to begin evacuating a building, they should

1. Try to make sure that all members of their departments or units hear the alarm and evacuate the area by quickly checking nearby restrooms, copier rooms, storage rooms, etc., as they exit.
2. Use the nearest stairway. Do not use the elevator.
3. If requested, accompany and assist persons with disabilities.
4. Shut all doors behind them. Closed doors can slow the spread of fire, smoke, and water.

5. Evacuate as quickly as possible but in an orderly manner. Do not push or shove.
6. Once outside, move at least 100 feet from the building or follow the instructions of emergency personnel on the scene. Stay away from building entrances to avoid interfering with emergency personnel or equipment.

OFF-CAMPUS STUDENT CRIMINAL ACTIVITY

When a Ball State University student is involved in an off-campus criminal offense, or when criminal activity occurs at off-campus housing facilities operated by recognized student organizations, Public Safety may conduct a criminal investigation or assist in criminal investigations conducted by other law enforcement agencies. Ball State Public Safety officers have full police powers throughout the State of Indiana, including the authority to arrest individuals. Public Safety officers patrol residential and business areas surrounding the campus. Students cited or arrested for off-campus criminal activity in the Muncie area, if identified as students, are routinely referred to Student Rights and Community Standards for separate review under the [*Code of Student Rights and Responsibilities*](#).

BUILDING ACCESS AND MAINTENANCE

Because concern with personal safety and the security of property is shared by all segments of the university community, several practices and policies have been established to ensure as safe a community as possible.

Residence Halls

All nonresidents (guests) must be escorted by a hall resident when in living areas. Residence halls are locked at night and all residents must show student identification for entrance. All doors are locked at 12 a.m. and will re-open at 7 a.m. and a university staff member is present to ensure that only residents and their registered guests are permitted to enter. Staff members conduct daily rounds which include checking security measures and reporting any issues that require maintenance.

Guests age 18 and under must have parental/guardian permission to stay as a guest of a residence hall student. Residence hall hosts are responsible for ensuring their guests have the appropriate permission and are registered. Parental/Guardian permission forms are [available online](#) and at the residence hall front desks and night check stations. Guests age 12 and under must be supervised at all times.

Other Campus Facilities

Other campus facilities have specified hours of operation based on their use and the functions they contain. These buildings are secured at closing times. Most academic buildings on campus will be locked at 10 p.m. while most administrative buildings are locked at 5 p.m., though these times will vary. Public Safety officers actively patrol the campus in vehicles, on bicycle, and on foot. Buildings are periodically checked by Public Safety officers.

Campus Maintenance

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Public Safety officers regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Other members of the university community are asked to report observed equipment problems to Work Control at (765) 285-5081 or workcontrol@bsu.edu. Additionally, a Public Safety committee comprised of student, faculty, and staff members periodically conducts a physical survey of campus to note and recommend safety and security concerns; a Student Government Association committee carries out a similar function.

SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS

At the beginning of each academic year, University employees are sent a letter informing them of safety procedures, emergency communication, responding to emergencies and helping students in distress. The letter includes highlighted safety information and directs employees to the University website www.bsu.edu/prepared, which contains emergency response guidelines. Guidelines encourage employees to be responsible for their own and others' safety and provide information on how best to keep safe in various situations.

Students are notified by similar materials distributed through residence halls. In addition, articles in the student newspaper ([Ball State Daily News](#)) regarding safety and crime prevention are initiated by Public Safety.

Emergency phones have been placed throughout the campus to aid in the reporting of crimes or other emergencies.

A campus escort service provides the community with safe campus transportation to and from university buildings. The Charlie's Charter campus escort service can be reached at (765) 285-RIDE (5005), 6 p.m. to 3:30 a.m., Sunday thru Thursday.

Public Safety officers conduct Rape Aggression Defense (RAD) courses throughout the year. Learn more at www.bsu.edu/publicsafety/services.

Security awareness and crime prevention presentations relating to personal safety and the safeguarding of one's property are offered to the entire university community through the Department of Public Safety. Individuals or student organizations interested in obtaining a program presenter should contact Public Safety at (765) 285-3009.

In cooperation with the Office of Housing and Residence Life, Public Safety officers assist with the after-hours security of all residence halls.

The Office of Student Rights and Community Standards is responsible for administering the [Code of Student Rights and Responsibilities](#) (published at www.bsu.edu/studentcode), which outlines the rights and responsibilities of students, behaviors prohibited on and off campus, sanctions, and the procedural rights of students and student organizations. Any person, agency, organization, or entity may make a complaint to the Office of Student Rights and Community Standards alleging a violation of the [Code of Student Rights and Responsibilities](#). In addition, any criminal offense may be reported to the Office of Student Rights and Community Standards,

which in turn will be reported to the appropriate law enforcement agency in consultation with victim. The [Office of Student Rights and Community Standards](#) is located in the Student Center, room L-4, and may be reached at (765) 285-5036.

ALCOHOL POLICY

Additional information about drugs and alcohol may be found at Ball State's [Safe And Drug-Free Campus](#) website and at <http://www.bsu.edu/AlcoholAwareness>.

The Ball State alcohol policy appears in the [Code of Student Rights and Responsibilities](#) as Appendix A (www.bsu.edu/studentcode/alcoholpolicy) and is provided below:

When students choose to consume alcoholic beverages, Ball State University encourages responsible practices and behavior in accordance with campus policies, the laws of the State of Indiana, and the City of Muncie. On and off campus violations of University policy and local and state laws related to alcohol will result in disciplinary action.

A. General Guidelines

1. *University Sponsored Events* - Illegal purchase, service, consumption, or possession of alcoholic beverages at any university-sponsored event on or off campus is prohibited. Upholding applicable local, state, and federal laws in connection with this policy is the joint responsibility of the persons in attendance at the activity, the sponsoring organization, and the management of the establishment in which the activity is held.
2. Illegal purchase, consumption, or possession of alcoholic beverages by any student under 21 years of age is prohibited wherever it may occur.
3. Providing alcoholic beverages at any time to an individual who is under 21 years of age is strictly prohibited.
4. Adverse behavior as a result of alcohol consumption, including disruption, disorderly conduct, and public intoxication shall be a violation of the *Code of Student Rights and Responsibilities (Code)*.
5. The sale of alcoholic beverages by any person without a license is strictly prohibited.
6. Students found responsible for providing alcohol to minors and selling or distributing alcohol in violation of state law shall be in violation of the *Code*.
7. Students hosting events (including but not limited to parties, "pre-gaming," "socials" etc.) where (a) minors consume alcohol (b) alcohol is provided to minors, or (c) alcohol is otherwise distributed in violation of local ordinances or state laws are subject to sanctions outlined in the *Code of Student Rights and Responsibilities* up to and including suspension or expulsion from the University. Groups and organizations are subject to sanctions up to and including suspension of recognition or withdrawal of recognition.

B. On Campus: With respect to the service, possession or consumption of alcoholic beverages on the Ball State University campus, state statutes and city ordinances will be enforced in addition to the following regulations:

1. Residents who are of legal age to possess or consume alcoholic beverages and who reside in university-operated employee apartments or University Apartment units may possess and consume such alcoholic beverages in the privacy of their residences.

2. Consumption and possession of alcohol may be permitted on some residence hall floors where all residents are of legal age to possess or consume alcoholic beverages. Such use of alcoholic beverages will not be permitted in the public lounges, study lounges, recreation areas, dining rooms, or any area other than the student rooms.

C. Parental Notice: The university will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a *second* violation of the alcohol policy, and (3) on the *first* violation of the alcohol policy when one or more of the following occurs:

- the student demonstrates a reckless disregard for his or her personal safety or the safety of others;
- medical attention to any person, including the student, is required as a result of the student's alcohol-related behavior;
- there is property damage;
- the student operates a motor vehicle under the influence of alcohol;
- the incident involves another serious violation;
- the student's alcohol-related behavior negatively impacts the learning environment.

D. Good Neighbor Exception - Students are always encouraged to call for emergency assistance as needed, even at the risk of disciplinary action for one's own conduct. When another person is in need of critical care or when a situation otherwise warrants emergency response, call 911 immediately. The Good Neighbor Exception provides university officials the opportunity to waive University disciplinary action for a student if he/she risked revealing one's own violation of the *Code of Student Rights and Responsibilities* in order to seek medical or other emergency assistance to another person in distress. The Good Neighbor Exception typically applies only to individuals committing minor offenses and shall be the judgment of the designated university official. *NOTE: The exception does not apply to any criminal charges.*

Laws Concerning Drinking or Serving Alcohol

The summary below is intended to provide an overview of some of the sections most relevant to university students. It is not intended as a substitute for professional legal advice. Those needing legal advice should consult an attorney.

Social Host Law

Indiana has a "social host" law. Providing alcohol to minors has long been illegal; Indiana's social host law also makes illegal providing minors a place to consume alcohol ("hosting"). Doing so is a Class B misdemeanor, which can be increased to a Class A misdemeanor if a person has a prior unrelated conviction. If the consumption of the alcohol, ingestion, or use of the beverage leads to bodily injury or death of any person, a violation of this law becomes a Level 6 felony.

Indiana Lifeline Law

The Indiana Lifeline Law provides legal immunity for some alcohol-related offenses, subject to certain conditions, to Hoosiers who call 911 to report an alcohol-related medical emergency including sexual assault or drug overdose. In order to receive immunity, the person must demonstrate that they are acting in good faith by completing ALL of the following:

- remaining on the scene until law enforcement and emergency medical assistance arrives

- providing his or her full name and any other relevant information requested by police
- cooperating with authorities on the scene

The law will not interfere with law enforcement procedures or limit the ability to prosecute for other criminal offenses such as providing to a minor, operating while intoxicated, or possession of a controlled substance. For more information: www.indianalifeline.org

Alcohol Use by Persons Under the Age of 21

Indiana alcoholic beverages laws define the term "minor" as "a person less than twenty-one (21) years of age." Under Indiana Law, it is illegal for a minor:

- To possess an alcoholic beverage (even to hold a sealed container for another person).
- To consume an alcoholic beverage.
- To misrepresent his or her age for the purpose of obtaining alcoholic beverages.
- To furnish false or altered identification of any type for purpose of providing evidence of age to obtain alcohol.
- To have in his or her possession false or fraudulent evidence of age.
- To drive an automobile being used to transport alcoholic beverages, unless the minor's parent or legal guardian is present in the car. (Note: When a minor operates a motor vehicle containing ANY alcoholic beverages she/he is subject to arrest, unless a parent or legal guardian is in the car. A 21 year-old passenger does NOT qualify a minor to operate a vehicle containing an alcoholic beverage. It is no defense that the beverage belongs to someone else or is unopened.)
- To "be in a tavern, bar, or other public place where alcoholic beverages are sold, bartered, exchanged, given away, provided, or furnished."

Criminal sanctions for such violations include a fine of up to \$500 and/or imprisonment in a local jail for up to 60 days. In addition to the criminal sanctions, Indiana law mandates a 90 day to one year driver's license suspension for any minor who is convicted of using any type of fake ID, or of entering a bar or tavern or purchasing or procuring an alcoholic beverage (with or without using false or altered driver's license). Under certain circumstances, local prosecutors have used the "criminal code," rather than the "alcoholic beverage code," to prosecute users of fake ID's; misdemeanor charges of "deception" and felony charges of "forgery" have sometimes been filed. Under federal law, possession or use of fake or altered driver's licenses or state or federal ID cards can be punishable by a fine up to \$25,000 and/or a five year jail term.

General Alcohol Laws (these apply to all persons regardless of age):

It is illegal:

- To be in a public place in a state of intoxication (also known as "public intoxication").
- To sell, barter, exchange, provide, or furnish an alcoholic beverage to a minor.
- To sell, barter, deliver, or give away an alcoholic beverage to a person who is intoxicated.
- To sell, barter, exchange, give, provide, or furnish an alcoholic beverage to a person known to be an alcohol abuser.
- To hinder, obstruct, interfere with, or prevent the observance or enforcement of the Indiana Alcohol Beverage Code. For a person 21 years of age or over to encourage, aid, or induce a minor to unlawfully possess or use an alcoholic beverage.

- To take an alcoholic beverage into bar, restaurant, or place of public entertainment. (Indiana law prohibits patrons from taking any alcoholic beverage into any bar or other place without liquor license. It also prohibits taking liquor into any restaurant or place of public entertainment.)
- To possess alcoholic beverages on which Indiana tax has been unpaid or to transport untaxed beverages into the state.
- To directly or indirectly charge for alcoholic beverages without a license (including charging for food, entertainment, cups, napkins, tokens, etc. where alcoholic beverages are distributed—there are no loopholes).

Criminal sanctions for such violations include a fine of up to \$1,000 and/or imprisonment in a local jail for up to six months.

Alcohol or Other Drug Impaired Driving

It is illegal:

- To operate a motor vehicle while intoxicated (under the influence of alcohol, any controlled substance, any other drug, or any combination of alcohol, controlled substances, and other drugs).
- To operate a motor vehicle with 0.08% or more alcohol in the blood, even if intoxication is not proven.
- To operate a motor vehicle while intoxicated or with 0.08% or more alcohol in the blood if said operation results in serious bodily injury to another person (FELONY).
- To operate a motor vehicle while intoxicated or with 0.08% or more alcohol in the blood if said operation results in the death of another person (FELONY).

Indiana law states that anyone operating a motor vehicle within the state gives "implied consent" to submit to a chemical test of intoxication (breath, blood, or urine). Failure to submit to the test may be presented as evidence against the driver in court and will result in a longer driver's license suspension than if the driver took the test and failed it. The courts have ruled that failure to cooperate with a test will constitute refusal in the eyes of the court. (NOTE: It is illegal to drive a car while impaired - even at blood alcohol levels below 0.08.) Criminal sanctions for such violations include fines and imprisonment, license suspensions, and can include mandatory education or treatment programs.

Parties, Permits, and "Common Nuisances"

Indiana law requires a license to "ship, barter, give away, exchange, furnish, or otherwise handle or dispose of an alcoholic beverage..." (except to give it to a family member or invited guest who is of legal age). In other words, one may serve alcohol to friends who are 21 years of age or older but one may not sell it or receive anything of value in exchange for it. If a party gets larger than "invited guests," or if admission is charged (or "donations" accepted), a temporary permit is required. Without a permit, one can be charged with

- Serving alcohol without a permit (a class B misdemeanor) or
- Maintaining a common nuisance (a level 6 felony)

DRUG POLICY

The use, possession, sale, or transfer of narcotics, drugs, or hallucinogens is prohibited on campus, except as permitted by law. The following policy appears in the [Code of Student Rights and Responsibilities](#) at section 5.3.3:

Drugs - Using, possessing, selling, distributing, manufacturing, or transferring narcotics, illegal drugs, or prescription drugs, except as expressly permitted by law, or possessing drug paraphernalia which can be demonstrated to be linked to illegal drug activity. See also [Drug Policy Appendix B](#).

The complete drug policy is Appendix B of the [Code of Student Rights and Responsibilities](#) and can be found online at www.bsu.edu/studentcode/drugpolicy and below:

The use, abuse, possession, sale, distribution, manufacture or transfer of narcotics, illegal drugs as defined by state or federal law, or any controlled substance is prohibited at all times, except as expressly permitted by law. Controlled substances include, but are not limited to, marijuana, hash oil, hashish, inhalants, and abuse of over-the-counter drugs and prescription drugs, and/or the use of over-the-counter drugs or prescription drugs, or any other immediate precursor to be used to manufacture any other illegal drug, including without limitation, methamphetamine, except as expressly permitted by law.

Possession or manufacture of drug paraphernalia which is to be used for any one of the following purposes (a) to introduce into a person's body a drug, marijuana or any controlled substance, (b) to test the strength, effectiveness or purity of a drug, marijuana or any controlled substance, or (c) enhances, or is perceived to enhance, the physiological effect of a drug, marijuana or any controlled substance, is also a violation of this policy.

Violation of this policy, on or off campus, will result in disciplinary action by the university. Those found responsible may face sanctions up to and including consideration of suspension or expulsion, depending on prior disciplinary record and severity of the violation.

Students who reside in university housing facilities, may be subject to immediate contract termination if found responsible for any violation of this policy.

Students need to be aware that any student convicted of a state or federal drug violation that occurred while enrolled and while receiving federal financial aid may be declared ineligible for future federal student aid for up to a year. Individuals convicted of both possession and selling may face a longer period of ineligibility.

The university will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a *second* violation of the alcohol policy, and (3) on the *first* violation of the alcohol policy when one or more of the following occurs:

- the student demonstrates a reckless disregard for his or her personal safety or the safety of others;
- medical attention to any person, including the student, is required as a result of the student's alcohol related behavior;

- there is property damage;
- the student operates a motor vehicle under the influence of alcohol;
- the incident involves another serious violation;
- the student's alcohol-related behavior negatively impacts the learning environment.

Good Neighbor Exception - Students are always encouraged to call for emergency assistance as needed, even at the risk of disciplinary action for one's own conduct. When another person is in need of critical care or when a situation otherwise warrants emergency response, call 911 immediately. The Good Neighbor Exception provides university officials the opportunity to waive University disciplinary action for a student if he/she risked revealing one's own violation of the [*Code of Student Rights and Responsibilities*](#) in order to seek medical or other emergency assistance to another person in distress. The Good Neighbor Exception typically applies only to individuals committing minor offenses and shall be the judgment of the designated university official. *NOTE: The exception does not apply to any criminal charges.*

Laws Concerning Controlled Substances

The summaries below are intended to provide an overview of some of the laws relevant to university students. They are not intended as a substitute for professional legal advice. Those needing legal advice should consult an attorney.

Controlled Substances

"Controlled Substances" are regulated drugs that have been determined to have special "abuse potential." Such drugs include but are not limited to, marijuana, hashish or hash oil, cocaine, LSD, and other hallucinogens, barbiturates and other sedative-hypnotics, amphetamines and other prescription stimulants, MDMA (Ecstasy), PCP, and similar drugs. It is illegal under both state and federal to:

- Manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance.
- Deal in a substance represented to be a controlled substance (including counterfeit, "look-alike" drugs).
- Manufacture, advertise, distribute, or possess with intent to manufacture, advertise or distribute a substance represented to be a controlled substance.
- Possess, without a valid prescription, a controlled substance.
- Visit a building, structure, vehicle, or other place used by person to unlawfully use a controlled substance.
- Possess, manufacture, deal in, or deliver drug paraphernalia (an instrument, device, or other object intended for use for introducing a controlled substance into a body or for enhancing the effect or testing a controlled substance).

Criminal sanctions for such violations can include fines from \$5,000 to \$10,000 under state law and up to \$25,000 under federal law, and imprisonment in a state prison for up to 50 years or in a federal prison for up to life. The sanction imposed will be determined by: (1) the classification of the controlled substance; (2) the quantity involved; (3) the nature of the offense (sale, use, etc.); (4) the age of the recipient (higher penalties for possession, sale or delivery near a school, etc.); and (5) the prior criminal record of the offender. More detailed information may be obtained by consulting the Indiana Criminal Code or the Federal Controlled Substances Act, as amended.

Anabolic Steroid

Under Indiana law, it is a criminal offense to manufacture, deliver, possess, or use an anabolic steroid without a valid and legal prescription. It is illegal for a physician or other licensed practitioner to issue a prescription for an anabolic steroid for enhancing performance in an exercise, sport, or game, or to increase muscle mass, strength, or weight without a medical necessity. Criminal sanctions for such violations can include fines and/or imprisonment. More detailed information may be obtained by consulting the Indiana Criminal Code.

Indiana Tobacco Laws

It is illegal for a person under the age of 18 to purchase or possess tobacco, and it is illegal to sell tobacco to a person under the age of 18. A person purchasing a tobacco product must have proper identification for proof of age. A fine of up to \$500 may be imposed for such violations. Indiana law also prohibits smoking in public buildings (including all Ball State properties), except in designated smoking areas. [Link to Ball State's Tobacco-Free Policy](#).

Financial Aid Recipients

All students who seeking financial assistance with their education apply using the Free Application for Federal Student Aid (FAFSA). The application asks students whether or not they have been convicted of a drug offense while receiving federal student aid (grants, work-study, or loans). The answer “yes” requires additional information to determine eligibility for aid.

Students should carefully check the conditions of their specific financial aid. For instance, the Indiana 21st Century Scholars scholarship requires students to pledge, “I will not use illegal drugs or alcohol or commit a crime or delinquent act” as part of their application. Failure to understand and comply with one’s obligations to specific aid can jeopardize continued receipt of that aid.

Campus Resources for Alcohol and Other Drug Information

In addition to the information below, campus resources for alcohol and other drugs can be found at the [Alcohol Awareness](#) and [Safe And Drug Free Campus](#) websites. These are regularly advertised in the student campus newspaper.

Health, Alcohol and Drug Education

The Alcohol/Drug Education Program is a part of the Office of Health, Alcohol, and Drug Education located in the Student Health Center. This office provides a wealth of information as well as alcohol and drug abuse consultation and assessments for students. There are several individual and group programs available to students who want to learn more about how alcohol and other drug use is impacting their lives and how they can monitor their behavior.

Counseling Center

The Counseling Center provides a variety of support assessment services that are designed to educate and enhance awareness of students in the area of chemical dependence.

Academic Department Courses

A number of academic departments offer courses and other opportunities for students to study the complex issues of drug abuse, the impact of society, as well as to prepare for careers in alcohol and drug counseling, patient care, and other related fields. The following units typically conduct research and offer courses regarding alcohol and other drug use:

- Department of Physiology and Health Science
- School of Physical Education, Sport, and Exercise Science
- Department of Nutrition and Health Sciences
- School of Nursing
- Department of Social Work
- Department of Counseling Psychology, Social Psychology, and Counseling

ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Office of Student Rights and Community Standards and Department of Public Safety prepare an annual security report disclosing all crime statistics required by the U.S. Department of Education in compliance with the Clery Act. This report is filed with the Department of Education and is made available to the public at www.bsu.edu/fireandsafetyreports along with a companion report on fire safety. By October 1 of each year, a notice of the report's availability and how it may be obtained is emailed to current students via their official Ball State email addresses as well as emailed or mailed (a postcard from Human Resources) to current service employees. Prospective students are informed of the report when they apply to Ball State; notice of the report to prospective employees is coordinated by Human Resources (classified and contract staff) and Office of General Counsel (faculty and professional staff positions). Ball State crime statistics can also be found at <http://ope.ed.gov/Security>. Persons may also obtain a printed copy by calling or writing to:

Office of Student Rights and Community Standards
Student Center, Room L-4
2000 W University Avenue
Muncie, IN 47306
(765) 285- 5036

Ball State University's annual crime statistics include on- and off-campus crimes as defined by the Clery Act and that are reported to the Department of Public Safety. Crime reports are also forwarded to Student Rights and Community Standards by the Muncie Police Department, State Excise Police, and other law enforcement agencies through Public Safety. Finally, Ball State's crime statistics include reports of crimes (including disciplinary referrals for alcohol, drug, and weapons law violations) made in good faith to the following offices and individuals (crime reports made to these offices and persons are also evaluated to determine if timely warnings are required) :

- Academic Advising
- Ball State Department of Public Safety
- Office of the Vice President for Student Affairs
- Director of Intercollegiate Athletics, athletics administrators, head and assistant coaches
- Faculty and staff advisors to student organizations

- Office of Housing and Residence Life (including Resident Assistants and other student staff members)
- Office of Student Life
- Multicultural Center
- Office of Disability Services
- Career Center
- L.A. Pittenger Student Center
- Rinker Center for International Programs
- Emens Auditorium and Pruis Hall attendants, etc.

Additionally, Public Safety maintains a crime log that is available to the public. Requests for the crime log can be made to the Records Coordinator at the front desk of the Ball State Department of Public Safety during business hours. An on-line crime log for the prior two weeks can be found here: <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/crime-log-listing>

Annual Security Report Preparation

Ball State University's annual campus security report is the result of the effort of many people on campus. Each year individuals from the offices noted above are contacted by email with information about their roles and obligations in reporting, instructions for reporting, and a solicitation for any crimes that may have been reported to them. Specific information about the alleged crime such as date, time, location, and description are requested including knowledge of whether the crime had been reported to police. This information is used to make decisions about issuing timely warnings and to reconcile multiple reports of crimes to avoid counting any report more than once. No formal police report is required for a crime to be included in the statistics. Every effort is made to ensure that all persons required to report in fact do so and that our statistics are as accurate as possible.

Person with questions or concerns regarding any of the statistics and information in this report should contact Marketing and Communications, Ball State University, Muncie, IN 47306; telephone: (765) 285-1560.

MISSING STUDENT NOTIFICATION POLICY

This policy was established by Ball State University, in compliance with the Higher Education Opportunity Act of 2008, to provide students with procedures and information for reporting a missing person. The policy applies specifically to students who reside in University-owned housing facilities.

Confidential Contact Person

Resident students who are 18 years of age or older or who are emancipated minors have the option, upon moving into the residence hall, to identify a specific contact person who will be notified within 24 hours if that student has been reported missing. The identity of that contact person will remain confidential with the exception of law enforcement and staff designated to respond to missing person reports.

For resident students under the age of 18 and not emancipated, the University is required to notify a custodial parent or guardian within 24 hours of the time a student is reported missing.

Notification Procedures for Missing Persons

If a student is believed to be missing, *defined as an individual who has not been seen or heard from for 24 hours or more and whose whereabouts is unknown*, a report should be made to one of the following:

- Residence Hall Director
- Assistant Residence Hall Director
- Public Safety

When report is made to a residence hall staff member, the Department of Public Safety will be contacted immediately. Residence hall staff members will work with Public Safety officers to find the student. Cooperative efforts may include:

- Welfare check of the missing student's residence hall room
- Contact attempts via cell phone, email, or other means
- Identification of and contact with other individuals who may have knowledge of the missing student's whereabouts

Public Safety officers will gather all essential information related to the missing person and conduct a thorough investigation. No later than 24 hours after the missing person report is first received, Public Safety will notify the individual's designated contact or (for persons under 18 years of age and not emancipated) the subject's parent or guardian to inform them that the resident student is believed to be missing.

Regardless of the student's age, emancipation status, or whether the student has designated a contact person, Public Safety police officers will, within 24 hours of the report, notify the local law enforcement agency with jurisdiction in the area where the student is missing.

All inquiries by the media or the general public regarding missing persons will be referred to Marketing and Communications. All public statements will be coordinated through that office.

Notification Procedures for Missing Persons Living Off Campus

Upon notification from any person that a Ball State University student may be missing, the university staff member receiving the information should refer the matter immediately to Public Safety at (765) 285-1111.

Officers will respond to reports of missing students in a timely manner. It is the policy of the Ball State Department of Public Safety to thoroughly investigate reports of all missing persons.

SEXUAL ASSAULT, DATING/DOMESTIC VIOLENCE, AND STALKING

Ball State is committed to preventing sexual assault, domestic and dating violence, stalking, and other forms of sexual harassment and misconduct. New students and employees are provided significant programming and training prior to beginning classes or shortly after matriculation and employment. A key program for new students is [Think About It](#), which provides a highly interactive and informative discussion of consent, forms of sexual violence, the role of alcohol in sexual violence, bystander intervention, and university resources. Red Zone prevention programming takes place in many large, primarily-freshman classes; residence halls sponsor numerous programs, Greek life and athletics sponsor programs targeted at those student sub-

populations, and the Public Safety Department provides Rape Aggression Defense (RAD) training throughout the year. On average, Ball State sponsors approximately twenty programs each month during the academic year.

Ball State is committed to addressing complaints of sexual harassment and misconduct—including domestic and dating violence, sexual assault, and stalking—in an effective, timely, and equitable manner. This statement provides brief information about the policy and procedures by which complaints against a student will be addressed. The complete Sexual Harassment and Misconduct Policy can be found at www.bsu.edu/studentcode/sexualmisconduct.

Procedures Following a Complaint

Complaints about a student's behavior should be made to or are forwarded by Ball State police, responsible employees, or other party to Ms. Katie Slabaugh, the Associate Dean of Students/Title IX Coordinator at (765) 285-1545 (AD 238). The Associate Dean of Students/Title IX Coordinator or designee (Title IX Coordinator) will designate an investigator who will provide needed academic accommodations and initial remedies, and recommend an appropriate resolution which may include further investigation is required, a remedies-based resolution, or dismissal of a complaint.

If further investigation is required, the investigator will interview the complainant, respondent (accused student), and witnesses as applicable to gather additional facts. The investigator will review the preliminary report with the parties, finalize the report, and forward the report to the Director of Student Rights and Community Standards (Director). The Director, in consultation with the investigator, will determine if further adjudication is warranted using a preponderance of evidence standard.

If the Director determines that no further adjudication is warranted, the Director will notify both parties simultaneously in writing. The complainant may appeal this decision to the Title IX Coordinator who may confirm the Director's decision or require a hearing by the Sexual Misconduct Board.

If the Director determines that further adjudication is required, the Director will notify the respondent with a letter charging one or more violations of the Sexual Harassment and Misconduct policy, providing a rationale for doing so, proposed sanctions, and options for resolving the complaint. The complainant will receive a simultaneous notification. Both parties will be invited to separate meetings with the Director. In this meeting, the Director will review procedures, as well as formal and informal options for adjudication and their implications.

If the respondent accepts responsibility for the charged violation(s), the Director will implement the proposed sanctions and notify both parties of the decision and the opportunity to and criteria for appeal. If either party appeals, the other party will be notified and given an opportunity to respond to the appeal. The appeal will be reviewed by the Associate Vice President for Student Affairs/Director of Housing and Residence Life.

If the respondent does not accept responsibility and requests a hearing, the Director will notify both parties of the time, date, and location of a hearing by the Sexual Misconduct Board. The Sexual Misconduct Board (SMB) will review the available information and testimony from the investigator, the Director, and the parties to the complaint. The SMB will determine, using a preponderance of evidence standard, whether a violation has occurred and if so, recommend sanctioning to the Director.

The Director will review the SMB's findings of fact, decision regarding violation(s), and recommendation for sanction(s) as applicable. Once the Director has finalized the decision, the Director will notify both parties in writing of the decision and the opportunity to appeal and criteria for making an appeal. If either party appeals, the other party will be notified and given an opportunity to respond to the appeal. The appeal will be reviewed by the Associate Vice President for Student Affairs/Director of Housing and Residence Life or designee.

Education Programs

Ball State University currently uses [*Think About It*](#), an online education program, as its initial educational program for all new students. *Think About It* is a comprehensive program that addresses sexual assault (a broader term that includes rape and acquaintance rape) on the college campus, the role of alcohol and other drugs in sexual assault, and other types of sexual violence including domestic violence, dating violence, and stalking. *Think About It* also trains participants in how to intervene effectively and safely in situations where students are at risk for sexual assault, other violence, or injury. A similar program is aimed at all new employees (including graduate assistants). This program focuses not only on prevention but the obligations of employees to report sexual harassment and misconduct.

Ball State University prohibits harassment on the basis of sex or gender, sexual violence, dating and domestic violence, and stalking. These behaviors, collectively referred to as sexual harassment and misconduct in Ball State's policy, are prohibited, inconsistent with the university's values, and incompatible with the safe, healthy environment that the Ball State community requires to function effectively.

Definitions and Consent

When applicable, sexual violence is defined by the State of Indiana's criminal code. Forms of sexual violence not defined by criminal code are defined in the Sexual Harassment and Misconduct Policy, Appendix K which is found at www.bsu.edu/studentrights/sexualmisconduct.

Ball State defines consent as

“a knowing, voluntary, and clear mutual agreement to engage in sexual activity. Consent is effective when it is informed, freely and actively given, and communicated by clearly and mutually understandable words or actions to participate in each form of sexual activity.”

Consent includes but is not limited to the following concepts:

- consent cannot be given by someone who is incapacitated;
- a minor cannot give consent; consent cannot be inferred from silence, passivity, or lack of resistance; consent can be withdrawn at any time;
- consent does not exist when there is force, a threat of force, violence, or any other form of coercion or intimidation;
- a current or past dating or sexual relationship does not constitute consent; past consent does not imply future consent;
- consent to one form of sexual activity does not imply consent to other forms; and
- consent to sexual activity with one person does not imply consent to another person.

Where alcohol or other drugs are involved, incapacitation is defined with respect as to how the alcohol or other drugs consumed affects a person's ability to understand fully the "who, what, when, where, why, and/or how" of his/her sexual interaction with someone else.

Indiana law provides that a minor (meaning a person under the age of 16 years) cannot consent to sexual activity.

A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor.

Ongoing Prevention and Awareness Programs

In addition to *Think About It* (noted above), Ball State promotes "*Step In. Speak Up.*" which refers to bystander intervention programming, a student organization, and a free smartphone application. The "*Step In. Speak Up.*" app provides information, resources, and strategies for response to and prevention of sexual violence, including stepping in safely, positively, and effectively as a bystander in cases where there is a risk of sexual assault.

Think About It and other Ball State programming provides information on how to reduce risk in relationships, including recognizing signs of abusive behavior, how to avoid potential attacks, and assistance in cases where an attack could not be avoided.

Think About It is provided prior to classes and is a required program for new students that is enforced by holds placed on future registration. Red Zone programming provided by the Health, Alcohol and Drug Education Office in conjunction with the Office of Victim Services focuses on risk reduction for sexual assault during the first six to eight weeks of classes. *Step In. Speak Up.* programming is conducted throughout the year. These signature programs are supplemented by additional programming throughout the year as provided by residence halls, Greek life and other student organizations, athletics, Public Safety, and other university offices throughout the year.

All programming includes references to the [Sexual Harassment and Misconduct Policy](#) which provides the following information:

- protective measures for complainants that may be implemented before and after adjudication of a complaint;
- possible sanctions against respondents that may be imposed following a final determination in a complaint;
- procedures that victims should follow if sexual harassment or misconduct has occurred including information about:
 - the importance of preserving evidence;
 - to whom the offense should be reported;
 - options regarding law enforcement and campus authorities including how to notify Ball State and Muncie police agencies, to be assisted by campus authorities in notifying Ball State or other police agencies if the victim chooses, to decline to notify any police agency; and
- a victim's right to request administrative no-contact instructions by Ball State and restraining and personal protection orders by local criminal and civil courts as well as Ball State's responsibility to assist in implementing those orders.

The [Sexual Harassment and Misconduct Policy](#) also provides detailed information on the procedures for institutional disciplinary cases that involve sexual harassment and misconduct including domestic violence, dating violence, and stalking. The procedures outlined in this policy:

- provide for prompt, fair, and impartial investigations and resolutions;
- are conducted by investigators, hearing panel members, and other adjudicators who receive annual training on issues related to sexual harassment and misconduct, including dating/domestic violence and stalking and who receive annual training on how to conduct investigations and hearings that protect the safety of complainants and promote accountability;
- provide the same opportunities to complainants and respondents to have an advisor of their choice be present at all meetings related to the complaint;
- provide for simultaneous notification in writing to both complainant and respondent of the outcome of disciplinary proceedings, procedures for appeal, any changes to the outcome of a disciplinary proceeding prior to the time the results become final, and when such results become final;

In addition, the [Sexual Harassment and Misconduct Policy](#)

- provides information on how Ball State protects complainant/victim confidentiality including how publicly-available record-keeping will be accomplished without including identifying information about the complainant/victim to the extent permissible by law;
- provides information about on- and off-campus options available for complainants/victims in regards to counseling, health, mental health, victim advocacy, legal assistance, and other services; and
- provides written notification for complainants/victims about options for and assistance with changing academic, living, transportation, and working situations if so requested by the complainant/victim and if accommodations are reasonably available, regardless of whether the complainant/victim chooses to report the crime to Ball State police or other local law enforcement.

Whenever a student or employee reports that she or he has been a victim of sexual harassment and misconduct including domestic violence, dating violence, and stalking, the complainant/victim will be provided with a written explanation of his or her rights and options as described above and in more detail in the Ball State [Sexual Harassment and Misconduct Policy](#) and the Ball State [Statement on Sexual Harassment](#).

REGISTERED SEX OFFENDER INFORMATION

Information regarding registered sex offenders may be obtained from the Department of Public Safety. Indiana's Sex and Violent Offender Registry is located online at <http://www.icrimewatch.net/indiana.php>.



Annual Campus Security Report

prepared by the

Office of Student Rights and Community Standards

Published October 1, 2018

The following information is provided as a service to the Ball State University community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [20 USC 1092].

The Ball State annual fire safety report can be found at <http://www.bsu.edu/fireandsafetyreports>.

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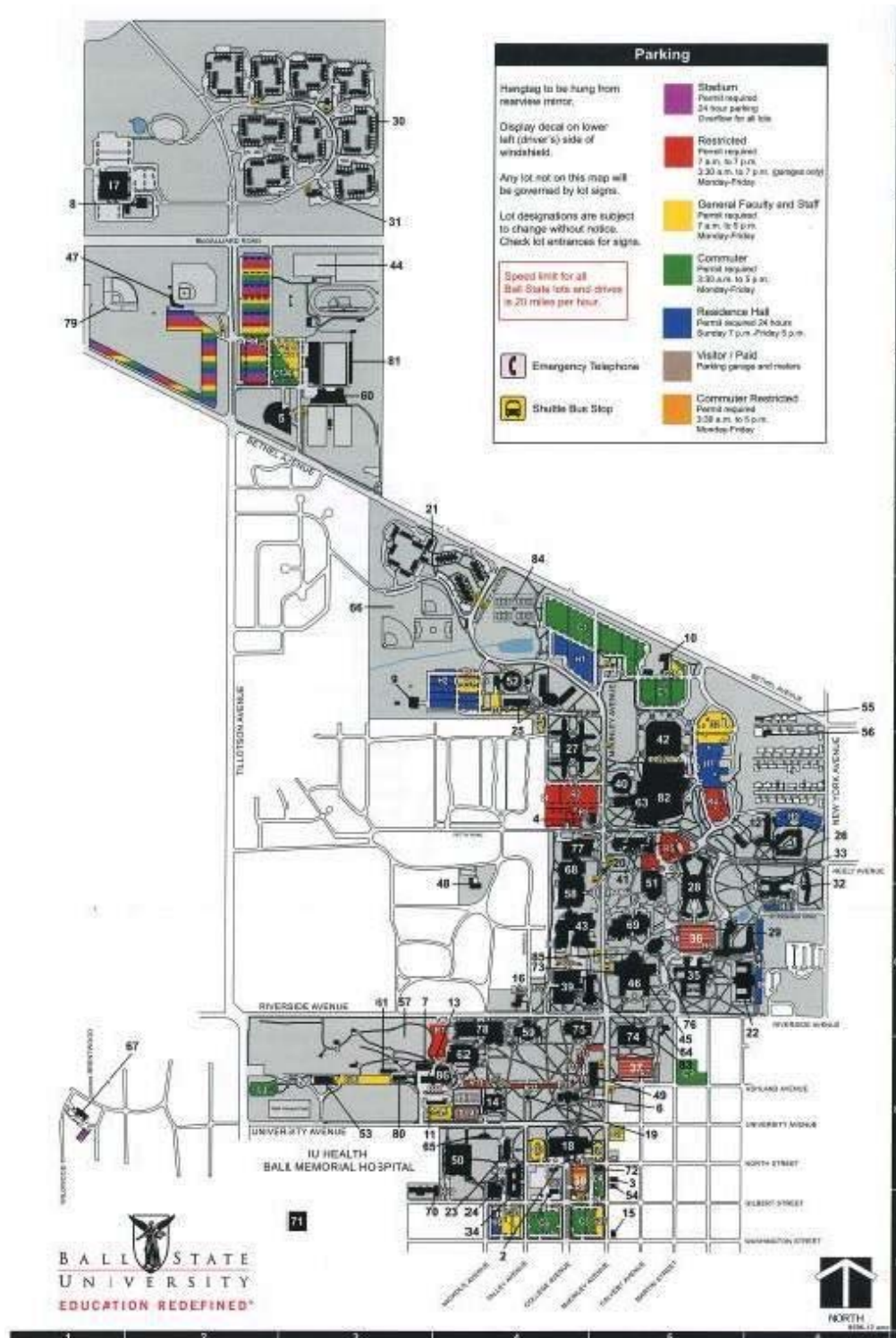
CAMPUS CRIME STATISTICS—MAIN CAMPUS

Reports of Primary Crimes	2015				2016				2017			
	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing ¹	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	18	15	8	0	13	12	2	0	21	17	6	0
Fondling	6	4	2	0	10	10	6	0	16	12	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	2	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	2	0	0	0	2	1
Burglary	6	4	3	0	2	1	3	0	6	5	3	0
Motor vehicle theft	2	0	0	0	1	0	0	0	2	0	0	0
Arson	1	1	0	0	1	0	0	0	0	0	0	0
Arrests												
Weapons offense	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	11	10	0	8	21	9	0	6	37	15	0	7
Liquor law violations	44	20	3	28	60	41	1	31	48	33	2	35
Disciplinary Referrals												
Weapons offense	0	0	0	0	0	1	0	0	0	0	0	0
Drug abuse violations	82	78	0	1	68	53	3	6	104	84	3	3
Liquor law violations	414	412	2	0	396	395	12	1	396	383	7	1
VAWA Crimes												
Domestic Violence	3	1	0	0	0	0	0	1	0	0	0	0
Dating Violence	9	6	0	2	8	8	0	0	5	3	0	0
Stalking	11	6	0	1	6	3	0	0	13	4	0	0

No crimes that would normally be reported (meeting notice, crime type, and geography requirements) in the chart above were unfounded by the Ball State Department of Public Safety during the 2017 calendar year.

¹ “On-campus housing” is a subset of “On-campus.” All reports noted in “On-campus housing” are also noted in “On-campus.” The “On-Campus” category will always be a number equal to or greater than “On-Campus Housing.”

BALL STATE MAIN CAMPUS MAP



For the Clery report, the “public property” category includes public property (usually public streets and adjoining sidewalks) adjacent to the colored portions of the map above except for #67 (lower left) which is a “non-campus” property. The Public Property category also includes the public streets and adjoining sidewalks that run through the Ball State campus.

CAMPUS HATE CRIME STATISTICS—MAIN CAMPUS

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim in the categories of the victim's actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Reports of Primary Crimes	2015				2016				2017			
	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	1 RA, GI	1 RA, GI	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	1 ^{RA}
Intimidation	0	0	0	0	0	0	0	0	2 ^G	1 ^G	0	0
Vandalism	0	0	0	0	1 RA, SO	0	0	0	1 ^{RA}	1 ^{RA}	0	0
Arrests												
Weapons offense	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Weapons offense	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Crimes												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0

CAMPUS CRIME STATISTICS—INDIANAPOLIS CENTER

Primary Crimes Reports	2015			2016			2017		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	1	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

No crimes that would normally be reported (meeting notice, crime type, and geography requirements) in the chart above were reported to Ball State as being unfounded by Indianapolis/Marion County police during the 2017 calendar year.

CAMPUS HATE CRIME STATISTICS— INDIANAPOLIS CENTER

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim in the categories of the victim’s actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Primary Crimes Reports	2015			2016			2017		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Arrests									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

The Ball State University Indianapolis Center does not offer on-campus housing. The Center is secured by an alarm system monitored by a security company. In cases of emergencies, Indianapolis/Marion County police respond to 911 calls and alerts from the security company. Center staff members work with Ball State University police as well.

Staff, visitors and students at the Ball State Indianapolis Center are encouraged to report crimes to Indianapolis Center staff members who will assist with reporting to the appropriate police agency.

The Indianapolis Center is open from 8 am-5 pm Monday through Friday. Students in evening and Saturday classes are provided access by personnel on site with secure access privileges. Maintenance problems related to security are reported to the facility’s owner by Indianapolis Center staff.

CAMPUS CRIME STATISTICS—FISHERS CENTER

Primary Crimes Reports	2015			2016			2017		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	1	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0

Stalking	0	0	0	0	0	0	0	0	0
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No crimes that would normally be reported (meeting notice, crime type, and geography requirements) in the chart above were reported to Ball State as being unfounded by Fishers police during the 2017 calendar year.

CAMPUS HATE CRIME STATISTICS— FISHERS CENTER

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim in the categories of the victim’s actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Primary Crimes Reports	2015			2016			2017		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0
Arrests									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

The Ball State University Fishers Center does not offer on-campus housing. The Center is secured by an alarm system monitored by a security company. In cases of emergencies, Fishers police respond to 911 calls and alerts from the security company. Center staff members work with Ball State University police as well.

Staff, visitors and students at the Ball State Fishers Center are encouraged to report crimes to Fishers Center staff members who will assist with reporting to the appropriate police agency.

The Fishers Center is open from 8 am-5 pm Monday through Friday. Students in evening and Saturday classes are provided access by personnel on site with secure access privileges. Maintenance problems related to security are reported to the facility's owner by Fishers Center staff.

REPORTING CRIMES AND EMERGENCIES

University Police/Public Safety

Ball State University Police, a division of the Department of Public Safety, is headquartered at 200 N. McKinley Ave., Muncie, IN 47306, (765) 285-1111.

Public Safety officers have full police powers throughout the State of Indiana, including the authority to arrest individuals. Public Safety officers also have mutual aid agreements with the City of Muncie and Delaware County. While the mutual aid agreements do not address the investigation of criminal incidents, Public Safety has its own investigators and can receive and offer assistance to other law enforcement agencies in criminal investigations.

Public Safety officers enforce all state and local laws, including but not limited to underage drinking, controlled substances, crimes against property, and crimes against persons. Public Safety investigates all crimes reported to have occurred on campus property, refers out investigations when appropriate, and works cooperatively with local, county, and state law enforcement agencies.

Public Safety also works closely with the Office of Student Rights and Community Standards and the Office of Housing and Residential Life to enforce the *Code of Student Rights and Responsibilities* (see <http://www.bsu.edu/studentcode>).

All crimes or suspected crimes on campus should be reported immediately to Public Safety. Crimes occurring off campus can also be reported to Public Safety or to the Muncie Police Department, the Delaware County Police, or the Indiana State Police, depending on where the incident occurred.

On Campus Emergencies: (765) 285-1111 or 5-1111 from campus phones

Other Emergencies: 911

Non-Emergencies:

- Ball State Public Safety: (765) 285-1111
- Muncie Police: (765) 747-4838
- Delaware County Police: (765) 747-7878

- Indiana State Police: (765) 282-1223

In response to a call, Public Safety will take the required action, by either dispatching an officer to the caller's location, or asking the caller to report to the Ball State police station to file an incident report. Ball State Public Safety reports involving students are referred to the Office of Student Rights and Community Standards for review. Ball State Public Safety investigators will investigate a report when it is deemed appropriate.

Ball State and the Ball State University Department of Public Safety strongly encourage students, faculty, and staff members to report immediately crimes, suspected criminal activity, or other emergencies to Public Safety at the numbers found above.

Persons who have knowledge of an apparent crime and who believe the incident should be evaluated for the purposes of a timely warning to the campus community should report it immediately to Public Safety by calling (765) 285-1111 or 5-1111 from a campus phone. Reports of this nature can also be made to the list of offices and individuals noted in a later section "Annual Security Report and Disclosure of Crime Statistics."

Anonymous and Confidential Reporting

Persons may voluntarily and anonymously report crimes to Ball State Public Safety by using the Silent Witness program at www.bsu.edu/silentwitness. Silent Witness is a web-based program that allows individuals to report anonymously information about criminal activity on campus.

Crimes reported to counselors at the Ball State Counseling Center (765) 285-1736, to staff members in the Office of Victim Services (765) 285-7844, or to medical staff members at the Student Health Center, (765) 285-8431, are confidential by law. Some crime reports made to off-campus professionals also may be legally confidential, such as reports to a private physician, Better Way, or local counseling services.

Crimes reported only to staff members in the Counseling Center or the University Health Center are not included in the annual crime statistics. The Office of Victim Services provides information that does not identify individuals to Public Safety to be included in this annual report and to be assessed for sending timely warnings.

The Counseling Center does not have a policy encouraging clients to report crimes on a voluntary, confidential basis for inclusion in the annual security report.

Due to the Open Records Law of the State of Indiana, confidentiality cannot be afforded to persons reporting crimes to other individuals or offices that supply crime statistics for this annual report.

PUBLIC SAFETY ADVISORIES (AKA TIMELY WARNINGS)

When a crime occurs on campus or on a public area adjacent to campus, the Department of Public Safety may issue a public safety advisory if the situation poses a serious or ongoing threat to the campus community.

Public safety advisories are intended to heighten safety awareness, alert campus community members of potential dangers, and seek information that could lead to an arrest and conviction of perpetrators of violent crimes or major crimes against property.

The university issues public safety advisories through Ball State email.

Process for Determining to Issue a Public Safety Advisory

The Ball State Director of Public Safety or a designee reviews all reports to determine if there is an on-going threat to the community and if the incidents warrant public safety advisories. The university issues advisories subject to the availability of pertinent information concerning the incident.

Public Safety may consult with other university officials or local law enforcement and safety personnel on a case-by-case basis.

Ball State does not publish the names of crime victims or provide information that could lead to a victim's identity.

Criteria for Issuing a Public Safety Advisory

The university will issue a public safety advisory if the Department of Public Safety determines an incident meets all of the following conditions:

- a reportable crime, under the Clery Act, has been reported: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crime (includes any of the previously mentioned offenses, as well as cases of larceny or theft, simple assault, intimidation, or destruction of property motivated by bias)
- the crime was reported to university officials
- a crime occurred on campus or the public property surrounding campus
- there is a continuing danger to the campus community and issuing the public safety advisory will not compromise law enforcement efforts to address the crime
- any non-Clery crime occurring on campus or on public property adjacent to campus that, in the opinion of the Director of Public Safety or a designee, constitutes a serious or continuing threat to the campus community

The Department of Public Safety determines cases of aggravated assault and sex offenses on a case-by-case basis.

Ball State's Department of Public Safety provides a daily summary of certain types of incidents reported to the Department of Public Safety. Additionally, press releases and crime alerts related to certain specific incidents are posted at www.bsu.edu/news.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Complete emergency response guidelines for various types of emergencies are disseminated to employees each fall. These are available online at www.bsu.edu/prepared.

Communication and Notification in an Emergency

The Department of Public Safety is responsible for determining when an emergency exists, which segments of the campus community to notify, and through which means, as well as

coordinating with Marketing & Communications on the content of any messages. The University Police and Marketing & Communications are the only campus offices authorized to disseminate official information about campus emergencies to the campus community.

When a significant emergency or dangerous situation is confirmed to exist, the Department of Public Safety will take into account the safety of the community; determine what information to release; and begin the notification process without delay unless such notification will compromise efforts to assist a victim, respond to the emergency, or contain or mitigate the emergency.

The entire campus community will be notified when the potential exists for the majority of the community to be affected by an emergency, or when a situation threatens the operation of the campus as a whole. If the threat is limited to a segment of the population, notification may be limited to that segment, but additional segments of the population will be notified as ongoing assessment of the situation reveals a need to do so. Once the campus community has been notified, Marketing & Communications will notify the neighboring community by updating local media outlets.

University faculty and staff should not discuss or post about emergencies on social media accounts that belong to Ball State. Before discussing or forwarding messages about emergency situations, please check the official communication sources to ensure the accuracy of the information.

The university conducts emergency response exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. In addition to regular testing of email/text communication, public address, sirens, etc., emergency response/evacuation tests during 2017 included:

All-hazard plan testing conducted by Ball State Department of Public Safety. Annual all-hazard plan testing is required for Ball State's accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA). Note: Ball State's Department of Public Safety is one of two college/university law enforcement agencies in Indiana accredited by CALEA and was reaccredited for its fourth time in November, 2016.

Ball State conducts a comprehensive emergency communications test on a regular basis. These are tests of communication systems including e-mail, text-messaging, voicemail, call boxes, and digital signage (call box and TV monitor messaging are tested weekly). A test of the emergency notification system was conducted September 29, 2017.

On January 5, the University Police Department conducted a joint training exercise with Muncie Police Department. On February 16, 2017, the University Police Department and other law enforcement agencies conducted training at Scheumann Stadium. On March 9, 2017, the University Police Department conducted a training exercise with Muncie Fire Department and other Ball State employees in an underground tunnel. On July 27, 2017, the University Police Department conducted a local agency-wide active shooter training exercise on campus.

Employees and students are regularly notified by email regarding emergency preparedness procedures, severe weather preparation, and prevention tips. Emergency notifications issued in the past 365 days are archived here: <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/emergency-notifications/archives>.

Types of Notification

Ball State will inform the campus community using three types of notifications:

- Emergency Warnings
- Public Safety Advisories (see prior section)
- BSUInform Notices

Emergency Warnings (including Severe Weather)

The Director of Public Safety or a designee may determine there is an immediate threat to the health and safety of students or employees on campus who need to protect themselves from imminent danger, such as a gas leak in a building.

In these cases, the university sends emergency notifications via Ball State's website, email, campus voicemail, and mobile text messaging to subscribers. The university may also use a campus siren.

When the National Weather Service issues a tornado warning, Ball State will post pertinent information on the homepage of bsu.edu and send a text message to subscribers of the university's emergency text-messaging system. Students, employees, and others should continue to monitor the weather via radio or television until the tornado warning has been lifted for their area.

Marketing & Communications also uses this system when the Vice President for Business Affairs or designee determines classes are canceled or the campus is closed.

BSUInform Notices

The university may issue a BSUInform notice when a situation is not an emergency and does not pose an immediate threat to the campus community but it is of significant safety interest to members of the Ball State community.

The service is intended to make students and employees aware by providing information about a situation. For instance, Public Safety might receive reports of a crime but do not believe a continuing threat exists. In another instance, a crime might occur off campus, but the incident's location might concern students' or employees' safety.

The university sends BSUInform notices through Ball State email accounts.

Staff Responsible for Notifications

Director of Public Safety
Associate Director of Public Safety
Associate Vice President for Strategic Communications
Vice President for Student Affairs & Dean of Students
Associate Vice President for Student Affairs & Director of Housing & Residence Life
Associate Vice President for Facilities Planning and Management

Types of Communication

In the event of an emergency on campus, the university relies on an array of communication tools to keep the campus community informed and relay safety instructions. The University Police and Marketing & Communications are the only campus offices authorized to disseminate official information about campus emergencies to the campus community. The modes of communication include the following and vary with the nature and severity of the situation

Campus sirens: The sirens may emit a continuous three-minute sound warning. *Note: Sirens are tested at 11 a.m. each Friday.* <http://cms.bsu.edu/about/administrativeoffices/emergency-preparedness/communication-in-an-emergency>

Emergency alerts: Text messages and e-mails sent when immediate, specific action in response to a situation is needed. To subscribe, go www.bsu.edu/emergencytext.

Public safety notices (aka BSU Inform notices): E-mails sent when no specific action to a situation is required but information may help raise awareness or mitigate rumors. <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/emergency-notifications/bsuinform>

Ball State home page: In the event of an emergency, the home page would be one of the first places university officials would post official information for all audiences. Should www.bsu.edu become unavailable during an emergency on campus, the university may post information on the site <http://ballstate.info>.

Ball State Emergency Management Twitter Account (@ballstate_alert): In the event of an emergency, the university will post information and continual updates on its official emergency management Twitter account @ballstate_alert.

Emergency call boxes: Emergency call boxes are in classrooms and other places around campus where it is inappropriate to place a regular telephone. The call boxes work like a telephone and dial the Department of Public Safety once the button is pressed. Also, emergency call boxes will receive alerts and say them aloud during emergencies. This happens almost instantaneously across all call boxes on campus.

<http://cms.bsu.edu/about/administrativeoffices/emergency-preparedness/communication-in-an-emergency>

Evacuation

To be prepared for an emergency, Ball State community members are expected to recognize the sound of the evacuation alarm, know at least two ways out of the building from their regular workspaces, and know the predetermined meeting location for their units as appropriate.

When Ball State community members hear the evacuation alarm or are verbally instructed to begin evacuating a building, they should

1. Try to make sure that all members of their departments or units hear the alarm and evacuate the area by quickly checking nearby restrooms, copier rooms, storage rooms, etc., as they exit.

2. Use the nearest stairway. Do not use the elevator.
3. If requested, accompany and assist persons with disabilities.
4. Shut all doors behind them. Closed doors can slow the spread of fire, smoke, and water.
5. Evacuate as quickly as possible but in an orderly manner. Do not push or shove.
6. Once outside, move at least 100 feet from the building or follow the instructions of emergency personnel on the scene. Stay away from building entrances to avoid interfering with emergency personnel or equipment.

OFF-CAMPUS STUDENT CRIMINAL ACTIVITY

When a Ball State University student is involved in an off-campus criminal offense, or when criminal activity occurs at off-campus housing facilities operated by recognized student organizations, Public Safety may conduct a criminal investigation or assist in criminal investigations conducted by other law enforcement agencies. Ball State Public Safety officers have full police powers throughout the State of Indiana, including the authority to arrest individuals. Public Safety officers patrol residential and business areas surrounding the campus. Students cited or arrested for off-campus criminal activity in the Muncie area, if identified as students, are routinely referred to Student Rights and Community Standards for separate review under the [*Code of Student Rights and Responsibilities*](#).

BUILDING ACCESS AND MAINTENANCE

Because concern with personal safety and the security of property is shared by all segments of the university community, several practices and policies have been established to ensure as safe a community as possible.

Residence Halls

All nonresidents (guests) must be escorted by a hall resident when in living areas. Residence halls are locked at night and all residents must show student identification for entrance. All doors are locked at 12 a.m. and will re-open at 7 a.m. and a university staff member is present to ensure that only residents and their registered guests are permitted to enter. Staff members conduct daily rounds which include checking security measures and reporting any issues that require maintenance.

Guests age 18 and under must have parental/guardian permission to stay as a guest of a residence hall student. Residence hall hosts are responsible for ensuring their guests have the appropriate permission and are registered. Parental/Guardian permission forms are available online and at the residence hall front desks and night check stations. Guests age 12 and under must be supervised at all times.

Other Campus Facilities

Other campus facilities have specified hours of operation based on their use and the functions they contain. These buildings are secured at closing times. Most academic buildings on campus

will be locked at 10 p.m. while most administrative buildings are locked at 5 p.m., though these times will vary. Public Safety officers actively patrol the campus in vehicles, on bicycle, and on foot. Buildings are periodically checked by Public Safety officers.

Campus Maintenance

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Public Safety officers regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Other members of the university community are asked to report observed equipment problems to Work Control at (765) 285-5081 or workcontrol@bsu.edu. Additionally, a Public Safety committee comprised of student, faculty, and staff members periodically conducts a physical survey of campus to note and recommend safety and security concerns; a Student Government Association committee carries out a similar function.

SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS

At the beginning of each academic year, University employees are sent a letter informing them of safety procedures, emergency communication, responding to emergencies and helping students in distress. The letter includes highlighted safety information and directs employees to the University website www.bsu.edu/prepared, which contains emergency response guidelines. Guidelines encourage employees to be responsible for their own and others' safety and provide information on how best to keep safe in various situations.

Students are notified by similar materials distributed through residence halls. In addition, Ball State's Public Safety Department promotes safety and crime prevention campaigns in the student newspaper, the [Ball State Daily News](http://www.ballstatedaily.com), at <http://www.ballstatedaily.com>.

Emergency phones have been placed throughout the campus to aid in the reporting of crimes or other emergencies.

A campus escort service provides the community with safe campus transportation to and from university buildings. The Charlie's Charter campus escort service can be reached at (765) 285-RIDE (5005), 6 p.m. to 3:30 a.m., Sunday thru Thursday.

Public Safety officers conduct Rape Aggression Defense (RAD) courses throughout the year. Learn more at www.bsu.edu/publicsafety/services.

Security awareness and crime prevention presentations relating to personal safety and the safeguarding of one's property are offered to the entire university community through the Department of Public Safety. Individuals or student organizations interested in obtaining a program presenter should contact Public Safety at (765) 285-3009.

In cooperation with the Office of Housing and Residence Life, Public Safety officers assist with the after-hours security of all residence halls.

The Office of Student Rights and Community Standards is responsible for administering the *Code of Student Rights and Responsibilities* (published at www.bsu.edu/studentcode), which outlines the rights and responsibilities of students, behaviors prohibited on and off campus,

sanctions, and the procedural rights of students and student organizations. Any person, agency, organization, or entity may make a complaint to the Office of Student Rights and Community Standards alleging a violation of the [*Code of Student Rights and Responsibilities*](#). In addition, any criminal offense may be reported to the Office of Student Rights and Community Standards, which in turn will be reported to the appropriate law enforcement agency in consultation with victim. The [Office of Student Rights and Community Standards](#) is located in the Student Center, room L-4, and may be reached at (765) 285-5036.

ALCOHOL POLICY

More information about drugs and alcohol may be found at <http://www.bsu.edu/AlcoholAwareness> and Ball State's Safe and Drug-Free Campus website found at <https://www.bsu.edu/about/administrativeoffices/studentrights/policiesandprocedures/sdfcampus>.

The Ball State alcohol policy appears in the *Code of Student Rights and Responsibilities* (<http://www.bsu.edu/studentcode>) at <http://www.bsu.edu/studentcode/alcoholpolicy> and is provided below:

When students choose to consume alcoholic beverages, Ball State University encourages responsible practices and behavior in accordance with campus policies, the laws of the State of Indiana, and the City of Muncie. On and off campus violations of University policy and local and state laws related to alcohol will result in disciplinary action.

A. General Guidelines

1. *University Sponsored Events* - Illegal purchase, service, consumption, or possession of alcoholic beverages at any university-sponsored event on or off campus is prohibited. Upholding applicable local, state, and federal laws in connection with this policy is the joint responsibility of the persons in attendance at the activity, the sponsoring organization, and the management of the establishment in which the activity is held.
2. Illegal purchase, consumption, or possession of alcoholic beverages by any student under 21 years of age is prohibited wherever it may occur.
3. Providing alcoholic beverages at any time to an individual who is under 21 years of age is strictly prohibited.
4. Adverse behavior as a result of alcohol consumption, including disruption, disorderly conduct, and public intoxication shall be a violation of the *Code of Student Rights and Responsibilities (Code)*.
5. The sale of alcoholic beverages by any person without a license is strictly prohibited.
6. Students found responsible for providing alcohol to minors and selling or distributing alcohol in violation of state law shall be in violation of the *Code*.
7. Students hosting events (including but not limited to parties, "pre-gaming," "socials" etc.) where (a) minors consume alcohol (b) alcohol is provided to minors, or (c) alcohol is otherwise distributed in violation of local ordinances or state laws are subject to sanctions outlined in the *Code of Student Rights and Responsibilities* up to and including suspension or expulsion from the University. Groups and organizations are subject to sanctions up to and including suspension of recognition or withdrawal of recognition.

B. On Campus: With respect to the service, possession or consumption of alcoholic beverages on the Ball State University campus, state statutes and city ordinances will be enforced in addition to the following regulations:

1. Residents who are of legal age to possess or consume alcoholic beverages and who reside in university-operated employee apartments or University Apartment units may possess and consume such alcoholic beverages in the privacy of their residences.
2. Consumption and possession of alcohol may be permitted on some residence hall floors where all residents are of legal age to possess or consume alcoholic beverages. Such use of alcoholic beverages will not be permitted in the public lounges, study lounges, recreation areas, dining rooms, or any area other than the student rooms.

C. Parental Notice: The university will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a *second* violation of the alcohol policy, and (3) on the *first* violation of the alcohol policy when one or more of the following occurs:

- the student demonstrates a reckless disregard for his or her personal safety or the safety of others;
- medical attention to any person, including the student, is required as a result of the student's alcohol-related behavior;
- there is property damage;
- the student operates a motor vehicle under the influence of alcohol;
- the incident involves another serious violation;
- the student's alcohol-related behavior negatively impacts the learning environment.

D. Good Neighbor Exception - Students are always encouraged to call for emergency assistance as needed, even at the risk of disciplinary action for one's own conduct. When another person is in need of critical care or when a situation otherwise warrants emergency response, call 911 immediately. The Good Neighbor Exception provides university officials the opportunity to waive university disciplinary action for a student if he/she risked revealing one's own violation of the *Code of Student Rights and Responsibilities* in order to seek medical or other emergency assistance to another person in distress. The Good Neighbor Exception typically applies only to individuals committing minor offenses and shall be the judgment of the designated university official. *NOTE: The exception does not apply to any criminal charges.*

Laws Concerning Drinking or Serving Alcohol

The summary below is intended to provide an overview of some of the sections most relevant to university students. It is not intended as a substitute for professional legal advice. Those needing legal advice should consult an attorney.

Social Host Law

Indiana has a "social host" law. Not only is it illegal to provide alcohol to minors; Indiana's social host law also makes illegal providing minors a place to consume alcohol ("hosting"). Doing so is a Class B misdemeanor, which can be increased to a Class A misdemeanor if a person has a prior unrelated conviction. If the consumption of the alcohol, ingestion, or use of the beverage leads to bodily injury or death of any person, a violation of this law becomes a Level 6 felony.

Indiana Lifeline Law

The Indiana Lifeline Law provides legal immunity for some alcohol-related offenses, subject to certain conditions, to Hoosiers who call 911 to report an alcohol-related medical emergency including sexual assault or drug overdose. In order to receive immunity, the person must demonstrate that they are acting in good faith by completing ALL of the following:

- remaining on the scene until law enforcement and emergency medical assistance arrives
- providing his or her full name and any other relevant information requested by police
- cooperating with authorities on the scene

The law will not interfere with law enforcement procedures or limit the ability to prosecute for other criminal offenses such as providing to a minor, operating while intoxicated, or possession of a controlled substance. For more information: <http://www.indianalifeline.org>.

Alcohol Use by Persons under the Age of 21

Indiana alcoholic beverages laws define the term "minor" as "a person less than twenty-one (21) years of age." Under Indiana Law, it is illegal for a minor:

- To possess an alcoholic beverage (even to hold a sealed container for another person).
- To consume an alcoholic beverage.
- To misrepresent his or her age for the purpose of obtaining alcoholic beverages.
- To furnish false or altered identification of any type for purpose of providing evidence of age to obtain alcohol.
- To have in his or her possession false or fraudulent evidence of age.
- To drive an automobile being used to transport alcoholic beverages, unless the minor's parent or legal guardian is present in the car. (Note: When a minor operates a motor vehicle containing ANY alcoholic beverages she/he is subject to arrest, unless a parent or legal guardian is in the car. A 21 year-old passenger does NOT qualify a minor to operate a vehicle containing an alcoholic beverage. It is no defense that the beverage belongs to someone else or is unopened.)
- To "be in a tavern, bar, or other public place where alcoholic beverages are sold, bartered, exchanged, given away, provided, or furnished."

Criminal sanctions for such violations include a fine of up to \$500 and/or imprisonment in a local jail for up to 60 days. In addition to the criminal sanctions, Indiana law mandates a 90 day to one year driver's license suspension for any minor who is convicted of using any type of fake ID, or of entering a bar or tavern or purchasing or procuring an alcoholic beverage (with or without using false or altered driver's license). Under certain circumstances, local prosecutors have used the "criminal code," rather than the "alcoholic beverage code," to prosecute users of fake ID's; misdemeanor charges of "deception" and felony charges of "forgery" have sometimes been filed. Under federal law, possession or use of fake or altered driver's licenses or state or federal ID cards can be punishable by a fine up to \$25,000 and/or a five year jail term.

General Alcohol Laws (these apply to all persons regardless of age):

It is illegal:

- To be in a public place in a state of intoxication (also known as "public intoxication").
- To sell, barter, exchange, provide, or furnish an alcoholic beverage to a minor.

- To sell, barter, deliver, or give away an alcoholic beverage to a person who is intoxicated.
- To sell, barter, exchange, give, provide, or furnish an alcoholic beverage to a person known to be an alcohol abuser.
- To hinder, obstruct, interfere with, or prevent the observance or enforcement of the Indiana Alcohol Beverage Code. For a person 21 years of age or over to encourage, aid, or induce a minor to unlawfully possess or use an alcoholic beverage.
- To take an alcoholic beverage into bar, restaurant, or place of public entertainment. (Indiana law prohibits patrons from taking any alcoholic beverage into any bar or other place without liquor license. It also prohibits taking liquor into any restaurant or place of public entertainment.)
- To possess alcoholic beverages on which Indiana tax has been unpaid or to transport untaxed beverages into the state.
- To directly or indirectly charge for alcoholic beverages without a license (including charging for food, entertainment, cups, napkins, tokens, etc. where alcoholic beverages are distributed—there are no loopholes).

Criminal sanctions for such violations include a fine of up to \$1,000 and/or imprisonment in a local jail for up to six months.

Alcohol or Other Drug Impaired Driving

It is illegal:

- To operate a motor vehicle while intoxicated (under the influence of alcohol, any controlled substance, any other drug, or any combination of alcohol, controlled substances, and other drugs).
- To operate a motor vehicle with 0.08% or more alcohol in the blood, even if intoxication is not proven.
- To operate a motor vehicle while intoxicated or with 0.08% or more alcohol in the blood if said operation results in serious bodily injury to another person (FELONY).
- To operate a motor vehicle while intoxicated or with 0.08% or more alcohol in the blood if said operation results in the death of another person (FELONY).

Indiana law states that anyone operating a motor vehicle within the state gives "implied consent" to submit to a chemical test of intoxication (breath, blood, or urine). Failure to submit to the test may be presented as evidence against the driver in court and will result in a longer driver's license suspension than if the driver took the test and failed it. The courts have ruled that failure to cooperate with a test will constitute refusal in the eyes of the court. (NOTE: It is illegal to drive a car while impaired - even at blood alcohol levels below 0.08.) Criminal sanctions for such violations include fines and imprisonment, license suspensions, and can include mandatory education or treatment programs.

Parties, Permits, and "Common Nuisances"

Indiana law requires a license to "ship, barter, give away, exchange, furnish, or otherwise handle or dispose of an alcoholic beverage..." (except to give it to a family member or invited guest who is of legal age). In other words, one may serve alcohol to friends who are 21 years of age or older but one may not sell it or receive anything of value in exchange for it. If a party gets larger than "invited guests," or if admission is charged (or "donations" accepted), a temporary permit is required. Without a permit, one can be charged with

- Serving alcohol without a permit (a class B misdemeanor) or
- Maintaining a common nuisance (a level 6 felony)

DRUG POLICY

The use, possession, sale, or transfer of narcotics, drugs, or hallucinogens is prohibited on campus, except as permitted by law. The following prohibition appears in the *Code of Student Rights and Responsibilities* (<http://www.bsu.edu/studentcode>) at section 5.3.3:

Drugs - Using, possessing, selling, distributing, manufacturing, or transferring narcotics, illegal drugs, or prescription drugs, except as expressly permitted by law, or possessing drug paraphernalia which can be demonstrated to be linked to illegal drug activity. See also [Drug Policy Appendix B](#).

The complete drug policy is Appendix B of the *Code of Student Rights and Responsibilities* and can be found online at www.bsu.edu/studentcode/drugpolicy and below:

The use, abuse, possession, sale, distribution, manufacture or transfer of narcotics, illegal drugs as defined by state or federal law, or any controlled substance is prohibited at all times, except as expressly permitted by law. Controlled substances include, but are not limited to, marijuana, hash oil, hashish, inhalants, and abuse of over-the-counter drugs and prescription drugs, and/or the use of over-the-counter drugs or prescription drugs, or any other immediate precursor to be used to manufacture any other illegal drug, including without limitation, methamphetamine, except as expressly permitted by law.

Possession or manufacture of drug paraphernalia which is to be used for any one of the following purposes (a) to introduce into a person's body a drug, marijuana or any controlled substance, (b) to test the strength, effectiveness or purity of a drug, marijuana or any controlled substance, or (c) enhances, or is perceived to enhance, the physiological effect of a drug, marijuana or any controlled substance, is also a violation of this policy.

Violation of this policy, on or off campus, will result in disciplinary action by the university. Those found responsible may face sanctions up to and including consideration of suspension or expulsion, depending on prior disciplinary record and severity of the violation.

Students who reside in university housing facilities, may be subject to immediate contract termination if found responsible for any violation of this policy.

Students need to be aware that any student convicted of a state or federal drug violation that occurred while enrolled and while receiving federal financial aid may be declared ineligible for future federal student aid for up to a year. Individuals convicted of both possession and selling may face a longer period of ineligibility.

The university will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a *second* violation of the alcohol policy, and (3) on the *first* violation of the alcohol policy when one or more of the following occurs:

- the student demonstrates a reckless disregard for his or her personal safety or the safety of others;
- medical attention to any person, including the student, is required as a result of the student's alcohol related behavior;
- there is property damage;
- the student operates a motor vehicle under the influence of alcohol;
- the incident involves another serious violation;
- the student's alcohol-related behavior negatively impacts the learning environment.

Good Neighbor Exception - Students are always encouraged to call for emergency assistance as needed, even at the risk of disciplinary action for one's own conduct. When another person is in need of critical care or when a situation otherwise warrants emergency response, call 911 immediately. The Good Neighbor Exception provides university officials the opportunity to waive University disciplinary action for a student if he/she risked revealing one's own violation of the *Code of Student Rights and Responsibilities* in order to seek medical or other emergency assistance to another person in distress. The Good Neighbor Exception typically applies only to individuals committing minor offenses and shall be the judgment of the designated university official. *NOTE: The exception does not apply to any criminal charges.*

Laws Concerning Controlled Substances

The summaries below are intended to provide an overview of some of the laws relevant to university students. They are not intended as a substitute for professional legal advice. Those needing legal advice should consult an attorney.

Controlled Substances

"Controlled Substances" are regulated drugs that have been determined to have special "abuse potential." Such drugs include but are not limited to, marijuana, hashish or hash oil, cocaine, LSD, and other hallucinogens, barbiturates and other sedative-hypnotics, amphetamines and other prescription stimulants, MDMA (Ecstasy), PCP, and similar drugs. It is illegal under both state and federal to:

- Manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance.
- Deal in a substance represented to be a controlled substance (including counterfeit, "look-alike" drugs).
- Manufacture, advertise, distribute, or possess with intent to manufacture, advertise or distribute a substance represented to be a controlled substance.
- Possess, without a valid prescription, a controlled substance.
- Visit a building, structure, vehicle, or other place used by person to unlawfully use a controlled substance.
- Possess, manufacture, deal in, or deliver drug paraphernalia (an instrument, device, or other object intended for use for introducing a controlled substance into a body or for enhancing the effect or testing a controlled substance).

Criminal sanctions for such violations can include fines from \$5,000 to \$10,000 under state law and up to \$25,000 under federal law, and imprisonment in a state prison for up to 50 years or in a federal prison for up to life. The sanction imposed will be determined by: (1) the classification of

the controlled substance; (2) the quantity involved; (3) the nature of the offense (sale, use, etc.); (4) the age of the recipient (higher penalties for possession, sale or delivery near a school, etc.); and (5) the prior criminal record of the offender. More detailed information may be obtained by consulting the Indiana Criminal Code or the Federal Controlled Substances Act, as amended.

Anabolic Steroids

Under Indiana law, it is a criminal offense to manufacture, deliver, possess, or use an anabolic steroid without a valid and legal prescription. It is illegal for a physician or other licensed practitioner to issue a prescription for an anabolic steroid for enhancing performance in an exercise, sport, or game, or to increase muscle mass, strength, or weight without a medical necessity. Criminal sanctions for such violations can include fines and/or imprisonment. More detailed information may be obtained by consulting the Indiana Criminal Code.

Indiana Tobacco Laws

It is illegal for a person under the age of 18 to purchase or possess tobacco, and it is illegal to sell tobacco to a person under the age of 18. A person purchasing a tobacco product must have proper identification for proof of age. A fine of up to \$500 may be imposed for such violations. Indiana law also prohibits smoking in public buildings (including all Ball State properties), except in designated smoking areas. Ball State's tobacco use policy can be found at this link: <https://www.bsu.edu/-/media/WWW/DepartmentalContent/SmokeFree/TobaccoFreePolicy.pdf>.

Financial Aid Recipients

All students who seeking financial assistance with their education apply using the Free Application for Federal Student Aid (FAFSA). The application asks students whether or not they have been convicted of a drug offense while receiving federal student aid (grants, work-study, or loans). The answer "yes" requires additional information to determine eligibility for aid.

Students should carefully check the conditions of their specific financial aid. For instance, the Indiana 21st Century Scholars scholarship requires students to pledge, "I will not use illegal drugs or alcohol or commit a crime or delinquent act" as part of their application. Failure to understand and comply with one's obligations to specific aid can jeopardize continued receipt of that aid.

Campus Resources for Alcohol and Other Drug Information

In addition to the information below, campus resources for alcohol and other drugs can be found at <http://www.bsu.edu/alcoholawareness> and the Safe and Drug Free Campus website found at <https://www.bsu.edu/about/administrativeoffices/studentrights/policiesandprocedures/sdfcampus>.

Health, Alcohol and Drug Education

The Alcohol and Other Drug Education Program is a part of the Office of Health, Alcohol, and Drug Education located in the Student Health Center. This office provides a wealth of information as well as alcohol and drug abuse consultation and assessments for students. There are several individual and group programs available to students who want to learn more about how alcohol and other drug use is impacting their lives and how they can monitor their behavior.

Counseling Center

The Counseling Center provides a variety of support assessment services that are designed to educate and enhance awareness of students in the area of chemical dependence.

Academic Department Courses

A number of academic departments offer courses and other opportunities for students to study the complex issues of drug abuse, the impact of society, as well as to prepare for careers in alcohol and drug counseling, patient care, and other related fields. The following units typically conduct research and offer courses regarding alcohol and other drug use:

- Department of Nutrition and Health Science
- School of Kinesiology
- School of Nursing
- Department of Social Work
- Department of Counseling Psychology, Social Psychology, and Counseling

ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Office of Student Rights and Community Standards and Department of Public Safety prepare an annual security report disclosing all crime statistics required by the U.S. Department of Education in compliance with the Clery Act. This report is filed with the Department of Education and is made available to the public at www.bsu.edu/fireandsafetyreports along with a companion report on fire safety. By October 1 of each year, a notice of the report's availability and how it may be obtained is emailed to current students via their official Ball State email addresses as well as emailed or mailed (a postcard from Human Resources) to current service employees. Prospective students are informed of the report when they apply to Ball State; notice of the report to prospective employees is coordinated by Human Resources (classified and contract staff) and Office of General Counsel (faculty and professional staff positions). Ball State crime statistics can also be found at <http://ope.ed.gov/Security>. Persons may also obtain a printed copy by calling or writing to:

Office of Student Rights and Community Standards
Student Center, Room L-4
2000 W University Avenue
Muncie, IN 47306
(765) 285- 5036

Ball State University's annual crime statistics include on- and off-campus crimes as defined by the Clery Act and that are reported to the Department of Public Safety. Crime reports are also forwarded to Student Rights and Community Standards by the Muncie Police Department, State Excise Police, and other law enforcement agencies through Public Safety. Finally, Ball State's crime statistics include reports of crimes (including disciplinary referrals for alcohol, drug, and weapons law violations) made in good faith to the following offices and individuals (crime reports made to these offices and persons are also evaluated to determine if timely warnings are required) :

- Academic Advising
- Ball State Department of Public Safety
- Professional employees in Division of Student Affairs and Enrollment Services
- Graduate assistants in Division of Student Affairs and Enrollment Services
- Director of Intercollegiate Athletics, athletics administrators, coaches, and trainers
- Faculty and staff advisors to student organizations

- Resident Assistants and other student staff members—Housing and Residence Life
- Sport Facilities and Recreation Services
- Burriss School and Indiana Academy staff members
- Desk and program staff members (including students) in L.A. Pittenger Student Center
- Rinker Center for International Programs
- Emens Auditorium and Pruis Hall attendants, etc.
- Indianapolis and Fishers Centers

Additionally, Public Safety maintains a crime log that is available to the public. Requests for the crime log can be made to the Records Coordinator at the front desk of the Ball State Department of Public Safety during business hours. An on-line crime log for the prior two weeks can be found here: <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/crime-log-listing>

Annual Security Report Preparation

Ball State University's annual campus security report is the result of the effort of many people on campus. Each year individuals from the offices noted above are contacted by email with information about their roles and obligations in reporting, instructions for reporting, and a solicitation for any crimes that may have been reported to them. Specific information about the alleged crime such as date, time, location, and description are requested including knowledge of whether the crime had been reported to police. This information is used to make decisions about issuing timely warnings and to reconcile multiple reports of crimes to avoid counting any report more than once. No formal police report is required for a crime to be included in the statistics. Every effort is made to ensure that all persons required to report in fact do so and that our statistics are as accurate as possible.

Person with questions or concerns regarding any of the statistics and information in this report should contact Marketing and Communications, Ball State University, Muncie, IN 47306; telephone: (765) 285-1560.

MISSING STUDENT NOTIFICATION POLICY

This policy was established by Ball State University, in compliance with the Higher Education Opportunity Act of 2008, to provide students with procedures and information for reporting a missing person. The policy applies specifically to students who reside in University-owned housing facilities.

Confidential Contact Person

Resident students who are 18 years of age or older or who are emancipated minors have the option, upon moving into the residence hall, to identify a specific contact person who will be notified within 24 hours if that student has been reported missing. The identity of that contact person will remain confidential with the exception of law enforcement and staff designated to respond to missing person reports.

For resident students under the age of 18 and not emancipated, the University is required to notify a custodial parent or guardian within 24 hours of the time a student is reported missing.

Notification Procedures for Missing Persons

If a student is believed to be missing, *defined as an individual who has not been seen or heard from for 24 hours or more and whose whereabouts is unknown*, a report should be made to one of the following:

- Residence Hall Director
- Assistant Residence Hall Director
- Public Safety

When report is made to a residence hall staff member, the Department of Public Safety will be contacted immediately. Residence hall staff members will work with Public Safety officers to find the student. Cooperative efforts may include:

- Welfare check of the missing student's residence hall room
- Contact attempts via cell phone, email, or other means
- Identification of and contact with other individuals who may have knowledge of the missing student's whereabouts

Public Safety officers will gather all essential information related to the missing person and conduct a thorough investigation. No later than 24 hours after the missing person report is first received, Public Safety will notify the individual's designated contact or (for persons under 18 years of age and not emancipated) the subject's parent or guardian to inform them that the resident student is believed to be missing.

Regardless of the student's age, emancipation status, or whether the student has designated a contact person, Public Safety police officers will, within 24 hours of the report, notify the local law enforcement agency with jurisdiction in the area where the student is missing.

All inquiries by the media or the general public regarding missing persons will be referred to Marketing and Communications. All public statements will be coordinated through that office.

Notification Procedures for Missing Persons Living Off Campus

Upon notification from any person that a Ball State University student may be missing, the university staff member receiving the information should refer the matter immediately to Public Safety at (765) 285-1111.

Officers will respond to reports of missing students in a timely manner. It is the policy of the Ball State Department of Public Safety to thoroughly investigate reports of all missing persons.

SEXUAL ASSAULT, DATING/DOMESTIC VIOLENCE, AND STALKING

Ball State is committed to preventing sexual assault, domestic and dating violence, stalking, and other forms of sexual harassment and misconduct. New students and employees are provided significant programming and training prior to beginning classes or shortly after matriculation and employment. A key program for new students is [Think About It](#), which provides a highly interactive and informative discussion of consent, forms of sexual violence, the role of alcohol in sexual violence, bystander intervention, and university resources. Red Zone prevention programming takes place in many large, primarily-freshman classes; residence halls sponsor numerous programs, Greek life and athletics sponsor programs targeted at those student sub-

populations, and the Public Safety Department provides Rape Aggression Defense (RAD) training throughout the year. On average, Ball State sponsors approximately twenty programs each month during the academic year.

Ball State is committed to addressing complaints of sexual harassment and misconduct—including domestic and dating violence, sexual assault, and stalking—in an effective, timely, and equitable manner. This statement provides brief information about the policy and procedures by which complaints against a student will be addressed. The complete Sexual Harassment and Misconduct Policy can be found at www.bsu.edu/studentcode/sexualmisconduct.

Procedures Following a Complaint

Complaints about a student's behavior should be made to or are forwarded by Ball State police, responsible employees, or other party to Ms. Katie Slabaugh, the Associate Dean of Students/Title IX Coordinator at (765) 285-1545 (AD 238). The Associate Dean of Students/Title IX Coordinator or designee (Title IX Coordinator) will designate an investigator who will provide needed academic accommodations and initial remedies, and recommend an appropriate resolution which may include further investigation, a remedies-based resolution, or dismissal of a complaint.

If further investigation is deemed necessary, the investigator will interview the complainant, respondent (accused student), and witnesses as applicable to gather additional facts. The investigator will review the preliminary report with the parties, finalize the report, and forward the report to the Director of Student Rights and Community Standards (Director). The Director, in consultation with the investigator, will determine if further adjudication is warranted using a preponderance of evidence standard.

If the Director determines that no further adjudication is warranted, the Director will notify both parties simultaneously in writing. The complainant may appeal this decision to the Title IX Coordinator who may confirm the Director's decision or require a hearing by the Sexual Misconduct Board.

If the Director determines that further adjudication is required, the Director will notify the respondent with a letter charging one or more violations of the Sexual Harassment and Misconduct policy, providing a rationale for doing so, proposing sanctions, and noting options for resolving the complaint. The complainant will receive a simultaneous notification. Both parties will be invited to separate meetings with the Director. In this meeting, the Director will review procedures, as well as formal and informal options for adjudication and their implications.

If the respondent accepts responsibility for the charged violation(s), the Director will implement the proposed sanctions and notify both parties of the decision and the opportunity to and criteria for appeal. If either party appeals, the other party will be notified and given an opportunity to respond to the appeal. The appeal will be reviewed by the Associate Vice President for Student Affairs/Director of Housing and Residence Life.

If the respondent does not accept responsibility and requests a hearing, the Director will notify both parties of the time, date, and location of a hearing by the Sexual Misconduct Board. The Sexual Misconduct Board (SMB) will review the available information and testimony from the investigator, the Director, and the parties to the complaint. The SMB will determine, using a preponderance of evidence standard, whether a violation has occurred and if so, recommend sanctioning to the Director.

The Director will review the SMB's findings of fact, decision regarding violation(s), and recommendation for sanction(s) as applicable. Once the Director has finalized the decision, the Director will notify both parties in writing of the decision and the opportunity to appeal and criteria for making an appeal. If either party appeals, the other party will be notified and given an opportunity to respond to the appeal. The appeal will be reviewed by the Associate Vice President for Student Affairs/Director of Housing and Residence Life or designee.

Education Programs

Ball State University currently uses [*Think About It*](#), an online education program, as its initial educational program for all new students. *Think About It* is a comprehensive program that addresses sexual assault (a broader term that includes rape and acquaintance rape) on the college campus, the role of alcohol and other drugs in sexual assault, and other types of sexual violence including domestic violence, dating violence, and stalking. *Think About It* also trains participants in how to intervene effectively and safely in situations where students are at risk for sexual assault, other violence, or injury. A similar program is aimed at all new employees (including graduate assistants). This program focuses not only on prevention but the obligations of employees to report sexual harassment and misconduct.

Ball State University prohibits harassment on the basis of sex or gender, sexual violence, dating and domestic violence, and stalking. These behaviors, collectively referred to as sexual harassment and misconduct in Ball State's policy, are prohibited, inconsistent with the university's values, and incompatible with the safe, healthy environment that the Ball State community requires to function effectively.

Definitions and Consent

When applicable, sexual violence is defined by the State of Indiana's criminal code. Forms of sexual violence not defined by criminal code are defined in the Sexual Harassment and Misconduct Policy, Appendix K which is found at www.bsu.edu/studentrights/sexualmisconduct.

Ball State defines consent as

“a knowing, voluntary, and clear mutual agreement to engage in sexual activity. Consent is effective when it is informed, freely and actively given, and communicated by clearly and mutually understandable words or actions to participate in each form of sexual activity.”

Consent includes but is not limited to the following concepts:

- consent cannot be given by someone who is incapacitated;
- a minor cannot give consent; consent cannot be inferred from silence, passivity, or lack of resistance; consent can be withdrawn at any time;
- consent does not exist when there is force, a threat of force, violence, or any other form of coercion or intimidation;
- a current or past dating or sexual relationship does not constitute consent; past consent does not imply future consent;
- consent to one form of sexual activity does not imply consent to other forms; and
- consent to sexual activity with one person does not imply consent to another person.

Where alcohol or other drugs are involved, incapacitation is defined with respect as to how the alcohol or other drugs consumed affects a person's ability to understand fully the "who, what, when, where, why, and/or how" of his/her sexual interaction with someone else.

Indiana law provides that a minor (meaning a person under the age of 16 years) cannot consent to sexual activity.

A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor.

Ongoing Prevention and Awareness Programs

In addition to *Think About It* (noted above), Ball State promotes "*Step In. Speak Up.*" which refers to bystander intervention programming, a student organization, and a free smartphone application. The "*Step In. Speak Up.*" app provides information, resources, and strategies for response to and prevention of sexual violence, including stepping in safely, positively, and effectively as a bystander in cases where there is a risk of sexual assault.

Think About It and other Ball State programming provides information on how to reduce risk in relationships, including recognizing signs of abusive behavior, how to avoid potential attacks, and assistance in cases where an attack could not be avoided.

Think About It is provided prior to classes and is a required program for new students that is enforced by holds placed on future registration. Red Zone programming provided by the Health, Alcohol and Drug Education Office in conjunction with the Office of Victim Services focuses on risk reduction for sexual assault during the first six to eight weeks of classes. *Step In. Speak Up.* programming is conducted throughout the year. These signature programs are supplemented by additional programming throughout the year as provided by residence halls, Greek life and other student organizations, athletics, Public Safety, and other university offices throughout the year.

All programming includes references to the *Sexual Harassment and Misconduct Policy* (<http://www.bsu.edu/studentcode/sexualmisconduct>) which provides the following information:

- protective measures for complainants that may be implemented before and after adjudication of a complaint;
- possible sanctions against respondents that may be imposed following a final determination in a complaint;
- procedures that victims should follow if sexual harassment or misconduct has occurred including information about:
 - the importance of preserving evidence;
 - to whom the offense should be reported;
 - options regarding law enforcement and campus authorities including how to notify Ball State and Muncie police agencies, to be assisted by campus authorities in notifying Ball State or other police agencies if the victim chooses, to decline to notify any police agency; and
- a victim's right to request administrative no-contact instructions by Ball State and restraining and personal protection orders by local criminal and civil courts as well as Ball State's responsibility to assist in implementing those orders.

The *Sexual Harassment and Misconduct Policy* also provides detailed information on the procedures for institutional disciplinary cases that involve sexual harassment and misconduct including domestic violence, dating violence, and stalking. The procedures outlined in this policy:

- provide for prompt, fair, and impartial investigations and resolutions;
- are conducted by investigators, hearing panel members, and other adjudicators who receive annual training on issues related to sexual harassment and misconduct, including dating/domestic violence and stalking and who receive annual training on how to conduct investigations and hearings that protect the safety of complainants and promote accountability;
- provide the same opportunities to complainants and respondents to have an advisor of their choice be present at all meetings related to the complaint;
- provide for simultaneous notification in writing to both complainant and respondent of the outcome of disciplinary proceedings, procedures for appeal, any changes to the outcome of a disciplinary proceeding prior to the time the results become final, and when such results become final;

In addition, the *Sexual Harassment and Misconduct Policy*

- provides information on how Ball State protects complainant/victim confidentiality including how publicly-available record-keeping will be accomplished without including identifying information about the complainant/victim to the extent permissible by law;
- provides information about on- and off-campus options available for complainants/victims in regards to counseling, health, mental health, victim advocacy, legal assistance, visa and immigration services, student financial aid, and other services; and
- provides written notification for complainants/victims about options for and assistance with changing academic, living, transportation, and working situations if so requested by the complainant/victim and if accommodations are reasonably available, regardless of whether the complainant/victim chooses to report the crime to Ball State police or other local law enforcement.

Whenever a student or employee reports that she or he has been a victim of sexual harassment and misconduct including domestic violence, dating violence, and stalking, the complainant/victim will be provided with a written explanation of his or her rights and options as described above and in more detail in the Ball State *Sexual Harassment and Misconduct Policy* at <http://www.bsu.edu/studentcode/sexualmisconduct> and the Ball State *Statement on Sexual Harassment* at <https://www.bsu.edu/about/administrativeoffices/general-counsel/policies-and-legal-information/sexual-harassment>.

REGISTERED SEX OFFENDER INFORMATION

Information regarding registered sex offenders may be obtained from the Department of Public Safety. Indiana's Sex and Violent Offender Registry is located online at <http://www.icrimewatch.net/indiana.php>.



Annual Campus Security Report

prepared by the

Office of Student Conduct

Published September 30, 2019

The following information is provided as a service to the Ball State University community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [20 USC 1092].

The Ball State annual fire safety report can be found at <http://www.bsu.edu/fireandsafetyreports>.

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CAMPUS CRIME STATISTICS—MAIN CAMPUS

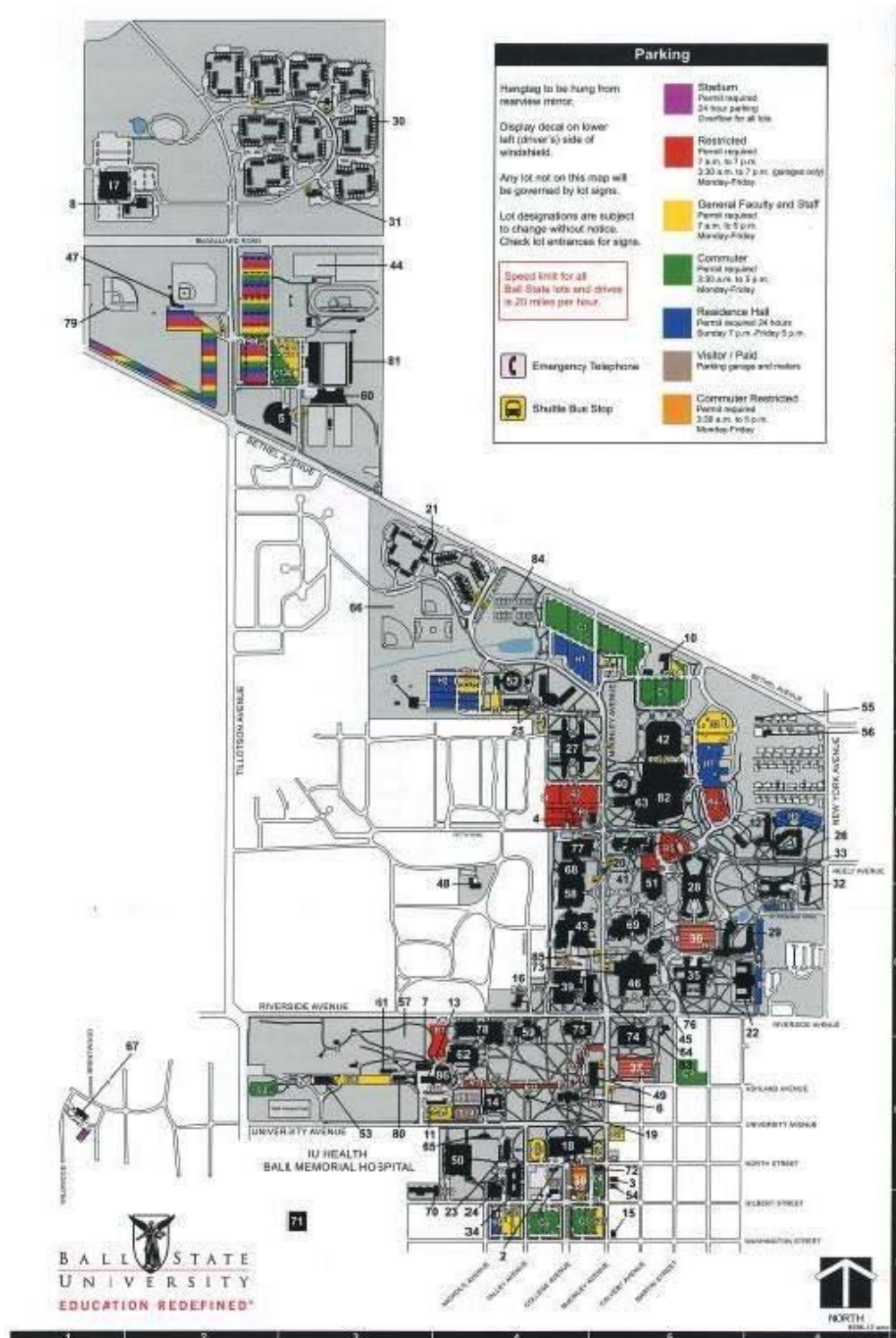
Reports of Primary Crimes	2016				2017				2018			
	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing ¹	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	13	12	2	0	21	17	6	0	10	9	2	0
Fondling	10	10	6	0	16	12	0	0	11	6	3	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	2	0	0	0	2	1	2	1	0	0
Burglary	2	1	3	0	6	5	3	0	14	6	2	0
Motor vehicle theft	1	0	0	0	2	0	0	0	2	0	0	0
Arson	1	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Weapons offense	0	0	0	0	0	0	0	0	0	0	0	0
Drug abuse violations	21	9	0	6	37	15	0	7	15	6	0	16
Liquor law violations	60	41	1	31	48	33	2	35	39	36	5	14
DISCIPLINARY REFERRALS												
Weapons offense	0	1	0	0	0	0	0	0	5	5	0	0
Drug abuse violations	68	53	3	6	104	84	3	3	124	115	0	0
Liquor law violations	396	395	12	1	396	383	7	1	300	298	0	0
VAWA Crimes												
Domestic Violence	0	0	0	1	0	0	0	0	0	0	0	0
Dating Violence	8	8	0	0	5	3	0	0	5	5	0	0
Stalking	6	3	0	0	13	4	0	0	4	4	0	0

Two (2) reported burglaries (reported 10/27/2018 and 11/29/2018) were determined to be unfounded by the Ball State Department of Public Safety during the reported calendar year.

Crime reports and arrests include Ball State and ISEP. MPD and IUBMH PD reported no reportable Clery crimes or arrests in response to query.

¹ “On-campus housing” is a subset of “On-campus.” All reports noted in “On-campus housing” are also noted in “On-campus.” The “On-Campus” category will always be a number equal to or greater than “On-Campus Housing.”

BALL STATE MAIN CAMPUS MAP



For the Clery report, the “public property” category includes public property (usually public streets and adjoining sidewalks) adjacent to the colored portions of the map above except for #67 (lower left) which is a “non-campus” property. The Public Property category also includes the public streets and adjoining sidewalks that run through the Ball State campus.

CAMPUS HATE CRIME STATISTICS—MAIN CAMPUS

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim in the categories of the victim’s actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Reports of Primary Crimes	2016				2017				2018			
	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	1 RA, GI	1 RA, GI	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	1 ^{RA}	0	0	0	0
Intimidation	0	0	0	0	2 ^G	1 ^G	0	0	0	0	0	0
Vandalism	1 RA, SO	0	0	0	1 ^{RA}	1 ^{RA}	0	0	1 ^{RA}	0	0	0

CAMPUS CRIME STATISTICS—INDIANAPOLIS CENTER²

Primary Crimes Reports	2016			2017			2018		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

No crimes that would normally be reported (meeting notice, crime type, and geography requirements) in the chart above were reported to Ball State as being unfounded by Indianapolis/Marion County police during the reported calendar year.

² In 2019, the Ball State Indianapolis Center was re-branded CAP: Indy as part of the R. Wayne Estopinal College of Architecture and Planning and moved to a new location at 25 North Pine Street, Indianapolis, IN 46202.

CAMPUS HATE CRIME STATISTICS— INDIANAPOLIS CENTER³

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim in the categories of the victim’s actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Primary Crimes Reports	2016			2017			2018		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0

The Ball State University Indianapolis Center does not offer on-campus housing. The Center is secured by an alarm system monitored by a security company. In cases of emergencies, Indianapolis/Marion County police respond to 911 calls and alerts from the security company. Center staff members work with Ball State University police as well.

Staff, visitors and students at the Ball State Indianapolis Center are encouraged to report crimes to Indianapolis Center staff members who will assist with reporting to the appropriate police agency.

The Indianapolis Center is open from 8 am-5 pm Monday through Friday. Students in evening and Saturday classes are provided access by personnel on site with secure access privileges. Maintenance problems related to security are reported to the facility’s owner by Indianapolis Center staff.

³ In 2019, the Ball State Indianapolis Center was re-branded CAP: Indy as part of the R. Wayne Estopinal College of Architecture and Planning and moved to a new location at 25 North Pine Street, Indianapolis, IN 46202.

CAMPUS CRIME STATISTICS—FISHERS CENTER

Primary Crimes Reports	2016			2017			2018		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
DISCIPLINARY REFERRALS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

No crimes that would normally be reported (meeting notice, crime type, and geography requirements) in the chart above were reported to Ball State as being unfounded by Fishers police during the reported calendar year.

CAMPUS HATE CRIME STATISTICS— FISHERS CENTER

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim in the categories of the victim’s actual or perceived **race** (^{RA}), **religion** (^{RL}), **gender** (^G), **gender identity** (^{GI}), **sexual orientation** (^{SO}), **ethnicity** (^E), **national origin** (^{NO}), and/or **disability** (^D). Hate crimes are also to be reported when they occur in the form or in conjunction with simple assaults, larceny-theft, intimidation, and destruction/ damage/ vandalism to property.

Primary Crimes Reports	2016			2017			2018		
	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0

The Ball State University Fishers Center does not offer on-campus housing. The Center is secured by an alarm system monitored by a security company. In cases of emergencies, Fishers police respond to 911 calls and alerts from the security company. Center staff members work with Ball State University police as well.

Staff, visitors and students at the Ball State Fishers Center are encouraged to report crimes to Fishers Center staff members who will assist with reporting to the appropriate police agency.

The Fishers Center is open from 8 am-5 pm Monday through Friday. Students in evening and Saturday classes are provided access by personnel on site with secure access privileges. Maintenance problems related to security are reported to the facility’s owner by Fishers Center staff.

REPORTING CRIMES AND EMERGENCIES

University Police/Public Safety

Ball State University Police, a division of the Department of Public Safety, is headquartered at 200 N. McKinley Ave., Muncie, IN 47306, (765) 285-1111.

Public Safety officers have full police powers throughout the State of Indiana, including the authority to arrest individuals. Public Safety officers also have mutual aid agreements with the City of Muncie and Delaware County. While the mutual aid agreements do not address the investigation of criminal incidents, Public Safety has its own investigators and can receive and offer assistance to other law enforcement agencies in criminal investigations.

Public Safety officers enforce all state and local laws, including but not limited to underage drinking, controlled substances, crimes against property, and crimes against persons. Public Safety investigates all crimes reported to have occurred on campus property, refers out investigations when appropriate, and works cooperatively with local, county, and state law enforcement agencies.

Public Safety also works closely with the Office of Student Conduct and the Office of Housing and Residential Life to enforce the *Code of Student Rights and Responsibilities* (see <http://www.bsue.edu/studentcode>).

All crimes or suspected crimes on campus should be reported immediately to Public Safety. Crimes occurring off campus can also be reported to Public Safety or to the Muncie Police Department, the Delaware County Police, or the Indiana State Police, depending on where the incident occurred.

On Campus Emergencies: (765) 285-1111 or 5-1111 from campus phones

Other Emergencies: 911

Non-Emergencies:

- Ball State Public Safety: (765) 285-1111
- Muncie Police: (765) 747-4838
- Delaware County Police: (765) 747-7878
- Indiana State Police: (765) 282-1223

In response to a call, Public Safety will take the required action, by either dispatching an officer to the caller's location, or asking the caller to report to the Ball State police station to file an incident report. Ball State Public Safety reports involving students are referred to the Office of Student Conduct for review. Ball State Public Safety investigators will investigate a report when it is deemed appropriate.

Ball State and the Ball State University Department of Public Safety strongly encourage students, faculty, and staff members to report immediately crimes, suspected criminal activity, or other emergencies to Public Safety at the numbers found above.

Persons who have knowledge of an apparent crime and who believe the incident should be evaluated for the purposes of a timely warning to the campus community should report it immediately to Public Safety by calling (765) 285-1111 or 5-1111 from a campus phone. Reports of this nature can also be made to the list of offices and individuals noted in a later section "Annual Security Report and Disclosure of Crime Statistics."

Anonymous and Confidential Reporting

Persons may voluntarily and anonymously report crimes to Ball State Public Safety by using the Silent Witness program at www.bsu.edu/silentwitness. Silent Witness is a web-based program that allows individuals to report anonymously information about criminal activity on campus.

Crimes reported to counselors at the Ball State Counseling Center (765) 285-1736, to staff members in the Office of Victim Services (765) 285-7844, or to medical staff members at the Student Health Center, (765) 285-8431, are confidential by law. Some crime reports made to off-campus professionals also may be legally confidential, such as reports to a private physician, Better Way, or local counseling services.

Crimes reported only to staff members in the Counseling Center or the University Health Center are not included in the annual crime statistics. The Office of Victim Services provides information that does not identify individuals to Public Safety to be included in this annual report and to be assessed for sending timely warnings.

The Counseling Center does not have a policy encouraging clients to report crimes on a voluntary, confidential basis for inclusion in the annual security report.

Due to the Open Records Law of the State of Indiana, confidentiality cannot be afforded to persons reporting crimes to other individuals or offices that supply crime statistics for this annual report.

PUBLIC SAFETY ADVISORIES (AKA TIMELY WARNINGS)

When a crime occurs on campus or on a public area adjacent to campus, the Department of Public Safety may issue a public safety advisory if the situation poses a serious or ongoing threat to the campus community.

Public safety advisories are intended to heighten safety awareness, alert campus community members of potential dangers, and seek information that could lead to an arrest and conviction of perpetrators of violent crimes or major crimes against property.

The university issues public safety advisories through Ball State email.

Process for Determining to Issue a Public Safety Advisory

The Ball State Director of Public Safety or a designee reviews all reports to determine if there is an on-going threat to the community and if the incidents warrant public safety advisories. The university issues advisories subject to the availability of pertinent information concerning the incident.

Public Safety may consult with other university officials or local law enforcement and safety personnel on a case-by-case basis.

Ball State does not publish the names of crime victims or provide information that could lead to a victim's identity.

Criteria for Issuing a Public Safety Advisory

The university will issue a public safety advisory if the Department of Public Safety determines an incident meets all of the following conditions:

- a reportable crime, under the Clery Act, has been reported: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crime (includes any of the previously mentioned offenses, as well as cases of larceny or theft, simple assault, intimidation, or destruction of property motivated by bias)
- the crime was reported to university officials
- a crime occurred on campus or the public property surrounding campus
- there is a continuing danger to the campus community and issuing the public safety advisory will not compromise law enforcement efforts to address the crime
- any non-Clery crime occurring on campus or on public property adjacent to campus that, in the opinion of the Director of Public Safety or a designee, constitutes a serious or continuing threat to the campus community

The Department of Public Safety determines cases of aggravated assault and sex offenses on a case-by-case basis.

Ball State's Department of Public Safety provides a daily summary of certain types of incidents reported to the Department of Public Safety. Additionally, press releases and crime alerts related to certain specific incidents are posted at www.bsu.edu/news.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Complete emergency response guidelines for various types of emergencies are disseminated to employees each fall. These are available online at www.bsu.edu/prepared.

Communication and Notification in an Emergency

The Department of Public Safety is responsible for determining when an emergency exists, which segments of the campus community to notify, and through which means, as well as

coordinating with Marketing & Communications on the content of any messages. The University Police and Marketing & Communications are the only campus offices authorized to disseminate official information about campus emergencies to the campus community.

When a significant emergency or dangerous situation is confirmed to exist, the Department of Public Safety will take into account the safety of the community; determine what information to release; and begin the notification process without delay unless such notification will compromise efforts to assist a victim, respond to the emergency, or contain or mitigate the emergency.

The entire campus community will be notified when the potential exists for the majority of the community to be affected by an emergency, or when a situation threatens the operation of the campus as a whole. If the threat is limited to a segment of the population, notification may be limited to that segment, but additional segments of the population will be notified as ongoing assessment of the situation reveals a need to do so. Once the campus community has been notified, Marketing & Communications will notify the neighboring community by updating local media outlets.

University faculty and staff should not discuss or post about emergencies on social media accounts that belong to Ball State. Before discussing or forwarding messages about emergency situations, please check the official communication sources to ensure the accuracy of the information.

The university conducts emergency response exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. In addition to regular testing of email/text communication, public address, sirens, etc., emergency response/evacuation tests during 2018 included:

Ball State Police Department trained with Muncie Police Department on May 22, 2018 in "Mobile Field Force" tactics. On June 27 and 28, 2019, the University Police Department conducted a local agency-wide active shooter training exercise on campus.

Ball State conducts a comprehensive emergency communications test on a regular basis. These are tests of communication systems including e-mail, text-messaging, voicemail, call boxes, and digital signage (call box and TV monitor messaging are tested weekly). A test of the emergency notification system was conducted October 1, 2018.

Employees and students are regularly notified by email regarding emergency preparedness procedures, severe weather preparation, and prevention tips. Emergency notifications issued in the past 365 days are archived here: <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/emergency-notifications/archives>.

Types of Notification

Ball State will inform the campus community using three types of notifications:

- Emergency Warnings
- Public Safety Advisories (see prior section)
- BSUInform Notices

Emergency Warnings (including Severe Weather)

The Director of Public Safety or a designee may determine there is an immediate threat to the health and safety of students or employees on campus who need to protect themselves from imminent danger, such as a gas leak in a building.

In these cases, the university sends emergency notifications via Ball State's website, email, campus voicemail, and mobile text messaging to subscribers. The university may also use a campus siren.

When the National Weather Service issues a tornado warning, Ball State will post pertinent information on the homepage of bsu.edu and send a text message to subscribers of the university's emergency text-messaging system. Students, employees, and others should continue to monitor the weather via radio or television until the tornado warning has been lifted for their area.

Marketing & Communications also uses this system when the Vice President for Business Affairs or designee determines classes are canceled or the campus is closed.

BSUInform Notices

The university may issue a BSUInform notice when a situation is not an emergency and does not pose an immediate threat to the campus community but it is of significant safety interest to members of the Ball State community.

The service is intended to make students and employees aware by providing information about a situation. For instance, Public Safety might receive reports of a crime but do not believe a continuing threat exists. In another instance, a crime might occur off campus, but the incident's location might concern students' or employees' safety.

The university sends BSUInform notices through Ball State email accounts.

Staff Responsible for Notifications

Director of Public Safety
Associate Director of Public Safety
Vice President for Marketing and Communications
Vice President for Student Affairs
Associate Vice President for Student Affairs & Director of Housing & Residence Life
Associate Vice President for Facilities Planning and Management

Types of Communication

In the event of an emergency on campus, the university relies on an array of communication tools to keep the campus community informed and relay safety instructions. The University Police and Marketing & Communications are the only campus offices authorized to disseminate official information about campus emergencies to the campus community. The modes of communication include the following and vary with the nature and severity of the situation

Campus sirens: The sirens may emit a continuous three-minute sound warning. *Note: Sirens are tested at 11 a.m. each Friday.* <http://cms.bsu.edu/about/administrativeoffices/emergency-preparedness/communication-in-an-emergency>

Emergency alerts: Text messages and e-mails sent when immediate, specific action in response to a situation is needed. To subscribe, go www.bsu.edu/emergencytext.

Public safety notices (aka BSU Inform notices): E-mails sent when no specific action to a situation is required but information may help raise awareness or mitigate rumors. <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/emergency-notifications/bsuinform>

Ball State home page: In the event of an emergency, the home page would be one of the first places university officials would post official information for all audiences. Should www.bsu.edu become unavailable during an emergency on campus, the university may post information on the site <http://ballstate.info>.

Ball State Emergency Management Twitter Account (@ballstate_alert): In the event of an emergency, the university will post information and continual updates on its official emergency management Twitter account @ballstate_alert.

Emergency call boxes: Emergency call boxes are in classrooms and other places around campus where it is inappropriate to place a regular telephone. The call boxes work like a telephone and dial the Department of Public Safety once the button is pressed. Also, emergency call boxes will receive alerts and say them aloud during emergencies. This happens almost instantaneously across all call boxes on campus. <http://cms.bsu.edu/about/administrativeoffices/emergency-preparedness/communication-in-an-emergency>

Evacuation

To be prepared for an emergency, Ball State community members are expected to recognize the sound of the evacuation alarm, know at least two ways out of the building from their regular workspaces, and know the predetermined meeting location for their units as appropriate.

When Ball State community members hear the evacuation alarm or are verbally instructed to begin evacuating a building, they should

1. Try to make sure that all members of their departments or units hear the alarm and evacuate the area by quickly checking nearby restrooms, copier rooms, storage rooms, etc., as they exit.

2. Use the nearest stairway. Do not use the elevator.
3. If requested, accompany and assist persons with disabilities.
4. Shut all doors behind them. Closed doors can slow the spread of fire, smoke, and water.
5. Evacuate as quickly as possible but in an orderly manner. Do not push or shove.
6. Once outside, move at least 100 feet from the building or follow the instructions of emergency personnel on the scene. Stay away from building entrances to avoid interfering with emergency personnel or equipment.

OFF-CAMPUS STUDENT CRIMINAL ACTIVITY

When a Ball State University student is involved in an off-campus criminal offense, or when criminal activity occurs at off-campus housing facilities operated by recognized student organizations, Public Safety may conduct a criminal investigation or assist in criminal investigations conducted by other law enforcement agencies. Ball State Public Safety officers have full police powers throughout the State of Indiana, including the authority to arrest individuals. Public Safety officers patrol residential and business areas surrounding the campus. Students cited or arrested for off-campus criminal activity in the Muncie area, if identified as students, are routinely referred to Student Conduct for separate review under the [Code of Student Rights and Responsibilities](#).

BUILDING ACCESS AND MAINTENANCE

Because concern with personal safety and the security of property is shared by all segments of the university community, several practices and policies have been established to ensure as safe a community as possible.

Residence Halls

All nonresidents (guests) must be escorted by a hall resident when in living areas. Residence halls are locked at night and all residents must show student identification for entrance. All doors are locked at 12 a.m. and will re-open at 7 a.m. and a university staff member is present to ensure that only residents and their registered guests are permitted to enter. Staff members conduct daily rounds which include checking security measures and reporting any issues that require maintenance.

Guests age 18 and under must have parental/guardian permission to stay as a guest of a residence hall student. Residence hall hosts are responsible for ensuring their guests have the appropriate permission and are registered. Parental/Guardian permission forms are available online and at the residence hall front desks and night check stations. Guests age 12 and under must be supervised at all times.

Other Campus Facilities

Other campus facilities have specified hours of operation based on their use and the functions they contain. These buildings are secured at closing times. Most academic buildings on campus

will be locked at 10 p.m. while most administrative buildings are locked at 5 p.m., though these times will vary. Public Safety officers actively patrol the campus in vehicles, on bicycle, and on foot. Buildings are periodically checked by Public Safety officers.

Campus Maintenance

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Public Safety officers regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Other members of the university community are asked to report observed equipment problems to Work Control at (765) 285-5081 or workcontrol@bsu.edu. Additionally, a Public Safety committee comprised of student, faculty, and staff members periodically conducts a physical survey of campus to note and recommend safety and security concerns; a Student Government Association committee carries out a similar function.

SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS

At the beginning of each academic year, University employees are sent a letter informing them of safety procedures, emergency communication, responding to emergencies and helping students in distress. The letter includes highlighted safety information and directs employees to the University website www.bsu.edu/prepared, which contains emergency response guidelines. Guidelines encourage employees to be responsible for their own and others' safety and provide information on how best to keep safe in various situations.

Students are notified by similar materials distributed through residence halls. In addition, Ball State's Public Safety Department promotes safety and crime prevention campaigns in the student newspaper, the [Ball State Daily News](http://www.ballstatedaily.com), at <http://www.ballstatedaily.com>.

Emergency phones have been placed throughout the campus to aid in the reporting of crimes or other emergencies.

A campus escort service provides the community with safe campus transportation to and from university buildings. The Charlie's Charter campus escort service can be reached at (765) 285-RIDE (5005), 6 p.m. to 3:30 a.m., Sunday thru Thursday.

Public Safety officers conduct Rape Aggression Defense (RAD) courses throughout the year. Learn more at www.bsu.edu/publicsafety/services.

Security awareness and crime prevention presentations relating to personal safety and the safeguarding of one's property are offered to the entire university community through the Department of Public Safety. Individuals or student organizations interested in obtaining a program presenter should contact Public Safety at (765) 285-3009.

In cooperation with the Office of Housing and Residence Life, Public Safety officers assist with the after-hours security of all residence halls.

The Office of Student Conduct is responsible for administering the *Code of Student Rights and Responsibilities* (published at www.bsu.edu/studentcode), which outlines the rights and responsibilities of students, behaviors prohibited on and off campus, sanctions, and the

procedural rights of students and student organizations. Any person, agency, organization, or entity may make a complaint to the Office of Student Conduct alleging a violation of the [*Code of Student Rights and Responsibilities*](#). In addition, any criminal offense may be reported to the Office of Student Conduct, which in turn will report to the appropriate law enforcement agency in consultation with victim. The [Office of Student Conduct](#) is located in the Student Center, room L-4, and may be reached at (765) 285-5036.

ALCOHOL POLICY

More information about drugs and alcohol may be found at <http://www.bsu.edu/AlcoholAwareness> and Ball State's Safe and Drug-Free Campus website found at <https://www.bsu.edu/about/administrativeoffices/student-conduct/policiesandprocedures/sdfcampus>.

The Ball State alcohol policy appears in the *Code of Student Rights and Responsibilities* (<http://www.bsu.edu/studentcode>), at <http://www.bsu.edu/studentcode/alcoholpolicy>, and is provided below:

When students choose to consume alcoholic beverages, Ball State University encourages responsible practices and behavior in accordance with campus policies, the laws of the State of Indiana, and the City of Muncie. On and off campus violations of University policy and local and state laws related to alcohol will result in disciplinary action.

A. General Guidelines

1. *University Sponsored Events* - Illegal purchase, service, consumption, or possession of alcoholic beverages at any university-sponsored event on or off campus is prohibited. Upholding applicable local, state, and federal laws in connection with this policy is the joint responsibility of the persons in attendance at the activity, the sponsoring organization, and the management of the establishment in which the activity is held.
2. Illegal purchase, consumption, or possession of alcoholic beverages by any student under 21 years of age is prohibited wherever it may occur.
3. Providing alcoholic beverages at any time to an individual who is under 21 years of age is strictly prohibited.
4. Adverse behavior as a result of alcohol consumption, including disruption, disorderly conduct, and public intoxication shall be a violation of the *Code of Student Rights and Responsibilities (Code)*.
5. The sale of alcoholic beverages by any person without a license is strictly prohibited.
6. Students found responsible for providing alcohol to minors and selling or distributing alcohol in violation of state law shall be in violation of the *Code*.
7. Students hosting events (including but not limited to parties, "pre-gaming," "socials" etc.) where (a) minors consume alcohol (b) alcohol is provided to minors, or (c) alcohol is otherwise distributed in violation of local ordinances or state laws are subject to sanctions outlined in the *Code of Student Rights and Responsibilities* up to and including suspension or expulsion from the University. Groups and organizations are subject to sanctions up to and including suspension of recognition or withdrawal of recognition.

B. On Campus: With respect to the service, possession or consumption of alcoholic beverages on the Ball State University campus, state statutes and city ordinances will be enforced in addition to the following regulations:

1. Residents who are of legal age to possess or consume alcoholic beverages and who reside in university-operated employee apartments or University Apartment units may possess and consume such alcoholic beverages in the privacy of their residences.
2. Consumption and possession of alcohol may be permitted on some residence hall floors where all residents are of legal age to possess or consume alcoholic beverages. Such use of alcoholic beverages will not be permitted in the public lounges, study lounges, recreation areas, dining rooms, or any area other than the student rooms.

C. Parental Notice: The university will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a *second* violation of the alcohol policy, and (3) on the *first* violation of the alcohol policy when one or more of the following occurs:

- the student demonstrates a reckless disregard for his or her personal safety or the safety of others;
- medical attention to any person, including the student, is required as a result of the student's alcohol-related behavior;
- there is property damage;
- the student operates a motor vehicle under the influence of alcohol;
- the incident involves another serious violation;
- the student's alcohol-related behavior negatively impacts the learning environment.

D. Good Neighbor Exception - Students are always encouraged to call for emergency assistance as needed, even at the risk of disciplinary action for one's own conduct. When another person is in need of critical care or when a situation otherwise warrants emergency response, call 911 immediately. The Good Neighbor Exception provides university officials the opportunity to waive university disciplinary action for a student if he/she risked revealing one's own violation of the *Code of Student Rights and Responsibilities* in order to seek medical or other emergency assistance to another person in distress. The Good Neighbor Exception typically applies only to individuals committing minor offenses and shall be the judgment of the designated university official. *NOTE: The exception does not apply to any criminal charges.*

Laws Concerning Drinking or Serving Alcohol

The summary below is intended to provide an overview of some of the sections most relevant to university students. It is not intended as a substitute for professional legal advice. Those needing legal advice should consult an attorney.

Social Host Law

Indiana has a "social host" law. Not only is it illegal to provide alcohol to minors; Indiana's social host law also makes illegal providing minors a place to consume alcohol ("hosting"). Doing so is a Class B misdemeanor, which can be increased to a Class A misdemeanor if a person has a prior unrelated conviction. If the consumption of the alcohol, ingestion, or use of the beverage leads to bodily injury or death of any person, a violation of this law becomes a Level 6 felony.

Indiana Lifeline Law

The Indiana Lifeline Law provides legal immunity for some alcohol-related offenses, subject to certain conditions, to persons who call 911 to report an alcohol-related medical emergency including sexual assault or drug overdose. In order to receive immunity, the person must demonstrate that they are acting in good faith by completing ALL of the following:

- remaining on the scene until law enforcement and emergency medical assistance arrives
- providing his or her full name and any other relevant information requested by police
- cooperating with authorities on the scene

The law will not interfere with law enforcement procedures or limit the ability to prosecute for other criminal offenses such as providing to a minor, operating while intoxicated, or possession of a controlled substance. For more information: <http://www.indianalifeline.org>.

Alcohol Use by Persons under the Age of 21

Indiana alcoholic beverages laws define the term "minor" as "a person less than twenty-one (21) years of age." Under Indiana Law, it is illegal for a minor:

- To possess an alcoholic beverage (even to hold a sealed container for another person).
- To consume an alcoholic beverage.
- To misrepresent his or her age for the purpose of obtaining alcoholic beverages.
- To furnish false or altered identification of any type for purpose of providing evidence of age to obtain alcohol.
- To have in his or her possession false or fraudulent evidence of age.
- To drive an automobile being used to transport alcoholic beverages, unless the minor's parent or legal guardian is present in the car. (Note: When a minor operates a motor vehicle containing ANY alcoholic beverages she/he is subject to arrest, unless a parent or legal guardian is in the car. A 21 year-old passenger does NOT qualify a minor to operate a vehicle containing an alcoholic beverage. It is no defense that the beverage belongs to someone else or is unopened.)
- To "be in a tavern, bar, or other public place where alcoholic beverages are sold, bartered, exchanged, given away, provided, or furnished."

Criminal sanctions for such violations include a fine of up to \$500 and/or imprisonment in a local jail for up to 60 days. In addition to the criminal sanctions, Indiana law mandates a 90 day to one year driver's license suspension for any minor who is convicted of using any type of fake ID, or of entering a bar or tavern or purchasing or procuring an alcoholic beverage (with or without using false or altered driver's license). Under certain circumstances, local prosecutors have used the "criminal code," rather than the "alcoholic beverage code," to prosecute users of fake ID's; misdemeanor charges of "deception" and felony charges of "forgery" have sometimes been filed. Under federal law, possession or use of fake or altered driver's licenses or state or federal ID cards can be punishable by a fine up to \$25,000 and/or a five year jail term.

General Alcohol Laws (these apply to all persons regardless of age):

It is illegal:

- To be in a public place in a state of intoxication (also known as "public intoxication").
- To sell, barter, exchange, provide, or furnish an alcoholic beverage to a minor.

- To sell, barter, deliver, or give away an alcoholic beverage to a person who is intoxicated.
- To sell, barter, exchange, give, provide, or furnish an alcoholic beverage to a person known to be an alcohol abuser.
- To hinder, obstruct, interfere with, or prevent the observance or enforcement of the Indiana Alcohol Beverage Code. For a person 21 years of age or over to encourage, aid, or induce a minor to unlawfully possess or use an alcoholic beverage.
- To take an alcoholic beverage into bar, restaurant, or place of public entertainment. (Indiana law prohibits patrons from taking any alcoholic beverage into any bar or other place without liquor license. It also prohibits taking liquor into any restaurant or place of public entertainment.)
- To possess alcoholic beverages on which Indiana tax has been unpaid or to transport untaxed beverages into the state.
- To directly or indirectly charge for alcoholic beverages without a license (including charging for food, entertainment, cups, napkins, tokens, etc. where alcoholic beverages are distributed—there are no loopholes).

Criminal sanctions for such violations include a fine of up to \$1,000 and/or imprisonment in a local jail for up to six months.

Alcohol or Other Drug Impaired Driving

It is illegal:

- To operate a motor vehicle while intoxicated (under the influence of alcohol, any controlled substance, any other drug, or any combination of alcohol, controlled substances, and other drugs).
- To operate a motor vehicle with 0.08% or more alcohol in the blood, even if intoxication is not proven.
- To operate a motor vehicle while intoxicated or with 0.08% or more alcohol in the blood if said operation results in serious bodily injury to another person (FELONY).
- To operate a motor vehicle while intoxicated or with 0.08% or more alcohol in the blood if said operation results in the death of another person (FELONY).

Indiana law states that anyone operating a motor vehicle within the state gives "implied consent" to submit to a chemical test of intoxication (breath, blood, or urine). Failure to submit to the test may be presented as evidence against the driver in court and will result in a longer driver's license suspension than if the driver took the test and failed it. The courts have ruled that failure to cooperate with a test will constitute refusal in the eyes of the court. (NOTE: It is illegal to drive a car while impaired - even at blood alcohol levels below 0.08.) Criminal sanctions for such violations include fines and imprisonment, license suspensions, and can include mandatory education or treatment programs.

Parties, Permits, and "Common Nuisances"

Indiana law requires a license to "ship, barter, give away, exchange, furnish, or otherwise handle or dispose of an alcoholic beverage..." (except to give it to a family member or invited guest who is of legal age). In other words, one may serve alcohol to friends who are 21 years of age or older but one may not sell it or receive anything of value in exchange for it. If a party gets larger than "invited guests," or if admission is charged (or "donations" accepted), a temporary permit is required. Without a permit, one can be charged with

- Serving alcohol without a permit (a class B misdemeanor) or
- Maintaining a common nuisance (a level 6 felony)

DRUG POLICY

The use, possession, sale, or transfer of narcotics, drugs, or hallucinogens is prohibited on campus, except as permitted by law. The following prohibition appears in the *Code of Student Rights and Responsibilities* (<http://www.bsu.edu/studentcode>) at section 5.3.3:

Drugs - Using, possessing, selling, distributing, manufacturing, or transferring narcotics, illegal drugs, or prescription drugs, except as expressly permitted by law, or possessing drug paraphernalia which can be demonstrated to be linked to illegal drug activity. See also [Drug Policy Appendix B](#).

The complete drug policy is Appendix B of the *Code of Student Rights and Responsibilities* and can be found online at www.bsu.edu/studentcode/drugpolicy and below:

The use, abuse, possession, sale, distribution, manufacture or transfer of narcotics, illegal drugs as defined by state or federal law, or any controlled substance is prohibited at all times, except as expressly permitted by law. Controlled substances include, but are not limited to, marijuana, hash oil, hashish, inhalants, and abuse of over-the-counter drugs and prescription drugs, and/or the use of over-the-counter drugs or prescription drugs, or any other immediate precursor to be used to manufacture any other illegal drug, including without limitation, methamphetamine, except as expressly permitted by law.

Possession or manufacture of drug paraphernalia which is to be used for any one of the following purposes (a) to introduce into a person's body a drug, marijuana or any controlled substance, (b) to test the strength, effectiveness or purity of a drug, marijuana or any controlled substance, or (c) enhances, or is perceived to enhance, the physiological effect of a drug, marijuana or any controlled substance, is also a violation of this policy.

Violation of this policy, on or off campus, will result in disciplinary action by the university. Those found responsible may face sanctions up to and including consideration of suspension or expulsion, depending on prior disciplinary record and severity of the violation.

Students who reside in university housing facilities, may be subject to immediate contract termination if found responsible for any violation of this policy.

Students need to be aware that any student convicted of a state or federal drug violation that occurred while enrolled and while receiving federal financial aid may be declared ineligible for future federal student aid for up to a year. Individuals convicted of both possession and selling may face a longer period of ineligibility.

The university will notify parents/guardians of students under 21 years of age when a student is found responsible for (1) a violation of the drug policy, (2) a *second* violation of the alcohol policy, and (3) on the *first* violation of the alcohol policy when one or more of the following occurs:

- the student demonstrates a reckless disregard for his or her personal safety or the safety of others;
- medical attention to any person, including the student, is required as a result of the student's alcohol related behavior;
- there is property damage;
- the student operates a motor vehicle under the influence of alcohol;
- the incident involves another serious violation;
- the student's alcohol-related behavior negatively impacts the learning environment.

Good Neighbor Exception - Students are always encouraged to call for emergency assistance as needed, even at the risk of disciplinary action for one's own conduct. When another person is in need of critical care or when a situation otherwise warrants emergency response, call 911 immediately. The Good Neighbor Exception provides university officials the opportunity to waive University disciplinary action for a student if he/she risked revealing one's own violation of the *Code of Student Rights and Responsibilities* in order to seek medical or other emergency assistance to another person in distress. The Good Neighbor Exception typically applies only to individuals committing minor offenses and shall be the judgment of the designated university official. *NOTE: The exception does not apply to any criminal charges.*

Laws Concerning Controlled Substances

The summaries below are intended to provide an overview of some of the laws relevant to university students. They are not intended as a substitute for professional legal advice. Those needing legal advice should consult an attorney.

Controlled Substances

"Controlled Substances" are regulated drugs that have been determined to have special "abuse potential." Such drugs include but are not limited to, marijuana, hashish or hash oil, cocaine, LSD, and other hallucinogens, barbiturates and other sedative-hypnotics, amphetamines and other prescription stimulants, MDMA (Ecstasy), PCP, and similar drugs. It is illegal under both state and federal to:

- Manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance.
- Deal in a substance represented to be a controlled substance (including counterfeit, "look-alike" drugs).
- Manufacture, advertise, distribute, or possess with intent to manufacture, advertise or distribute a substance represented to be a controlled substance.
- Possess, without a valid prescription, a controlled substance.
- Visit a building, structure, vehicle, or other place used by person to unlawfully use a controlled substance.
- Possess, manufacture, deal in, or deliver drug paraphernalia (an instrument, device, or other object intended for use for introducing a controlled substance into a body or for enhancing the effect or testing a controlled substance).

Criminal sanctions for such violations can include fines from \$5,000 to \$10,000 under state law and up to \$25,000 under federal law, and imprisonment in a state prison for up to 50 years or in a federal prison for up to life. The sanction imposed will be determined by: (1) the classification of

the controlled substance; (2) the quantity involved; (3) the nature of the offense (sale, use, etc.); (4) the age of the recipient (higher penalties for possession, sale or delivery near a school, etc.); and (5) the prior criminal record of the offender. More detailed information may be obtained by consulting the Indiana Criminal Code or the Federal Controlled Substances Act, as amended.

Anabolic Steroids

Under Indiana law, it is a criminal offense to manufacture, deliver, possess, or use an anabolic steroid without a valid and legal prescription. It is illegal for a physician or other licensed practitioner to issue a prescription for an anabolic steroid for enhancing performance in an exercise, sport, or game, or to increase muscle mass, strength, or weight without a medical necessity. Criminal sanctions for such violations can include fines and/or imprisonment. More detailed information may be obtained by consulting the Indiana Criminal Code.

Indiana Tobacco Laws

It is illegal for a person under the age of 18 to purchase or possess tobacco, and it is illegal to sell tobacco to a person under the age of 18. A person purchasing a tobacco product must have proper identification for proof of age. A fine of up to \$500 may be imposed for such violations. Indiana law also prohibits smoking in public buildings (including all Ball State properties), except in designated smoking areas. Ball State's tobacco use policy can be found at this link: <https://www.bsu.edu/-/media/WWW/DepartmentalContent/SmokeFree/TobaccoFreePolicy.pdf>.

Financial Aid Recipients

All students who seeking financial assistance with their education apply using the Free Application for Federal Student Aid (FAFSA). The application asks students whether or not they have been convicted of a drug offense while receiving federal student aid (grants, work-study, or loans). The answer "yes" requires additional information to determine eligibility for aid.

Students should carefully check the conditions of their specific financial aid. For instance, the Indiana 21st Century Scholars scholarship requires students to pledge, "I will not use illegal drugs or alcohol or commit a crime or delinquent act" as part of their application. Failure to understand and comply with one's obligations to specific aid can jeopardize continued receipt of that aid.

Campus Resources for Alcohol and Other Drug Information

In addition to the information below, campus resources for alcohol and other drugs can be found at <http://www.bsu.edu/alcoholawareness> and the Safe and Drug Free Campus website found at <https://www.bsu.edu/about/administrativeoffices/studentrights/policiesandprocedures/sdfcampus>.

Health, Alcohol and Drug Education

The Alcohol and Other Drug Education Program is a part of the Office of Health, Alcohol, and Drug Education located in the Student Health Center. This office provides a wealth of information as well as alcohol and drug abuse consultation and assessments for students. There are several individual and group programs available to students who want to learn more about how alcohol and other drug use is impacting their lives and how they can monitor their behavior.

Counseling Center

The Counseling Center provides a variety of support assessment services that are designed to educate and enhance awareness of students in the area of chemical dependence.

Academic Department Courses

A number of academic departments offer courses and other opportunities for students to study the complex issues of drug abuse, the impact of society, as well as to prepare for careers in alcohol and drug counseling, patient care, and other related fields. The following units typically conduct research and offer courses regarding alcohol and other drug use:

- Department of Nutrition and Health Science
- School of Kinesiology
- School of Nursing
- Department of Social Work
- Department of Counseling Psychology, Social Psychology, and Counseling

ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Office of Student Conduct and Department of Public Safety prepare an annual security report disclosing all crime statistics required by the U.S. Department of Education in compliance with the Clery Act. This report is filed with the Department of Education and is made available to the public at www.bsu.edu/fireandsafetyreports along with a companion report on fire safety. By October 1 of each year, a notice of the report's availability and how it may be obtained is emailed to current students via their official Ball State email addresses as well as emailed or mailed (a postcard from Human Resources) to current service employees. Prospective students are informed of the report when they apply to Ball State; notice of the report to prospective employees is coordinated by Human Resources (classified and contract staff) and Office of General Counsel (faculty and professional staff positions). Ball State crime statistics can also be found at <http://ope.ed.gov/Security>. Persons may also obtain a printed copy by calling or writing to:

Office of Student Conduct
Student Center, Room L-4
2000 W University Avenue
Muncie, IN 47306
(765) 285- 5036

Ball State University's annual crime statistics include on- and off-campus crimes as defined by the Clery Act and that are reported to the Department of Public Safety. Crime reports are also forwarded to Student Conduct by the Muncie Police Department, State Excise Police, and other law enforcement agencies through Public Safety. Finally, Ball State's crime statistics include reports of crimes (including disciplinary referrals for alcohol, drug, and weapons law violations) made in good faith to the following offices and individuals (crime reports made to these offices and persons are also evaluated to determine if timely warnings are required) :

- Academic advisors
- Ball State Department of Public Safety
- Director of Intercollegiate Athletics, athletics administrators, coaches, and trainers

- Professional employees in Division of Student Affairs
- Graduate assistants in Division of Student Affairs
- Resident Assistants and other student staff members—Housing and Residence Life
- Sport Facilities and Recreation Services
- Burriss School and Indiana Academy staff members
- Faculty and staff advisors to student organizations
- Desk and program staff members (including students) in L.A. Pittenger Student Center
- Rinker Center for International Programs
- Emens Auditorium and Pruis Hall attendants, etc.
- Indianapolis and Fishers Centers employees

Additionally, Public Safety maintains a crime log that is available to the public. Requests for the crime log can be made to the Records Coordinator at the front desk of the Ball State Department of Public Safety during business hours. An on-line crime log for the prior two weeks can be found here: <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/crime-log-listing>

Annual Security Report Preparation

Ball State University's annual campus security report is the result of the effort of many people on campus. Each year individuals from the offices noted above are contacted by email with information about their roles and obligations in reporting, instructions for reporting, and a solicitation for any crimes that may have been reported to them. Specific information about the alleged crime such as date, time, location, and description are requested including knowledge of whether the crime had been reported to police. This information is used to make decisions about issuing timely warnings and to reconcile multiple reports of crimes to avoid counting any report more than once. No formal police report is required for a crime to be included in the statistics. Every effort is made to ensure that all persons required to report in fact do so and that our statistics are as accurate as possible.

Person with questions or concerns regarding any of the statistics and information in this report should contact Marketing and Communications, Ball State University, Muncie, IN 47306; telephone: (765) 285-1560.

MISSING STUDENT NOTIFICATION POLICY

This policy was established by Ball State University, in compliance with the Higher Education Opportunity Act of 2008, to provide students with procedures and information for reporting a missing person. The policy applies specifically to students who reside in University-owned housing facilities.

Confidential Contact Person

Resident students who are 18 years of age or older or who are emancipated minors have the option, upon moving into the residence hall, to identify a specific contact person who will be notified within 24 hours if that student has been reported missing. The identity of that contact person will remain confidential with the exception of law enforcement and staff designated to respond to missing person reports.

For resident students under the age of 18 and not emancipated, the University is required to notify a custodial parent or guardian within 24 hours of the time a student is reported missing.

Notification Procedures for Missing Persons

If a student is believed to be missing, *defined as an individual who has not been seen or heard from for 24 hours or more and whose whereabouts is unknown*, a report should be made to one of the following:

- Residence Hall Director
- Assistant Residence Hall Director
- Public Safety

When report is made to a residence hall staff member, the Department of Public Safety will be contacted immediately. Residence hall staff members will work with Public Safety officers to find the student. Cooperative efforts may include:

- Welfare check of the missing student's residence hall room
- Contact attempts via cell phone, email, or other means
- Identification of and contact with other individuals who may have knowledge of the missing student's whereabouts

Public Safety officers will gather all essential information related to the missing person and conduct a thorough investigation. No later than 24 hours after the missing person report is first received, Public Safety will notify the individual's designated contact or (for persons under 18 years of age and not emancipated) the subject's parent or guardian to inform them that the resident student is believed to be missing.

Regardless of the student's age, emancipation status, or whether the student has designated a contact person, Public Safety police officers will, within 24 hours of the report, notify the local law enforcement agency with jurisdiction in the area where the student is missing.

All inquiries by the media or the general public regarding missing persons will be referred to Marketing and Communications. All public statements will be coordinated through that office.

Notification Procedures for Missing Persons Living Off Campus

Upon notification from any person that a Ball State University student may be missing, the university staff member receiving the information should refer the matter immediately to Public Safety at (765) 285-1111.

Officers will respond to reports of missing students in a timely manner. It is the policy of the Ball State Department of Public Safety to thoroughly investigate reports of all missing persons.

SEXUAL ASSAULT, DATING/DOMESTIC VIOLENCE, AND STALKING

Ball State is committed to preventing sexual assault, domestic and dating violence, stalking, and other forms of sexual harassment and misconduct. New students and employees are provided significant programming and training prior to beginning classes or shortly after matriculation and employment. A key program for new students is [Think About It](#), which provides a highly interactive and informative discussion of consent, forms of sexual violence, the role of alcohol in sexual violence, bystander intervention, and university resources. Red Zone prevention

programming takes place in many large, primarily-freshman classes; residence halls sponsor numerous programs, Greek life and athletics sponsor programs targeted at those student sub-populations, and the Public Safety Department provides Rape Aggression Defense (RAD) training throughout the year. On average, Ball State sponsors approximately twenty programs each month during the academic year.

Ball State is committed to addressing complaints of sexual harassment and misconduct—including domestic and dating violence, sexual assault, and stalking—in an effective, timely, and equitable manner. This statement provides brief information about the policy and procedures by which complaints against a student will be addressed. The complete Sexual Harassment and Misconduct Policy can be found at www.bsu.edu/studentcode/sexualmisconduct.

Complainants, Investigations, and Conduct Procedures

Complaints about a student's behavior should be made to or are forwarded by Ball State police, responsible employees, or other party to Ms. Katie Slabaugh, the Associate Dean of Students/Title IX Coordinator at (765) 285-1545 (AD 238). The Associate Dean of Students/Title IX Coordinator or designee (Title IX Coordinator) will designate an investigator who will provide needed academic accommodations and initial remedies, and recommend an appropriate resolution which may include further investigation, a remedies-based resolution, or dismissal of a complaint.

If further investigation is deemed necessary, the investigator will interview the complainant, respondent (accused student), and witnesses as applicable to gather additional facts. The investigator will review the preliminary report with the parties, finalize the report, and forward the report to the Director of Student Conduct (Director). The Director, in consultation with the investigator, will determine if further adjudication is warranted using a preponderance of evidence standard.

If the Director determines that no further adjudication is warranted, the Director will notify both parties simultaneously in writing. The complainant may appeal this decision to the Title IX Coordinator who may confirm the Director's decision or require a hearing by the Sexual Misconduct Board.

If the Director determines that further adjudication is required, the Director will notify the respondent with a letter charging one or more violations of the Sexual Harassment and Misconduct policy, providing a rationale for doing so, proposing sanctions, and noting options for resolving the complaint. The complainant will receive a simultaneous notification. Both parties will be invited to separate meetings with the Director. In this meeting, the Director will review procedures, as well as formal and informal options for adjudication and their implications.

If the respondent accepts responsibility for the charged violation(s), the Director will implement the proposed sanctions and notify both parties of the decision and the opportunity to and criteria for appeal. If either party appeals, the other party will be notified and given an opportunity to respond to the appeal. The appeal will be reviewed by the Associate Vice President for Student Affairs/Director of Housing and Residence Life.

If the respondent does not accept responsibility and requests a hearing, the Director will notify both parties of the time, date, and location of a hearing by the Sexual Misconduct Board. The Sexual Misconduct Board (SMB) will review the available information and testimony from the investigator, the Director, and the parties to the complaint. The SMB will determine, using a

preponderance of evidence standard, whether a violation has occurred and if so, recommend sanctioning to the Director.

The sanctions that may be recommended include, but not limited to: disciplinary probation, mandated behavioral assessments and required follow-up with recommended treatment or interventions, restriction on contact, restriction on location, restrictions on participation, trespass, educational sanctions, suspension, and expulsion.

The Director will review the SMB's findings of fact, decision regarding violation(s), and recommendation for sanction(s) as applicable. Once the Director has finalized the decision, the Director will simultaneously notify both parties in writing of the decision and the opportunity to appeal and criteria for making an appeal. If either party appeals, the other party will be notified and given an opportunity to respond to the appeal. The appeal will be reviewed by the Associate Vice President for Student Affairs/Director of Housing and Residence Life or designee.

Both parties will be simultaneously notified in writing in any changes of the results through appeal. The results of the appeal are final.

Education Programs

Ball State University currently uses *Think About It*, an online education program, as its initial educational program for all new students. *Think About It* is a comprehensive program that addresses sexual assault (a broader term that includes rape and acquaintance rape) on the college campus, the role of alcohol and other drugs in sexual assault, and other types of sexual violence including domestic violence, dating violence, and stalking. *Think About It* also trains participants in how to intervene effectively and safely in situations where students are at risk for sexual assault, other violence, or injury. A similar program is aimed at all new employees (including graduate assistants). This program focuses not only on prevention but the obligations of employees to report sexual harassment and misconduct.

Ball State University prohibits harassment on the basis of sex or gender and the crimes of sexual violence, dating and domestic violence, and stalking. These behaviors, collectively referred to as sexual harassment and misconduct in Ball State's policy, are prohibited, inconsistent with the university's values, and incompatible with the safe, healthy environment that the Ball State community requires to function effectively.

Definitions and Consent

When applicable, sexual violence is defined by the State of Indiana's criminal code. Forms of sexual violence not defined by criminal code are defined in the Sexual Harassment and Misconduct Policy, Appendix K which is found at www.bsu.edu/studentrights/sexualmisconduct.

Ball State defines consent as

“a knowing, voluntary, and clear mutual agreement to engage in sexual activity. Consent is effective when it is informed, freely and actively given, and communicated by clearly and mutually understandable words or actions to participate in each form of sexual activity.”

Consent includes but is not limited to the following concepts:

- consent cannot be given by someone who is incapacitated;

- a minor cannot give consent;
- consent cannot be inferred from silence, passivity, or lack of resistance;
- consent to one form of sexual activity does not imply consent to other forms;
- consent can be withdrawn at any time;
- consent does not exist when there is force, a threat of force, violence, or any other form of coercion or intimidation;
- a current or past dating or sexual relationship does not constitute consent; past consent does not imply future consent; and
- consent to sexual activity with one person does not imply consent to another person.

Where alcohol or other drugs are involved, incapacitation is defined with respect as to how the alcohol or other drugs consumed affects a person's ability to understand fully the "who, what, when, where, why, and/or how" of his/her sexual interaction with someone else.

Indiana law provides that a minor (meaning a person under the age of 16 years) cannot consent to sexual activity.

A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor.

Ongoing Prevention and Awareness Programs

In addition to *Think About It* (noted above), Ball State promotes "*Step In. Speak Up.*" which refers to bystander intervention programming, a student organization, and a free smartphone application. The "*Step In. Speak Up.*" app provides information, resources, and strategies for response to and prevention of sexual violence, including stepping in safely, positively, and effectively as a bystander in cases where there is a risk of sexual assault.

Think About It and other Ball State programming provides information on how to reduce risk in relationships, including recognizing signs of abusive behavior, how to avoid potential attacks, and assistance in cases where an attack could not be avoided.

Think About It is provided prior to classes and is a required program for new students that is enforced by holds placed on future registration. Red Zone programming provided by the Health, Alcohol and Drug Education Office in conjunction with the Office of Victim Services focuses on risk reduction for sexual assault during the first six to eight weeks of classes. *Step In. Speak Up.* programming is conducted throughout the year. These signature programs are supplemented by additional programming throughout the year as provided by residence halls, Greek life and other student organizations, athletics, Public Safety, and other university offices throughout the year.

All programming includes references to the *Sexual Harassment and Misconduct Policy* (<http://www.bsu.edu/studentcode/sexualmisconduct>) which provides the following information:

- protective measures for complainants that may be implemented before and after adjudication of a complaint;
- possible sanctions against respondents that may be imposed following a final determination in a complaint;

- procedures that victims should follow if sexual harassment or misconduct has occurred including information about:
- the importance of preserving evidence;
- to whom the offense should be reported;
- options regarding law enforcement and campus authorities including how to notify Ball State and Muncie police agencies, to be assisted by campus authorities in notifying Ball State or other police agencies if the victim chooses, to decline to notify any police agency; and
- a victim’s right to request administrative no-contact instructions by Ball State and restraining and personal protection orders by local criminal and civil courts as well as Ball State’s responsibility to assist in implementing those orders.

Protective Measures

There are a number of immediate and interim measures that may be provided to ensure the safety and wellbeing of all Parties, to address retaliation by any Party, and mitigate disruption of the educational focus of any Party. A request for interim measures may be made to the Associate Dean of Students/Title IX Coordinator. The Associate Dean of Students/Title IX Coordinator or designee will meet with the student to coordinate the implementation of appropriate interim measures and accommodations in alignment with existing university academic policy.

Appropriate accommodations and measures may be coordinated during and/or following the investigation and resolution of a complaint. Delayed reporting may affect the ability to provide requested academic accommodations and interim measures.

1. Appropriate accommodations and measures include but are not limited to:
2. Housing relocation (for students living in university housing);
3. Alternative instructional or on-campus work arrangements (e.g., changing academic schedule, withdrawing from a class or retaking a class consistent with university policy, etc.);
4. Academic support, such as tutoring, rescheduling exams or assignments, or providing alternative course completion options consistent with university policy;
5. Access to counseling services;
6. Providing information about available medical services;
7. Providing information to Parties about visa and immigration assistance, and other available victim services; and
8. Issuing written, administrative “no-contact instructions;”
9. Limiting a Party’s access to certain university facilities or activities pending resolution of the matter;
10. Assisting a Party in identifying options regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court;
11. Imposing an interim suspension; and
12. Providing other remedies tailored to the Parties to achieve the goals of this policy.

The *Sexual Harassment and Misconduct Policy* also provides detailed information on the procedures for institutional disciplinary cases that involve sexual harassment and misconduct including domestic violence, dating violence, and stalking. The procedures outlined in this policy:

- provide for prompt, fair, and impartial investigations and resolutions;
- are conducted by investigators, hearing panel members, and other adjudicators who receive annual training on issues related to sexual harassment and misconduct, including dating/domestic violence and stalking and who receive annual training on how to conduct investigations and hearings that protect the safety of complainants and promote accountability;
- provide the same opportunities to complainants and respondents to have an advisor of their choice be present at all meetings related to the complaint;
- provide for simultaneous notification in writing to both complainant and respondent of the outcome of disciplinary proceedings, procedures for appeal, any changes to the outcome of a disciplinary proceeding prior to the time the results become final, and when such results become final;

In addition, the *Sexual Harassment and Misconduct Policy*

- provides information on how Ball State protects complainant/victim confidentiality including how publicly-available record-keeping will be accomplished without including identifying information about the complainant/victim to the extent permissible by law;
- provides information about on- and off-campus options available for complainants/victims in regards to counseling, health, mental health, victim advocacy, legal assistance, visa and immigration services, student financial aid, and other services; and
- provides written notification for complainants/victims about options for and assistance with changing academic, living, transportation, and working situations if so requested by the complainant/victim and if accommodations are reasonably available, regardless of whether the complainant/victim chooses to report the crime to Ball State police or other local law enforcement.

The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.”

Whenever a student or employee reports that she or he has been a victim of sexual harassment and misconduct including domestic violence, dating violence, and stalking, the complainant/victim will be provided with a written explanation of his or her rights and options as described above and in more detail in the Ball State *Sexual Harassment and Misconduct Policy* at <http://www.bsu.edu/studentcode/sexualmisconduct> and the Ball State *Statement on Sexual Harassment* at <https://www.bsu.edu/about/administrativeoffices/general-counsel/policies-and-legal-information/sexual-harassment>.

The University will, upon written request, disclose to the alleged victim of a crime of violence (as defined in section 16, of title 18, United States Code), or non-forcible sex offense (Incest or Statutory Rape), the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the offense. If the alleged victim is deceased as a result

of the crime or offense, the University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

REGISTERED SEX OFFENDER INFORMATION

Information regarding registered sex offenders may be obtained from the Department of Public Safety. Indiana's Sex and Violent Offender Registry is located online at <http://www.icrimewatch.net/indiana.php>.



2020 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT

Main (Muncie), CAP:INDY, and Fishers Center¹ Campuses

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¹ The complete, formal name for the Fishers Center is the Fishers Center for Academic and Economic Innovation. For brevity, Fishers Center will be used in this report.

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Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Ball State University (“University”) with information on: the University’s security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

The statements of policy, procedure, and programming found in this report apply to the Main (Muncie) Campus, CAP:INDY campus, and the Fishers Center, unless otherwise noted. The CAP:INDY campus and the Fishers Center do not have on-campus student housing facilities and, therefore, the missing student procedures and fire safety information provided later in this report are inapplicable to those campuses.

Policy for Preparing the Annual Report

This report is prepared by the Office of Student Conduct in cooperation with University Police and other local law enforcement authorities. The report includes information provided by them as well as by the University’s campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Dr. Mike Gillilan, Director of Student Conduct, Pittenger Student Center L-4, 2000 W University Ave, Muncie IN 47306. The phone number to call is (765) 285-5036.

The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The Ball State University Police, a division of the Department of Public Safety, is headquartered at 200 N. McKinley Ave., Muncie, IN 47306, (765) 285-1111. University Police is responsible for campus safety at Ball State University.

Public Safety officers are commissioned and have full police powers throughout the State of Indiana, including the authority to arrest individuals. The primary jurisdiction is campus property; the patrol area includes the neighborhoods surrounding campus. Public Safety officers also have mutual aid agreements with the City of Muncie and Delaware County. While the mutual aid agreements do not address the investigation of criminal incidents, Public Safety has its own investigators and can receive and offer assistance to other law enforcement agencies in criminal investigations.

Public Safety officers enforce all state and local laws, including but not limited to underage drinking, controlled substances, crimes against property, and crimes against persons. Public Safety investigates all crimes reported to have occurred on campus property, refers out investigations when appropriate, and works cooperatively with local, county, and state law enforcement agencies.

Public Safety also works closely with the Office of Student Conduct and the Office of Housing and Residence Life to enforce the *Code of Student Rights and Responsibilities* (see <http://www.bsu.edu/studentcode>).

All crimes or suspected crimes on campus should be reported immediately to Public Safety. Crimes occurring off campus can also be reported to Public Safety or to the Muncie Police Department, the Delaware County Sheriff, or the Indiana State Police, depending on where the incident occurred.

The Fishers Center does not have security personnel on site, but relies on 911, support from Fishers police, and staff at Launch Fishers [Launch Fishers is a City of Fishers-owned facility and the Fishers Center is co-located there) for non-police responses to emergencies. The building is only accessible to those with authorized access. The Fishers Center does not have any written mutual aid agreements with local law enforcement agencies for the investigation of alleged criminal offenses.

CAP:INDY does not have security personnel on site but instead relies on 911, security monitoring, and non-police (when appropriate) responses to emergencies. CAP:INDY does not have any written mutual aid agreement with local law enforcement agencies for the investigation of alleged criminal offenses.

On Campus Emergencies (Main Campus): (765) 285-1111 or 5-1111 from campus phones

Other Emergencies: 911

Fishers Center: 911

CAP:INDY: 911

Non-Emergencies:

- Ball State Public Safety: (765) 285-1111

- Muncie Police: (765) 747-4838
- Delaware County Sheriff: (765) 747-7878
- Indiana State Police: (765) 282-1223
- Fishers Police: (317) 595-3300 or after hours, call (317) 773-1282
- Indianapolis Police (317) 327-3811

In response to a call, Public Safety will take the required action, by either dispatching an officer to the caller's location, or asking the caller to report to the Ball State police station to file an incident report. Ball State Public Safety reports involving students are referred to the Office of Student Conduct for review. Ball State Public Safety investigators will investigate a report when it is deemed appropriate.

Campus Security Authorities

The University has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the University's annual report of crime statistics and for analyzing whether a timely warning should be issued. The campus security authorities to whom the University would prefer that crimes be reported are listed below.

- University Police at (765) 228-1111 or 5-1111 if calling from a campus phone
- Title IX Coordinator at (765) 285-1545 (or 5-1545) in regards to sexual harassment and misconduct
- Director of Student Conduct at (765) 285-5036 (or 5-5036) or via [online report](#).
- Residence Hall Director, Assistant Residence Hall Director, or Resident Assistants in the residence hall where the crime occurred. [Contact information for staff members is here](#); reports may also be made via [online report](#).
- Director of Recreation Services at (765) 285-1753, recreation@bsu.edu, or SWRC 201A
- Burris Laboratory School Principal at (765) 285-1131
- Indiana Academy Executive Director at (765) 285-8126, Indiana Academy House 110
- CAP:INDY, Associate Dean (765) 285-4210
- Fishers Centers: Director at (317) 822-6167
- Crime reports can be made for the purposes of Clery reporting at the [Campus Security Authority web page](#) (see *Submit a Clery Report*) at www.bsu.edu/fireandsafetyreports/csa. This reporting mechanism is not for emergencies or crimes in progress.

Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- All crimes occurring on or near University property should be reported immediately to Public Safety. The number to contact is (765) 285-1111 or 5-1111 from a campus phone. A dispatcher is available 24/7.

- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a University staff member will assist in making the report to police.
- Anonymous incident reports can also be made by using the Silent Witness program at www.bsu.edu/silentwitness. Silent Witness is a web-based program that allows individuals to report anonymously information about criminal activity on campus
- **Fishers Center:** Call 911 in an emergency or to report a crime in progress. To report a crime or non-emergency, call the Fishers Police Department, (317) 595-3300 or (317) 773-1282 (after hours), 4 Municipal Drive, Fishers IN 46038. Some crimes can be reported on-line at <https://www.fishers.in.us/1071/File-a-Police-Report>.
- **CAP:INDY:** Call 911 in an emergency or to report a crime in progress. To report a non-emergency or crime that has occurred, call Indianapolis Metropolitan Police Department, (317) 327-3811.

Confidential Reporting

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the University's Title IX policy, when employees who are considered Reporting Officials by the university become aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), that employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University encourages its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The University does not have a policy regarding this; nor does the University employ any pastoral counselors.

Security of and Access to Campus Facilities

Residence Halls (Main Campus only): All nonresidents (guests) must be escorted by a hall resident when in living areas. Residence halls are locked at night and all residents must show student identification for entrance. All doors are locked at 12 a.m. and will re-open at 7 a.m. and a university staff member is

present to ensure that only residents and their registered guests are permitted to enter. Staff members conduct daily rounds which include checking security measures and reporting any issues that require maintenance. In addition, guests age 18 and under must have parental/guardian permission to stay as a guest of a residence hall student. Residence hall hosts are responsible for ensuring their guests have the appropriate permission and are registered. Parental/Guardian permission forms are [available online](#) and at the residence hall front desks and night check stations. Guests age 12 and under must be supervised at all times.

Other Main Campus Facilities: Other campus facilities have specified hours of operation based on their use and the functions they contain. These buildings are secured at closing times. Most academic buildings on campus will be locked at 10 p.m. while most administrative buildings are locked at 5 p.m., though these times will vary. Public Safety officers actively patrol the campus in vehicles and on foot. Buildings are periodically checked by Public Safety officers.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others:

- Do not prop doors open or allow strangers into campus buildings that have been secured
- Do not lend keys or access cards to non-students and do not leave them unattended
- Do not give access codes to anyone who does not belong to the campus community

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

Fishers Center and CAP:INDY

The **Fishers Center** is secured by an alarm system monitored by a security company. In cases of emergencies, Fishers police respond to 911 calls and alerts from the security company. Center staff members work with Ball State University police as well.

The Fishers Center is open from 8 am-5 pm Monday through Friday. Students in evening and Saturday classes are provided access by personnel on site with secure access privileges.

CAP:INDY is secured by an alarm system monitored by a security company. In cases of emergencies, Indianapolis/Marion County police respond to 911 calls and alerts from the security company. Center staff members work with Ball State University police as well.

CAP:INDY is open from 8 am-5 pm Monday through Friday. Students in evening and Saturday classes are provided access by personnel on site with secure access privileges.

Security Considerations in the Maintenance of Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Public Safety officers regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Other members of the university community are

asked to report observed equipment problems to Work Control at (765) 285-5081 or workcontrol@bsu.edu. Additionally, a Public Safety committee comprised of student, faculty, and staff members periodically conducts a physical survey of campus to note and recommend safety and security concerns; a Student Government Association committee carries out a similar function.

At both the Fishers Center and CAP:INDY, maintenance problems related to security are reported to the facility's owner by Fishers Center and CAP:INDY staff members respectively.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

At the beginning of each academic year, all University students and employees (including those at the Fishers Center and CAP:INDY) are sent an email informing them of safety procedures, emergency communication, responding to emergencies and helping students in distress. The email includes highlighted safety information and directs students and employees to the University website www.bsu.edu/prepared, which contains emergency response guidelines. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.

In addition, Ball State's Public Safety Department promotes safety and crime prevention campaigns in the student newspaper, the [Ball State Daily News](http://www.ballstatedaily.com), at <http://www.ballstatedaily.com>. Finally, email blasts are periodically sent out to students and employees with crime prevention and other safety tips.

Emergency phones have been placed throughout the main campus to aid in the reporting of crimes or other emergencies.

A campus escort service provides the community with safe campus transportation to and from university buildings. The Charlie's Charter campus escort service can be reached at (765) 285-RIDE (5005), 6 p.m. to 1:30 a.m., Sunday through Thursday.

Public Safety officers conduct Rape Aggression Defense (RAD) courses throughout the year. Learn more at www.bsu.edu/publicsafety/services.

Security awareness and crime prevention presentations relating to personal safety and the safeguarding of one's property are offered to the entire university community through the Department of Public Safety. Individuals or student organizations interested in obtaining a program presenter should contact Public Safety at (765) 285-3009.

In cooperation with the Office of Housing and Residence Life, Public Safety officers assist with the after-hours security of all residence halls.

The Office of Student Conduct is responsible for administering the [Code of Student Rights and Responsibilities](#) (published at www.bsu.edu/studentcode), which outlines the rights and responsibilities of students, behaviors prohibited on and off campus, sanctions, and the procedural rights of students and student organizations. Any person, agency, organization, or entity may make a complaint to the Office of Student Conduct alleging a violation of the [Code of Student Rights and Responsibilities](#). In addition, any criminal offense may be reported to the Office of Student Conduct, which in turn will report to the appropriate law enforcement agency in consultation with victim. The [Office of Student Conduct](#) is located in the Student Center, room L-4, and may be reached at (765) 285-5036.

Monitoring Off Campus Locations of Recognized Student Organizations

The University monitors and records, through local police agencies, any criminal activity in which students have engaged at off-campus locations of student organizations officially recognized by the University, including student organizations with off-campus housing facilities.

When a Ball State University student is involved in an off-campus criminal offense, or when criminal activity occurs at off-campus housing facilities operated by recognized student organizations, Public Safety may conduct a criminal investigation or assist in criminal investigations conducted by other law enforcement agencies. Ball State Public Safety officers have full police powers throughout the State of Indiana, including the authority to arrest individuals. Public Safety officers patrol residential and business areas surrounding the campus. Students cited or arrested for off-campus criminal activity in the Muncie area, if identified as students, are routinely referred to Student Conduct for separate review under the [Code of Student Rights and Responsibilities](#).

The CAP:INDY and Fishers Center campuses do not have recognized student organizations located at their campuses.

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

Upon written request, the University will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Drugs and Alcohol

The University is committed to creating and maintaining an environment that is free of alcohol abuse. The University prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the University's activities, unless it is done so in accordance with applicable University policies, and it also enforces the state's underage drinking laws.

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities. Violators of the University's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Drug and Alcohol Abuse Prevention Program

In compliance with the Drug Free Schools and Communities Act (DFSCA), the University has a drug and alcohol abuse and prevention program for all three campuses, which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information, see below.

- Student alcohol policy: www.bsu.edu/studentcode/alcoholpolicy
- Student drug policy: www.bsu.edu/studentcode/drugpolicy
- Employee alcohol/drug policy: <https://ballstate.policytech.com/dotNet/documents/?docid=2017>
- Annual notification: <https://ballstate.policytech.com/dotNet/documents/?docid=2017&public=true>
- [Ball State's Office of Health, Alcohol, and Drug Education](#)
- [Campus resources for alcohol and other drug information](#)
- Biennial review report: <https://www.bsu.edu/about/administrativeoffices/student-conduct/reportsandstatistics>

All new students to Ball State are offered and expected to take part in alcohol and sexual assault prevention through online programs currently offered. These include EverFi's [AlcoholEdu](#) and [Sexual Assault and Prevention](#) programs. AlcoholEdu covers key definitions, myths and perceptions, motivations, the standard drink, BAC, strategies for drinkers and non-drinkers, bystander intervention skills, alcohol and the brain, alcohol and the law, media literacy, and stress. The sexual assault program covers values, aspects of unhealthy relationships, gender socialization, sexual assault, consent, bystander intervention, survivor support, and responding to student disclosures. Other programs are offered by the following offices:

Office of Health, Alcohol and Drug Education (OHADE): The Office of Health, Alcohol, and Drug Education located in the Student Health Center. This office provides a wealth of information as well as alcohol and drug abuse consultation and assessments for students. There are several individual and group programs available to students who want to learn more about how alcohol and other drug use is impacting their lives and how they can monitor their behavior.

Counseling Center: The Counseling Center provides a variety of support assessment services that are designed to educate and enhance awareness of students in the area of chemical dependence.

Academic courses: A number of academic departments offer courses and other opportunities for students to study the complex issues of drug abuse, the impact of society, as well as to prepare for careers in alcohol and drug counseling, patient care, and other related fields. The following units typically conduct research and offer courses regarding alcohol and other drug use:

- Department of Nutrition and Health Science
- School of Kinesiology
- School of Nursing
- Department of Social Work
- Department of Counseling Psychology, Social Psychology, and Counseling

Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University's policies apply to all three campuses and are used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Sexual Harassment and Misconduct Policy: www.bsu.edu/studentcode/sexualmisconduct
- Title IX Policy: <https://www.bsu.edu/about/administrativeoffices/associate-dean-of-students>

The following sections of this report discuss the University's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program

The University conducts a Primary Prevention and Awareness Program (PPAP) (these are two programs by EverFi called AlcoholEdu and Sexual Assault Prevention) for all incoming students and new employees. The PPAP advises campus community members that the University prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

Definitions from the Indiana Code

Definitions for dating violence, domestic violence, sexual assault, stalking, and consent (as it relates to sexual activity) from the Indiana Code are located in Appendix A.

University Definition of Consent

The University uses the following definition of consent in its [Interim Title IX policy](#) and [Sexual Harassment and Misconduct policy](#) for the purpose of determining whether sexual violence (including sexual assault) has occurred:

Consent is a knowing, voluntary, and clear mutual agreement to engage in sexual activity. Consent is effective when it is informed, freely and actively given, and communicated by clearly and mutually understandable words or actions to participate in each form of sexual activity. This includes the following concepts:

1. Consent cannot be given by someone who is incapacitated. Engaging in sexual activity with someone who one knows to be, or reasonably should know to be, incapacitated is a violation of this policy. [Incapacitation is addressed below.] Where alcohol or other drugs are involved, incapacitation is assessed with respect as to how the alcohol or other drugs consumed affects a person's ability to understand fully the "who, what, when, where, why, and/or how" of their sexual interaction with someone else. An individual accused of sexual harassment or misconduct is not excused if they were intoxicated and, therefore, did not realize the incapacity of the other person;
2. Indiana law provides that a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old is a crime, as well as violation of this policy, even if the minor wanted to engage in the act;
3. Consent cannot be inferred from silence, passivity, or lack of active resistance;
4. Consent to one form of sexual activity does not imply consent to other or additional forms of sexual activity;
5. Consent can be withdrawn at any time;
6. Consent does not exist when there is force, a threat of force, violence, or any other form of coercion or intimidation whether of a physical, psychological, or, financial nature. [See discussions on force and intimidation below.] A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor;
7. A current or previous dating or sexual relationship is not sufficient to constitute consent; past consent does not imply future consent; and
8. Consent to engage in sexual activity with one person does not imply or confer consent to engage in sexual activity with another person.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor "NO" clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.

- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don’t make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.

- Keep yourself safe.
- If things get out of hand, don't hesitate to contact the police.

Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

Ongoing Prevention and Awareness Campaign

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

PPAP and OPAC Programming Methods

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- Resident students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through presentations by the Offices of Victim Services and Health, Alcohol, and Drug Education. These programs are available to non-resident students.
- Ball State promotes "*Step In. Speak Up.*" which refers to bystander intervention programming, a student organization, and a free smartphone application. The "*Step In. Speak Up.*" app provides information, resources, and strategies for response to and prevention of sexual violence, including stepping in safely, positively, and effectively as a bystander in cases where there is a risk of sexual assault.
- As part of its ongoing campaign, the University provides Red Zone programming provided by the Health, Alcohol and Drug Education Office in conjunction with the Office of Victim Services, Red Zone programming focuses on risk reduction for sexual assault during the first six to eight weeks of classes. *Step In. Speak Up.* programming is conducted throughout the year. These signature programs are supplemented by additional programming throughout the year as provided by Fraternity and Sorority Life and other student organizations, athletics, Public Safety, and other university offices throughout the year.
- While programming occurs throughout the year, the University also offers educational sessions and literature in coordination with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or the Public Safety Department at (765) 285-1111. You may also contact the University's Title IX Coordinator at (765) 285-1545.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at:

Main Campus (Muncie): Indiana University Ball Memorial Hospital, 2401 W University Ave, (765) 747-3241.

Fishers Center: Ascension/St. Vincent Hospital at 2001 W 86th Street, Indianapolis, IN 47260 (317) 338-2345, www.healthcare.ascension.org.

CAP:INDY: Center of Hope at Eskenazi Hospital, 720 Eskenazi Ave, Indianapolis, IN 46202, (317) 880-0000, www.eskenazihealth.edu. Center of Hope at Eskenazi Hospital, 720 Eskenazi Ave, Indianapolis, IN 46202, (317) 880-0000, www.eskenazihealth.edu.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Contact Ball State Department of Public Safety (University Police) at (765) 285-1111, 200 N. McKinley Avenue, Muncie.
- Muncie Police Department, (765) 747-4777, 300 N High Street, Muncie 47305.
- Fishers Police Department, (317) 595-0000 or (317) 773-1282 (after hours), 4 Municipal Drive, Fishers IN 46038. Some crimes can be reported on-line at <https://www.fishers.in.us/1071/File-a-Police-Report>.
- Indianapolis Metropolitan Police Department, (317) 327-3811.

- To make a police report, a victim should contact the local police agency listed above depending on the location and jurisdiction of the crime, either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

In Indiana, victims may obtain a civil Order of Protection, which provides protective relief for victims of domestic or family violence, stalking, a sex offense, or repeated acts of harassment. The first step in obtaining an Order of Protection is filing a petition with the court. Courts can issue two types of orders: (1) Ex Parte Orders, which act as a temporary emergency order to protect a victim, for up to 30 days, until a court hearing, and (2) Full Protective Orders, which may be issued after a hearing and for up to two years (filing for extension is possible).

Additional information that may be useful to a person seeking an Order of Protection is as follows:

- Forms necessary to file a petition for an Order of Protection, and other related information, can be found at the following State of Indiana website: <https://www.in.gov/judiciary/5538.htm>.
- The Delaware County courts are located at 100 W Main St, Muncie, IN 47305, (765) 747-7726. Additional information is available at the following Delaware County website: <https://www.co.delaware.in.us/departments/division.php?structureid=67>.
- In Muncie, advocates also are available through A Better Way and the Muncie Police Department. Contact A Better Way by calling (765) 747-9107 (the address is not disclosed) and the Muncie Police Advocates are available at 300 N. High Street, Muncie, (765) 747-4777. <http://www.munciepolice.org/victim-advocates/>.
- The Fishers Center is located in Hamilton County. Protective Order paperwork can be obtained at the Prevail office at 1100 S 9th St, Ste 100; Noblesville, IN 46060, (317) 773-6942. Their website is <https://www.prevailinc.com/>. Advocacy information is available at: <https://www.prevailinc.com/index.php/our-services/adult-services/your-advocate>. Additional information is available at the following Hamilton County website: <https://www.hamiltoncounty.in.gov/474/Protective-Orders>.
- CAP:INDY is located in Marion County, IN. Forms can be e-filed and submitted to the Marion County Clerk's Office in the City-County building at 200 E. Washington, Suite W122, Indianapolis, IN 46204, (317) 327-4740. Additional information is available at the following Marion County website: <https://www.indy.gov/activity/file-a-protective-order>.
- A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection.
- Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order. Ball State University provides an advocate for victims of domestic/dating violence, stalking, and sexual assault through the Office of Victim Services (765) 285-7844, 2nd floor Student Health Center, www.bsu.edu/ovs.

When an Order of Protection is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The University will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the University will take all reasonable and legal action to implement the order.

The University does not issue legal orders of protection. However, as a matter of institutional policy, the University may impose a no-contact order between individuals in appropriate circumstances. The University may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

University Resources

- Student Health Center, 1500 Neely Ave, (765) 285-8431, <https://www.bsu.edu/campuslife/healthcenter>. Medical care, treatment for injuries, assistance, and support. Forensic exams (rape kits) are referred to IU-BMH, but that examination is not required for students to receive comprehensive care at the Student Health Center.
- Counseling Center, Lucina Hall, room 320, (765) 285-1736, <https://www.bsu.edu/campuslife/counselingcenter>. Comprehensive and free psychological services to students.
- Office of Victim Services, (765) 285-7844, www.bsu.edu/ovs, 2nd floor of the Student Health Center at 1500 Neely Ave.
- Ball State provide an Employee Assistance Program (EAP) through Working Well, located in the Amelia T. Wood Building, 1500 W Neely Ave, Rm 4. (765) 285-9355, www.bsu.edu/workingwell.
- Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, the student should be made aware of the financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The University’s financial aid website can be found at: <https://www.bsu.edu/admissions/financial-aid-and-scholarships>.
- Legal Assistance: Students enrolled Ball State’s main campus have access to Student Legal Services, L. A. Pittenger Student Center L-17, (765) 285-1888.

State/Local Resources

- Indiana University-Ball Memorial Hospital, 2401 W University Ave, Muncie 47306. 911 or (765) 747-3241 (ER staff will inform Ball State students of Office of Victim Services (OVS) support and contact OVS upon request).

- In the Muncie area, mental health services are available through Meridian Health Services, 240 N. Tillotson, Muncie 47304. Phone: 765-288-1928 or 866-306-2647.
- In Muncie, advocates also are available through A Better Way and the Muncie Police Department. Contact A Better Way by calling (765) 747-9107 (the address is not disclosed) and the Muncie Police Advocates are available at 300 N. High Street, Muncie, (765) 747-4777. <http://www.munciepolice.org/victim-advocates//>
- The Fishers Center is located in Hamilton County, where victim services are available through Prevail, 1100 S 9th Street, Suite 100, Noblesville, IN 46060 (317) 773-6942 <https://www.prevailinc.com/index.php/our-services/adult-services/your-advocate>. Persons needing medical care, treatment for injuries, assistance, support, and forensic exams (rape kits) have multiple options; Prevail recommends Ascension/St. Vincent Hospital at 2001 W 86th Street, Indianapolis, IN 47260 (317) 338-2345, www.healthcare.ascension.org.
- Students, staff, and visitors to the CAP:INDY center can find victim services at a number of agencies in the area. A current list of links for the various organizations is here: <https://www.indy.gov/activity/file-a-protective-order>. The Julian Center is approximately three miles away from CAP:INDY at 2011 N Meridian St, Indianapolis and can be contacted at (317) 920-9320 (crisis line) or through their website www.juliancenter.org. Persons needing medical care, treatment for injuries, assistance, support, and forensic exams (rape kits) have multiple options. The closest medical center offering rape kits is the Center of Hope at Eskenazi Hospital, 720 Eskenazi Ave, Indianapolis, IN 46202, (317) 880-0000, www.eskenazihealth.edu.
- Indiana Coalition Against Domestic Violence: <https://icadvinc.org/>.
- Indiana Coalition to End Sexual Assault & Human Trafficking: <https://icesaht.org/>.
- Legal Aid: [Indiana Legal Services, Inc](http://www.indianalegalservices.org/) (ILS) is a non-profit law firm that provides free civil legal assistance to eligible low-income residents throughout the state of Indiana. ILS Indianapolis office is located at 1200 Madison Ave, Suite 300, Indianapolis, IN 46225 and can be contacted at (317) 631-9410, <https://www.indianalegalservices.org/>.

National Resources

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

Supportive Measures

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or supportive measures. If victims request these accommodations or supportive measures and they are reasonably available the University

is obligated to provide them without fee or charge, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Associate Dean of Students/Title IX Coordinator at (765) 285-1545, kslabaugh@bsu.edu, www.bsu.edu/TitleIX. The Associate Dean of Students/Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same residence hall, dining hall, class, transportation, or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence (employees), increased security and monitoring of certain areas of campus, and other similar measures.

Procedures for Disciplinary Action

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through either the University's [Interim Title IX Policy](#) or the [Sexual Harassment and Misconduct Policy](#) and their related complaint resolution procedures. These policies and procedures are utilized for all complaints of this nature, regardless of the status of the complainant and the respondent, but which specific policy and procedure apply to a given complaint depends on things such as when and where the incident occurred, as well as the nature of the alleged conduct. Where the policies and procedures differ, they will be pointed out below.

The complaint resolution procedures for both policies are invoked once a report is made to one of the following individuals:

Complaints against Students

Ms. Katie Slabaugh

Associate Dean of Students/Title IX Coordinator
(765) 285-1545
Administration Building 238
Email: kslabough@bsu.edu

Complaints against employees

Mr. John Bowers
Director of Institutional Equity and Internal Investigations
(765) 285-5163
Administration Building 216
Email: jwbowers@bsu.edu

An electronic complaint form is available at [Sexual Harassment and Misconduct \(Title IX\)](#) that can also be used to file a report.

Once a complaint is made, but not later than five (5) business days after the complaint is made, the Title IX Coordinator will simultaneously provide a written notice to the Complainant and Respondent that a complaint has been filed with additional information.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint.

The institution strives to complete each investigation in a reasonably prompt timeframe. The exact length of each investigation may vary depending on the unique circumstances of the particular case.

Upon completion of the investigation, the investigator(s) will forward a completed investigation report and other documents to Title IX Coordinator and the parties. The parties will then have a designated period in which to submit a written response, which the investigator will consider before finalizing the investigation report.

- In cases that are handled under the Title IX (TIX) policy, the institution will appoint a hearing panel, notify Parties of the dates, times, and locations of a pre-hearing conference and a Sexual Misconduct Board hearing, and convene a hearing in order to make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence.
- In cases that are handled under the Sexual Harassment and Misconduct (SHM) Policy, the finalized report will be forwarded to the Office of Student Conduct (OSC). A staff member there will make a determination using the preponderance of evidence standard whether a hearing is warranted. If a hearing is warranted, OSC will convene a hearing with notice to the parties. If a hearing is determined not to be warranted, the complainant may request a review of that decision in writing.

Upon completion of the Sexual Misconduct Board hearing, parties will be notified of the hearing outcome in writing. The outcome letter will include, but not be limited to, the finding of the hearing panel and the findings of facts, made under a preponderance of evidence standard, that support the determination. In cases where the determination is responsibility for a policy violation, sanctions will be imposed as well.

Both parties have an equal opportunity to appeal the determination by filing a written appeal within five (5) business days of being notified of the outcome of the investigation. The appellate officer will respond to the appeal in a timely manner.

Rights of the Parties in an Institutional Proceeding

During the course of the processes described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. Training materials can be found at <https://system.suny.edu/sci/postedtraining/> and include but are not limited hearing procedures, institutional policy, appeals, evidence, conflicts of interest and bias, cross-examination, effective interviewing, supportive measures, no contact orders and emergency removals, and supportive measures.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using the preponderance of the evidence standard.

5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses

Following a final determination in the University’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the University may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; conduct probation; restitution; restrictions on access, contact with parties, and eligibility to represent the university at any official function or in any intercollegiate competition; housing contract termination; suspension; or expulsion. If a suspension is imposed on a student, it may be for part of a semester, a full semester, an entire academic year, or multiple academic/calendar years. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Director of Student Conduct (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the University can make available to the victim a range of protective measures. They include, but are not limited to: forbidding the accused from entering the victim’s residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, and changes in working situations.

Publicly Available Recordkeeping

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

Victims to Receive Written Notification of Rights

When students or employees report to the University that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide them a written explanation of their rights and options as described in the paragraphs above.

Sex Offender Registration Program

Federal law requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. State registry of sex offender information may be accessed at the following link: <https://www.icrimewatch.net/indiana.php>.

Public Safety Advisories (a.k.a., Timely Warnings)

In the event of criminal activity occurring on Ball State's Clery geography (on campus, on-campus housing, public property adjacent to and immediately accessible from campus, or on certain other non-campus properties owned or controlled by the University) that in the judgment of the Department of Public Safety constitutes a serious or continuing threat to members of the campus community, a campus-wide "Public Safety Advisory" (aka "timely warning") will be issued. Examples of such situations may include a sexual assault by an unknown perpetrator or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via Ball State email and to students and employees who have subscribed to text alerts which can be done here:

<https://apps.bsu.edu/EmergencyText/Default.aspx>. Updates to the warnings will be provided as appropriate.

Public Safety Advisories are intended to heighten safety awareness, alert campus community members of potential dangers, and seek information that could lead to an arrest and conviction of perpetrators of violent crimes or major crimes against property.

The Fishers Center and CAP:INDY campuses receive the same Public Safety Advisories sent to the main campus. Persons on any of the three campuses with information potentially warranting a timely warning should immediately report the circumstances to Public Safety (University Police) at (765) 285-1111. In addition, crime reports can be made for the purposes of Clery reporting at the [Campus Security Authority web page](#) (see *Submit a Clery Report*) at www.bsu.edu/fireandsafetyreports/csa. This reporting mechanism is not for emergencies or crimes in progress.

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

Process for Determining When to Issue a Public Safety Advisory

The Ball State Director of Public Safety or a designee reviews all reports to determine if there is an ongoing threat to the community and if the incidents warrant public safety advisories. The university issues advisories subject to the availability of pertinent information concerning the incident.

Public Safety may consult with other university officials or local law enforcement and safety personnel on a case-by-case basis.

Ball State does not publish the names of crime victims or provide information that could lead to a victim's identity.

Criteria for Issuing a Public Safety Advisory

The university will issue a public safety advisory if the Department of Public Safety determines an incident meets all of the following conditions:

- a reportable crime, under the Clery Act, has been reported: criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, and hate crimes (which include any of the previously mentioned offenses, as well as cases of larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property, when the conduct is motivated by certain biases prescribed by law);

- the crime was reported to university officials;
- the crime occurred on campus, on the public property adjacent to and immediately accessible from campus, or certain other non-campus properties owned or controlled by the University; and
- it is determined that there is a continuing danger to the campus community and issuing the public safety advisory will not compromise law enforcement efforts to address the crime.

In addition, the University reserves the right to issue a public safety advisory even if some or all of the above conditions have not been met.

Crime Log

Ball State's Department of Public Safety provides a daily summary of certain types of incidents reported to the Department of Public Safety. This daily summary is found here: [Crime Log](#). Additionally, press releases and crime alerts related to certain specific incidents are posted at www.bsu.edu/news.

Emergency Response/Notifications

Overview

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. Procedures for specific types of incidents including evacuation can be found at <https://www.bsu.edu/about/administrativeoffices/emergency-preparedness>. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Complete emergency response guidelines for various types of emergencies are disseminated to students and employees each fall. These are available online at www.bsu.edu/prepared.

Main campus students, staff and visitors are encouraged to notify the Department of Public Safety at (765) 285-1111 (5-1111 from on-campus phones) of any emergency or potentially dangerous situation.

Students, staff, and visitors at the Fishers Center are encouraged to report emergencies, and potentially dangerous situations to Fishers Center staff members who will assist with reporting to the appropriate police or emergency services agency if it has not already been called. Staff assistance is available at 317-759-6167.

Students, staff, and visitors at CAP:INDY are encouraged to report emergencies, and potentially dangerous situations to CAP:INDY staff members who will assist with reporting to the police or emergency services agency if it has not already been called. The phone number to call is 765-285-4210.

Emergency Notification Procedure

The Department of Public Safety is responsible for determining when an emergency exists, which segments of the campus community to notify, and through which means, as well as coordinating with Marketing & Communications on the content of any messages. The University Police and Marketing & Communications are the only campus offices authorized to disseminate official information about campus emergencies to the campus community.

When informed of a possible emergency situation, the Department of Public Safety will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the University’s response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the Department of Public Safety will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The Department of Public Safety in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Department of Public Safety will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed below, depending on the nature of the threat and the segment of the campus community being threatened.

If deemed necessary, the University’s Department of Public Safety will notify local law enforcement of the emergency if they are not already aware of it. Marketing and Communications will be responsible for notifying local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Emergency Notifications

The methods listed below may be utilized when the University issues an emergency notification to the campus community.

Method	Details / Sign-Up Instructions
Text Messaging System	Students and employees may subscribe to text message alerts at https://apps.bsu.edu/emergencytext/ .
University Email Account	All employees and students are given an email account at the time they are admitted to or employed by the institution.

Ball State website	www.bsu.edu
Campus Voicemail	Assigned to campus office telephones
Campus Siren	Used primarily for weather-related events. The campus siren is tested every Friday at 11:00 a.m.
Emergency Management Twitter account	The University posts information and continual updates on its official emergency management Twitter account @ballstate_alert
Emergency Call Boxes	Emergency call boxes are in classrooms and other places around campus where it is inappropriate to place a regular telephone. The call boxes work like a telephone and dial the Department of Public Safety once the button is pressed. Also, emergency call boxes will receive alerts and say them aloud during emergencies. This happens almost instantaneously across all call boxes on campus.
Fishers Center	Students and employees at the Fishers Center receive emergency notices sent from the main campus as described above. Information specific to the Fishers Center can be sent through email and text subscription. Severe weather notices are directed to every room in the facility.
CAP:INDY	Students and employees at CAP:INDY receive emergency notices sent from the main campus as described above. Information specific to CAP:INDY can be sent through email and text subscription. CAP:INDY students and faculty also can be sent facility specific information via email and text lists maintained by CAP:INDY.

BSUInform Notices

The university may issue a BSUInform notice when a situation is not an emergency and does not pose an immediate threat to the campus community but it is of significant safety interest to members of the Ball State community.

The service is intended to make students and employees aware by providing information about a situation. For instance, Public Safety might receive reports of a crime but do not believe a continuing threat exists. In another instance, a crime might occur off campus, but the incident’s location might concern students’ or employees’ safety.

The university sends BSUInform notices through Ball State email accounts.

Testing and Documentation

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the [Crisis Management Team](#) will meet to train and test and evaluate the University's emergency response plan.

The Department of Public Safety maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures. Training and testing in 2019 included but was not limited to:

- Two meetings with the President's cabinet to conduct an overview to crisis management and conduct a table-top exercise, led by the Delaware County Emergency Management Agency director on September 10 and 24, 2019.
- Ball State University Police Department conducted training exercises on Thursday and Friday, June 13 and 14 at the Oakwood Building and Northside Middle School.
- A test of the emergency notification system was conducted September 30, 2019.

Employees and students are regularly notified by email regarding emergency preparedness procedures, severe weather preparation, and prevention tips. Emergency notifications issued in the past 365 days are archived here: <http://cms.bsu.edu/campuslife/healthsafety/campus-safety/emergency-notifications/archives>.

Missing Student Policy/Procedures for Students Residing in On-Campus Housing (Main Campus Only)

If a member of the University community has reason to believe that a student who resides in on-campus housing (main campus only) is missing, that information should be reported immediately to the Resident Manager of University Apartments, the Residence Hall Director at the front desk of the residence facility in which the missing student lives, or to Public Safety (765) 285-1111. Any University employee receiving a missing student report should immediately notify Public Safety so that an investigation can be initiated.

Students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the student is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student's confidential contact information will be accessible only by authorized campus officials, and it will only be disclosed to law enforcement personnel in furtherance of a missing student investigation.

A student who wishes to designate a confidential contact may do so by contacting their Residence Hall Director of their residence hall, preferably when moving into the residence hall.

When a report is made to a residence hall staff member, the Department of Public Safety will be contacted immediately. Residence hall staff members will work with Public Safety officers to find the student. Cooperative efforts may include:

- Welfare check of the missing student's residence hall room
- Contact attempts via cell phone, email, or other means

- Identification of and contact with other individuals who may have knowledge of the missing student's whereabouts

Public Safety officers will gather all essential information related to the missing person and conduct a thorough investigation. No later than 24 hours after the missing person report is first received, Public Safety or University designee will notify the individual's designated contact or (for persons under 18 years of age and not emancipated) the subject's parent or guardian to inform them that the resident student is believed to be missing.

Regardless of the student's age, emancipation status, or whether the student has designated a contact person, Public Safety police officers will, within 24 hours of the report, notify the local law enforcement agency with jurisdiction in the area where the student is missing, unless it was local law enforcement that made the determination that the student is missing.

All inquiries by the media or the general public regarding missing persons will be referred to Marketing and Communications. All public statements will be coordinated through that office.

Notification Procedures for Missing Persons Living Off Campus

Upon notification from any person that a Ball State University student may be missing, the university staff member receiving the information should refer the matter immediately to Public Safety at (765) 285-1111.

Officers will respond to reports of missing students in a timely manner. It is the policy of the Ball State Department of Public Safety to thoroughly investigate reports of all missing persons.

Crime Statistics--Main Campus

The statistical summary of crimes for this University over the past three calendar years follows:

Reports of Primary Crimes	2017				2018				2019			
	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing	Non-campus	Public property	On-campus	On-campus housing ²	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	21	17	6	0	10	9	2	0	10 ³	9 ⁴	3	0
Fondling	16	12	0	0	11	6	3	0	10	8	0	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	1	1	0	1
Aggravated assault	0	0	2	1	2	1	0	0	1	1	1	0
Burglary	6	5	3	0	14	6	2	0	13	11	1	0
Motor vehicle theft	2	0	0	0	2	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Weapons offense	0	0	0	0	0	0	0	0	1	0	0	0

² "On-campus housing" is a subset of "On-campus." All reported crimes noted in "On-campus housing" are also noted in "On-campus." As it includes "On-campus housing" figures, the "On-Campus" category will always be a number equal to or greater than "On-Campus housing."

³ A May 2021 audit of Clery statistics revealed a clerical error resulting in a miscount of reported rapes. The revised number of ten (10) on-campus rapes is an increase from the nine (9) previously reported.

⁴ A May 2021 audit of Clery statistics revealed a clerical error resulting in a miscount of reported rapes. The revised number of nine (9) on-campus rapes is an increase from the eight (8) previously reported.

Drug abuse violations	37	15	0	7	15	6	0	16	12	6	0	0
Liquor law violations	48	33	2	35	39	36	5	14	34	23	0	7
DISCIPLINARY REFERRALS												
Weapons offense	0	0	0	0	5	5	0	0	0	0	0	0
Drug abuse violations	104	84	3	3	124	115	0	0	113	90	2	4
Liquor law violations	396	383	7	1	300	298	0	0	229	226	1	0
VAWA Crimes												
Domestic Violence	0	0	0	0	0	0	0	0	3	1	0	0
Dating Violence	5	3	0	0	5	5	0	0	10	10	0	0
Stalking	13	4	0	0	4	4	0	0	4	2	0	0

Hate crimes:

2019: No hate crimes reported.

2018: There was one (1) report of destruction/damage/vandalism of property based on race.

2017: There was one (1) report of larceny/theft based on race, two (2) reports of intimidation based on gender, and one (1) report of destruction/damage/vandalism of property based on race.

Unfounded crimes:

2019: 0 unfounded crimes.

2018: There were two (2) reported burglaries (reported 10/27/2018 and 11/29/2018) that were determined to be unfounded by the Ball State Department of Public Safety. These two reports have been excluded from the chart of crime statistics above.

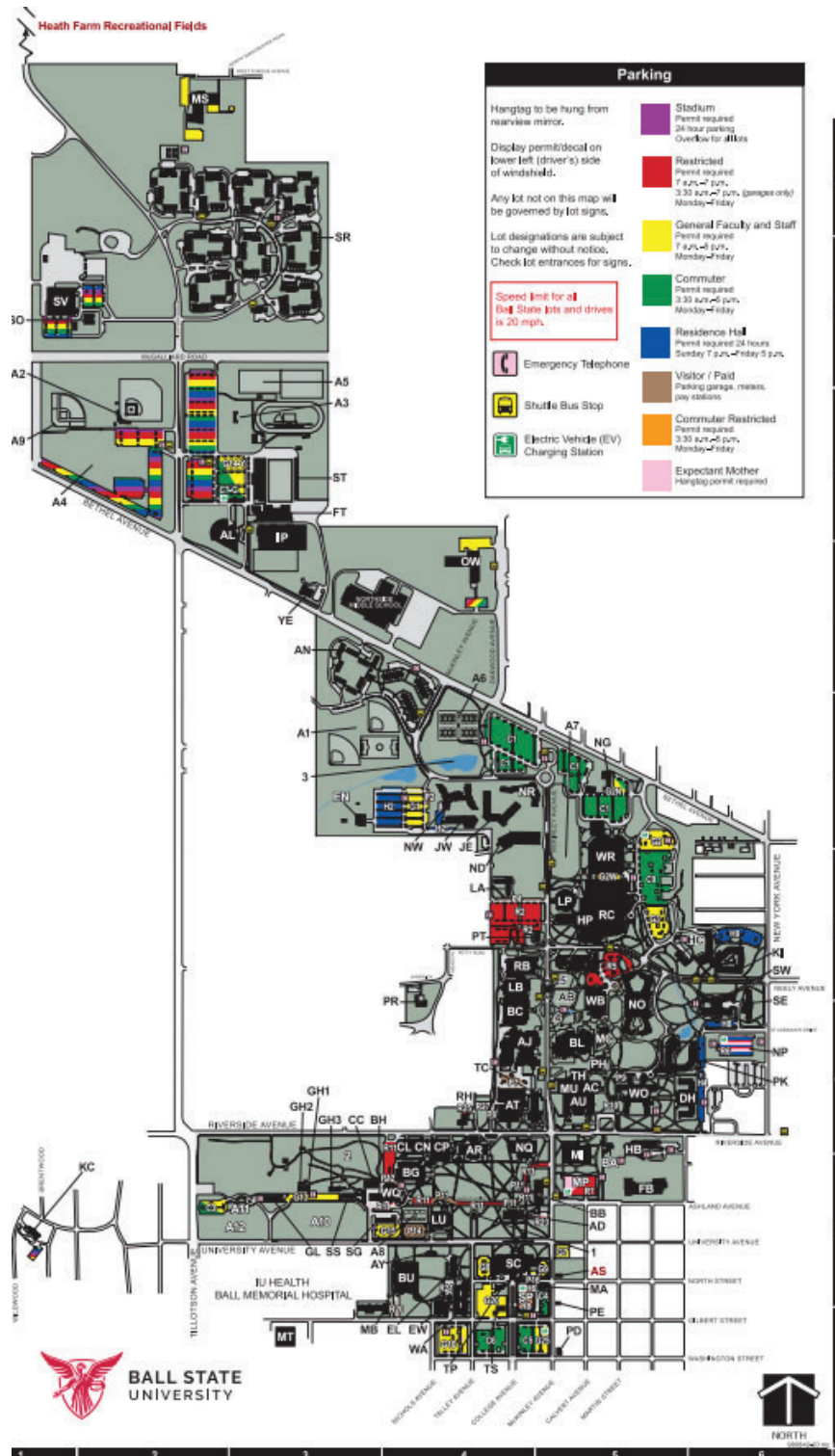
2017: 0 unfounded crimes.

Data from law enforcement agencies:

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the University's Clery geography.

- The University was provided with some crime data from law enforcement agencies for which it cannot be determined whether any of the statistics apply to or include the University's Clery Geography. This includes the Indiana State Excise Police which included some statistics that were determined to apply, but also crime location information that could not reasonably be determined to apply to the University's Clery geography.

Ball State Main Campus MAP



For the Clery report, the “public property” category includes public property (usually public streets and adjoining sidewalks) adjacent to the colored portions of the map above except for #67 (lower left) which is a “non-campus” property. The Public Property category also includes the public streets and adjoining sidewalks that run through the Ball State campus.

Campus Crime Statistics—CAP:INDY⁵

	2017			2018			2019		
Primary Crimes Reports	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0

⁵ In 2019, the Ball State Indianapolis Center was re-branded CAP:INDY as part of the R. Wayne Estopinal College of Architecture and Planning and moved to a new location at 25 North Pine Street, Indianapolis, IN 46202.

DISCIPLINARY REFERRALS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

The CAP:INDY campus does not offer on-campus housing.

Hate crimes:

2019: 0 hate crimes reported.

2018: 0 hate crimes reported.

2017: 0 hate crimes reported.

Unfounded crimes:

2019: 0 unfounded crimes.

2018: 0 unfounded crimes.

2017: 0 unfounded crimes.

Campus Crime Statistics—Fishers Center

	2016			2017			2018		
Primary Crimes Reports	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property	On-campus	Non-campus	Public property
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
ARRESTS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0

DISCIPLINARY REFERRALS									
Weapons offense	0	0	0	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0
VAWA Crimes									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

The Ball State University Fishers Center does not offer on-campus housing.

Hate Crimes

2019: 0 hate crimes reported.

2018: 0 hate crimes reported.

2017: 0 hate crimes reported.

Unfounded Crimes:

2019: 0 unfounded crimes.

2018: 0 unfounded crimes.

2017: 0 unfounded crimes.

Annual Fire Safety Report (Ball State Main Campus Only)

Housing Facilities and Fire Safety Systems

The University maintains on-campus housing for students at the main campus in Muncie. Neither the Fishers Center nor CAP:INDY campuses provide on-campus housing. Below is a description of fire safety systems and the number of fire drills conducted during the previous calendar year.

Ball State Residential Facilities	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection System	Clean Agent System	Fire Extinguishers	Evacuation Plans	Fire Drills for 2019 calendar year
Anthony Apartments (all buildings)	Non-centralized alarm; not integrated into BSU system	No	No	Yes	No	Yes	Yes	0
DeHority	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	No	Yes	2
Elliott Hall	System monitored by UPD; tested by Johnson Controls	No	No	Yes	No	Yes	Yes	2
Johnson/Botsford & Swinford	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	Yes	Yes	2
Johnson/Schmidt & Wilson	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	Yes	Yes	2
Kinghorn Hall	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	Yes	Yes	2
Lafollette-Brayton & Clevenger	System monitored by UPD; tested by Johnson Controls	No	No	Yes	No	Yes	Yes	2
Lafollette-Edwards & Knotts	System monitored by UPD; tested by Johnson Controls	No	No	Yes	No	Yes	Yes	2
Lafollette-Shively	System monitored by UPD; tested by Johnson Controls	No	No	Yes	No	Yes	Yes	2
Noyer	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	Yes	Yes	2
Park Hall	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	Yes	Yes	2

Scheidler Apartments (all buildings)	Non-centralized alarm; not integrated into BSU system	No	No	Yes	No	Yes	Yes	Yes	0
Studebaker East	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	Yes	Yes	Yes	2
Studebaker West	System monitored by UPD; tested by Johnson Controls	No	Yes	Yes	No	Yes	Yes	Yes	2
Wagoner (Indiana Academy)	System monitored by UPD; tested by Johnson Controls	No	No	Yes	No	Yes	Yes	Yes	2
Woodworth	System monitored by UPD; tested by Johnson Controls	No	No	Yes	No	Yes	Yes	Yes	2

Fire Drills

Each residence hall conducts one fire drill each fall and spring semester. The Scheidler and Anthony Apartment complexes do not conduct fire drills; however, each Community Assistant is required to select a community meeting spot and communicate that to residents. Should a fire occur, the Resident Managers (RMs) for the apartment complexes respond using emergency kits supplied with protocols, student rosters, equipment, and other resources for mitigating fire emergencies.

Policies on Portable Appliances, Smoking and Open Flames

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Microwaves are the only portable cooking appliances permitted to be used in campus housing. All other cooking must be done in community kitchens. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

Appliances that require an open flame, propane, gasoline, or hot grease such as deep fryers are not allowed to be used in or around any of the residence halls.

Refrigerators operating on no more than 1.6 amps and no more than 5.0 cubic feet may be used in student rooms. Units should be placed on a stand or cart unless they have feet and back-mounted heat exchangers. Units may not be placed in closets. Units must be plugged directly into the electrical outlet or into Underwriter's Laboratory (UL)-approved surge-protected (with built-in circuit breaker) power strip.

The University reserves the right to make periodic inspections of campus housing to ensure fire safety systems are operational and that the policy on prohibited items is being complied with. Prohibited items, if found, will be confiscated and donated or discarded without reimbursement.

Fire Evacuation Procedures

In the event of a fire, the University expects all students and other community members to leave the building by the nearest exits, close doors, and go to their designated locations when a fire alarm sounds. Staff may enter rooms to do an evacuation room check if there is reason to believe that anyone could not or did not evacuate. Fire evacuation routes are posted on the back of student room doors in residence halls and through corridors in the multi-story buildings of Anthony. Residence hall staff members have highly detailed evacuation plans to guide notification of Public Safety, evacuation of students including those with disabilities, accounting for students, and relocating students temporarily as needed.

Fire Education and Training Programs

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the University's fire safety policies. Information distributed includes maps of each facility's evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a "buddy" assigned to assist the student. Residence hall staff members conduct annual smoke simulation and fire safety training with the Muncie Fire Department.

Reporting Fires

The University is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety and then immediately call (765) 285-1111 (on-campus is 5-1111) or 911.

There may also be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the Residence Hall Director at the front desk of the building in which the fire occurred. When providing notification of a fire, give as much information as possible about the location, date, time and cause of the fire.

Plans for Future Improvements

The University's Department of Environmental Health and Safety regularly coordinates inspections of fire safety systems and implements improvements when needed. The University periodically reviews its fire safety protections and procedures. At this time, it has no plans for future improvements. However, when facilities are renovated or newly-erected, fire safety systems are installed that comply or exceed the building standards in effect at that time.

On-Campus Housing Fire Statistics

Ball State Residential Facilities	Street Address	Total Fires 2017	Total Fires 2018	Total Fires 2019
Residence Halls and University-Owned Greek Housing				
1. Alpha Gamma Delta ⁶	1613 W Riverside Ave	0	NA	NA
2. DeHority	1500 W Riverside Ave	0	0	0
3. Elliott Hall	401 North Talley	0	0	0
4. Johnson A/Botsford & Swinford	1603 N McKinley Ave	0	0	0
5. Johnson B/Schmidt & Wilson ⁷	1607 N McKinley Ave	0	0	0
6. Kappa Delta ¹	710 N Martin	0	NA	NA
7. Kinghorn Hall	1400 Neely Ave	0	0	0
8. Lafollette-Brayton & Clevenger	1517 N McKinley Ave	0	0	0
9. Lafollette-Edwards & Knotts ⁸	1521 N McKinley Ave	0	0	0
10. Lafollette-Hurst & Mysz ⁹	1523 N McKinley Ave	0	NA	NA
11. Lafollette-Shales & Woody ¹⁰	1529 N McKinley Ave	0	NA	NA
12. Lafollette-Shively ¹¹	1531 N McKinley Ave	0	0	0
13. Noyer	1601 W Neely Ave	0	0	0
14. Park Hall	1550 W Riverside Ave	0	0	0
15. Sigma Kappa ¹	1617 W Riverside Ave	0	NA	NA
16. Studebaker East	1301 W Neely Ave	0	0	0
17. Studebaker West	1401 W Neely Ave	0	0	0
18. Wagoner (Indiana Academy)	301 N Talley	0	0	0
19. Woodworth	1600 W Riverside	0	0	0

⁶ Alpha Gamma Delta, Kappa Delta, and Sigma Kappa houses were demolished summer 2017.

⁷ Closed for renovation May 2015, reopened Fall 2017

⁸ Demolished 2019

⁹ Partially demolished 2018; not used for housing after 2018

¹⁰ Demolished 2018

¹¹ Demolished 2019

Ball State Residential Facilities	Total Fires 2017	Total Fires 2018	Total Fire 2019
Anthony Apartments Complex (Street Addresses = Building # W Bethel Avenue)			
20. Apt (063-086) BLDG 2201	0	0	0
21. Apt (087-131) BLDG 2217	0	0	0
22. Apt (039-062) BLDG 2301	0	0	0
23. Apt (035-038) BLDG 2305	0	0	0
24. Apt (001-002) BLDG 2309	0	0	0
25. Apt (031-034) BLDG 2313	0	0	0
26. Apt (003-008) BLDG 2317	0	0	0
27. Apt (027-030) BLDG 2401	0	0	0
28. Apt (009-014) BLDG 2405	0	0	0
29. Apt (023-026) BLDG 2409	0	0	0
30. Apt (019-022) BLDG 2413	0	0	0
31. Apt (015-018) BLDG 2417	0	0	0

Ball State Residential Facilities	Total Fires 2017	Total Fires 2018	Total Fire 2019
Scheidler Apartments Complex (Street Addresses = Building # N Tillotson Avenue)			
32. Apt (275-284) BLDG 3428	0	0	0
33. C 3428 (2)	0	0	0
34. Apt (265-274) BLDG 3432	0	0	0
35. Apt (265-274) BLDG 3436	0	0	0
36. Apt (251-258) BLDG 3440	0	0	0
37. Apt (293-302) BLDG 3444	0	0	0
38. Apt (293-302) BLDG 3448	0	0	0
39. Apt (001-010) BLDG 3476	0	0	0
40. Apt (011-020) BLDG 3480	0	0	0
41. Apt (021-030) BLDG 3484	0	0	0
42. Apt (031-038) BLDG 3488	0	0	0
43. Apt (039-048) BLDG 3492	0	0	0
44. Apt (319-328) BLDG 3528	0	0	0
45. Apt (309-318) BLDG 3532	0	0	0

46. Apt (309-318) BLDG 3536	1 ¹²	0	0
47. Apt (345-354) BLDG 3540	0	0	0
48. Apt (337-344) BLDG 3544	0	0	0
49. Apt (247-250) BLDG 3552	0	0	0
50. Apt (203-212) BLDG 3556	0	0	0
51. Apt (213-220) BLDG 3560	0	0	0
52. Apt (221-226) BLDG 3564	0	0	0
53. Apt (227-236) BLDG 3568	0	0	0
54. Apt (237-246) BLDG 3572	0	0	0
55. Apt (049-056) BLDG 3576	0	0	0
56. Apt (057-066) BLDG 3580	0	0	0
57. Apt (067-074) BLDG 3584	0	0	0
58. Apt (085-090) BLDG 3592	0	0	0
59. Apt (091-100) BLDG 3596	0	0	0
60. Apt (437-446) BLDG 3700	0	0	0
61. Apt (431-436) BLDG 3704	0	0	0
62. Apt (421-430) BLDG 3708	0	0	0
63. Apt (411-420) BLDG 3712	0	0	0
64. Apt (401-410) BLDG 3716	0	0	0
65. Apt (447-450) BLDG 3720	0	0	0
66. Apt (381-390) BLDG 3728	0	0	0
67. Apt (365-374) BLDG 3736	0	0	0
68. Apt (355-364) BLDG 3740	0	1 ¹³	0
69. Apt (391-400) BLDG 3744	0	0	0
70. Apt (187-196) BLDG 3752	0	0	0
71. Apt (197-202) BLDG 3756	0	0	0
72. Apt (151-158) BLDG 3760	0	0	0
73. Apt (159-168) BLDG 3764	0	0	0
74. Apt (169-176) BLDG 3768	0	0	0
75. Apt (177-186) BLDG 3772	0	0	0
76. Apt (143-150) BLDG 3776	0	0	0
77. Apt (101-110) BLDG 3780	0	0	0

¹² This kitchen fire (unattended cooking) in Scheidler 310 resulted in no injuries or deaths but did result in kitchen appliance damage estimated at \$504.67.

¹³ This kitchen fire (unattended cooking) in Scheidler 3740 resulted in no damage, injuries, or death.

78. Apt (111-120) BLDG 3784	0	0	0
79. Apt (133-142) BLDG 3796	0	0	0

Appendix A

Definitions from the Indiana Code for Dating Violence, Domestic Violence, Sexual Assault, Stalking, and Consent (as it relates to sexual activity)

Crime Type (Indiana Code)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Indiana law does not define the term dating violence.
Domestic Violence (Ind. Code § 35-31.5-2-78)	“Crime of Domestic Violence” means an offense or the attempt to commit an offense that: (1) has as an element the: (A) use of physical force; or (B) threatened use of a deadly weapon; and (2) is committed against a: (A) current or former spouse, parent, or guardian of the defendant; (B) person with whom the defendant shared a child common; (C) person who was cohabiting with or had cohabitated with the defendant as a spouse, parent or guardian; or (D) person who was or had been similarly situated to a spouse, parent, or guardian of the defendant.
Stalking (Ind. Code § 35-45-10-1)	As used in this chapter, “stalk” means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity.
Sexual Assault	The institution has determined, based on good-faith research, that Indiana criminal statutes do not define the term sexual assault.
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Indiana law are as follows:</p> <ul style="list-style-type: none"> • Rape (Ind. Code § 35-42-4-1): <ul style="list-style-type: none"> a) Except as provided in subsection (b), a person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct (as defined in IC 35-31.5-2-221.5) when: (1) the other person is compelled by force or imminent threat of force; (2) the other person is unaware that the sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) is occurring; or (3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) cannot be given; commits rape, a Level 3 felony. b) An offense described in subsection (a) is a Level 1 felony if: (1) it is committed by using or threatening the use of deadly force; (2) it is committed while armed with a deadly weapon; (3) it results in serious bodily injury to a person other than a defendant; or (4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. • Fondling: The institution has determined, based on good-faith research, that Indiana law does not define the term fondling.

Crime Type (Indiana Code)	Definitions
	<ul style="list-style-type: none"> • Incest (Ind. Code § 35-46-1-3): A person eighteen (18) years of age or older who engages in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with another person, when the person knows that the other person is related to the person biologically as a parent, child, grandparent, grandchild, sibling, aunt, uncle, niece, or nephew, commits incest, a Level 5 felony. However, the offense is a Level 4 felony if the other person is less than sixteen (16) years of age. • Statutory Rape: The institution has determined, based on good-faith research, that Indiana law does not define the term statutory rape.
Other “sexual assault” crimes	<p>Other crimes under Indiana law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> • Child Molesting (Ind. Code § 35-42-4-3): <ul style="list-style-type: none"> a) A person who, with a child under fourteen (14) years of age, knowingly or intentionally performs or submits to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) commits child molesting, a Level 3 felony. However, the offense is a Level 1 felony if: (1) it is committed by a person at least twenty-one (21) years of age; (2) it is committed by using or threatening the use of deadly force or while armed with a deadly weapon; (3) it results in serious bodily injury; (4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge; or (5) it results in the transmission of a dangerous sexually transmitted disease and the person knew that the person was infected with the disease. b) A person who, with a child under fourteen (14) years of age, performs or submits to any fondling or touching, of either the child or the older person, with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits child molesting, a Level 4 felony. However, the offense is a Level 2 felony if: (1) it is committed by using or threatening the use of deadly force; (2) it is committed while armed with a deadly weapon; or (3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. c) A person may be convicted of attempted child molesting of an individual at least fourteen (14) years of age if the person believed the individual to be a child under fourteen (14) years of age at the time the person attempted to commit the offense. • Sexual Battery (Ind. Code § 35-42-4-8): A person who, with intent to arouse or satisfy the person’s own sexual desires or the sexual desires of another person: (1) touches another person when that person is: (A) compelled to submit to the touching by force or the imminent threat of force; or (B) so mentally disabled or deficient that consent to the touching cannot be given; or (2) touches another person’s genitals, pubic area, buttocks, or female breast when the person is unaware that the touching is occurring; commits sexual battery, a Level 6 felony.

Crime Type (Indiana Code)	Definitions
	<ul style="list-style-type: none"> • Sexual Misconduct with a Minor (Ind. Code § 35-42-4-9): <ul style="list-style-type: none"> a) A person at least eighteen (18) years of age who, with a child at least fourteen (14) years of age but less than sixteen (16) years of age, performs or submits to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) commits sexual misconduct with a minor, a Level 5 felony. However, the offense is: (1) a Level 4 felony if it is committed by a person at least twenty-one (21) years of age; and (2) a Level 1 felony if it is committed by using or threatening the use of deadly force, if it is committed while armed with a deadly weapon, if it results in serious bodily injury, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge. b) A person at least eighteen (18) years of age who, with a child at least fourteen (14) years of age but less than sixteen (16) years of age, performs or submits to any fondling or touching, of either the child or the older person, with intent to arouse or to satisfy the sexual desires of either the child or the older person, commits sexual misconduct with a minor, a Level 6 felony. However, the offense is: (1) a Level 5 felony if it is committed by a person at least twenty-one (21) years of age; and (2) a Level 2 felony if it is committed by using or threatening the use of deadly force, while armed with a deadly weapon, or if the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.
Consent (as it relates to sexual activity)	The institution has determined, based on good-faith research, that Indiana law does not define the term consent (as it relates to sexual activity).