Marshall University

2026 Annual Security and Fire Safety Report Huntington, WV Campus; Medical Science, Huntington, WV Campus; South Charleston, WV Campus; Mid-Ohio Valley Center, Point Pleasant, WV; Bill Noe Flight School, Yeager Airport, Charleston, WV; and , Aviation Maintenance Technology Program, Tri-State Airport, Huntington, WV:

For the 2026-2027 Academic Year
Containing the Crime Statistics for 2023, 2024 and 2025

Annual Security Report

Marshall University Police Department
1801 5th Avenue
Huntington, WV 25755
304-696-4357
www.marshall.edu/mupd

At Marshall University, our concern for the safety and well-being of our students, faculty and staff is always a top priority. With the support of personnel from other departments, we have hundreds of people involved in our goal of maintaining a safe and secure campus. However, please remember that a truly safe campus can only be achieved through the efforts and cooperation of all students, faculty and staff who accept responsibility for their own security and the security of others. This publication is part of our on-going effort to ensure that this collective endeavor is effective. Please read it carefully and use the information to aid in fostering a safe environment for yourself and all others in the University community.

J. E. Terry
Director of Public Safety

Separate Campuses

All policy statements contained in this report apply to all campuses unless otherwise indicated.

Public Safety Services

The Marshall University Police Department (MUPD) provides a variety of public safety-related services to the University community consisting of approximately 16,000 students, faculty, and staff.

The Marshall University Police

Pursuant to W.Va. Code § 18B-4-5, et seq., Marshall University Police Officers (MUPD Officers or Officers) have the same responsibilities and authority as that of any other law enforcement officers in the State of West Virginia, which includes having the authority to make arrests on property owned, leased, or controlled by Marshall University (Marshall or University). MUPD Officers provide 24-hour-a-day patrol protection to the campuses, adjacent University-owned facilities, and parking lots.

MUPD Officers must satisfactorily complete the sixteen (16) week mandatory basic police training course and be certified as law enforcement officers in the State of West Virginia. All Officers receive training in numerous public safety and law enforcement related subjects and additional in-service and specialized training in firearms, criminal investigation, legal matters, patrol procedures, and other law enforcement issues.

Officers are responsible for a full range of public safety and law enforcement related services, including the investigation of all crime reports, and traffic accidents; responding to medical and fire emergencies; enforcement of state laws and institutional policies; and responding to all other incidents requiring police assistance that occur within our jurisdiction, which includes all University-owned or controlled properties, and/or all properties under the responsibility of the Marshall University Board of Governors (MUBOG). MUPD Officers have the authority to enforce University policies as well as state and Federal laws.

The MUPD maintains a close working relationship with the Huntington Police Department (HPD) and Cabell County Sheriff's Department (CCSD), West Virginia State Police (WVSP). Meetings are held between the leaders of these agencies on both a formal and informal basis. The officers of MUPD and/or HPD and/or CCSD communicate regularly at the scene of incidents that occur in and around the campus area. MUPD prepares and submits a monthly report of incidents through a statewide system of crime reporting. These figures routinely become a part of the Federal Bureau of Investigation's Annual Uniform Crime Report. As a means of better coordinating law enforcement efforts in the immediate area, MUPD shares information on arrests and all serious crimes with the HPD and CCSD. Serial numbers of vehicles, office equipment and other items of value stolen in our jurisdiction are reported through the National Crime Information Center (NCIC).

Investigations

Officer's assigned duties in this unit are responsible for the follow-up investigations of all reports involving criminal incidents and major violations of university policies or procedures.

Members of the unit also interact with other area law enforcement agencies in matters of concern related to the safety and welfare of members of the University community and surrounding area. MUPD and the HPD maintain a written mutual aid agreement, which gives University officers jurisdiction in much of the city area surrounding the University. However, the mutual aid agreement does not apply to the investigation of most criminal cases.

Reporting Crimes or Emergencies

Members of the Marshall University community are encouraged to report all emergencies and criminal incidents occurring on campus to the MUPD immediately by dialing 304-696-4357 (HELP). Marshall University community members are also encouraged to report crimes accurately and promptly to the MUPD, including when the victim of a crime elects to, or is unable to make such a report. In addition, any person in the University community can report general requests for service and public safety concerns directly to the MUPD by dialing 304-696-4357 (HELP) from any University phone. Incidents can also be reported by using one of the emergency/service phones located throughout the campus, which will provide direct contact with the police dispatcher 24 hours a day.

Criminal incidents should be reported to the University Police and the following PRIMARY CSAs:

James Terry, Director of Public Safety/Chief of Police, terry@marshall.edu, 304-696-2486;
Jessica Rhodes, Esq., Title IX Coordinator, titleix@marshall.edu, 304-696-2934;
Lisa Martin, Senior Director of Student Advocacy and Accountability, martil@marshall.edu, 304-696-2495;
Bruce Felder, Chief Human Resources Officer, felder1@marshall.edu, 304-696-398; and
Leah Tolliver, Assistant Dean, Wellness Programs, tolliver@marshall.edu, 304-696-3112

for the purposes of issuing timely warning notices to the community and for disclosure in the annual crime statistics for the Institution.

MUPD does not have a process for allowing victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. If a crime is reported to a campus security authority, such as a resident assistant or the dean of students. The statistics will be provided to the MUPD for inclusion, but not limited to, in the crime statistics. The MUPD encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. MUPD does not have a voluntary confidential reporting process because police reports are public records under state law, thus MUPD cannot hold reports of crime in confidence. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics can be made to any campus security authorities (the primary CSAs are identified in the Reporting and Disclosure Procedures above). However, some of the CSAs are also Responsible Employees under Title IX, and they are obligated to share reported information involving sexual misconduct, domestic/dating violence, and stalking, including information about the identity of the victim and accused, with the Title IX Coordinator. Reports to professional and pastoral counselors can be kept confidential. Pastoral and professional counselors are exempt from reporting crime statistics to MUPD when acting in their capacity as a counselor and information shared with them will not be included in the annual disclosure of crime statistics. MUPD does not have a voluntary confidential reporting procedure and therefore, professional, and pastoral counselors cannot notify their clients of that type of reporting option at Marshall.

Response to Reports of Crime

Dispatchers are available at MUPD 24 hours a day to answer your calls. In response to a call, MUPD will take the required action, either dispatching an Officer or asking the victim to report to MUPD to file an incident report. All MUPD incident reports are forwarded to the Dean of Students' office for review and referral to the Office of Student Advocacy & Accountability for potential action, as appropriate. MUPD Investigators will investigate a report when it is deemed appropriate.

Crimes may also be reported in an emergency by dialing 911. In addition, non-emergency crimes may be reported as follows:

Huntington Campus:
- City of Huntington Police Department -- 304-696-4420
- Cabell County Sheriff's Office – 304-526-8663
- Wayne County Sheriff's Office – 304-272-6378
- West Virginia State Police – 304-272-5131

South Charleston Campus:
- City of South Charleston Police Department – 304-744-6903
- Kanawha County Sheriff's Office – 304-357-0200
- West Virginia State Police – 304-746-2100

Mid-Ohio Valley Campus, Point Pleasant, WV:
- Point Pleasant Police Department – 304-675-1104

Mason County Sheriff's Office – 304-675-3838
West Virginia State Police – 304-675-0850

Additional information obtained through the investigation will also be forwarded to the Office of Student Advocacy & Accountability and/or the Title IX Coordinator. If assistance is required from the HPD, the CCSD, HFD or other law enforcement agency, MUPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including Sexual Assault Education Awareness (SAEA) program staff, will offer the victim a wide variety of services.

Crime Prevention and Security Awareness Programs

The MUPD presents crime prevention and security awareness programs to members of the University Community. Approximately 30 to 40 such programs are presented throughout the academic year. Some of the programs available through the department include: Sexual Assault Prevention, Burglary and Larceny Prevention, Alcohol and Drug Awareness, Operation I.D., Room Surveys, R.A.D. Rape Aggression Defense Classes, On-Line Property Registration/On-Line Silent Witness Program, On-Line Bicycle Registration, On-Line Crime Alert Page, and Office Security.

The MUPD publishes pamphlets on various topics of crime prevention, which are available to all students, faculty and staff members. Topics include: Public Safety Services, General Crime Prevention, Sexual Assault, Office Security and Safety Tips for Parents and Students. Security awareness and crime prevention information on safety and security is periodically provided to the University community through crime alert notices, on-line criminal incident updates, the student newspaper, local media, and University media outlets. The security awareness and crime prevention programs are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

An escort service is provided by MUPD for the safety of anyone walking alone on campus. By calling 304-696-4357 (HELP) from any University phone or using any one of the distinctively marked emergency/service phones, an escort can be summoned to your location and can accompany you to any parking lot, residence hall or to an off-campus dwelling located adjacent to campus. The MUPD urges members of the University community to take advantage of this significant crime prevention service.

Security of, Access to and Maintenance of Campus Facilities

The Facilities and Operations Department maintains the University's academic/administrative buildings and the grounds with a concern for safety and security of the University community. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Personnel inspect campus facilities regularly and promptly make repairs affecting safety and security and respond quickly to reports of potential safety and security hazards, such as damaged doors, broken locks and windows. The Office of Public Safety assists them by reporting potential safety and security hazards. Any other member of the University community may also call Facilities and Operations (304-696-6680) to report any safety or security hazards.

A Security Task Force consisting of representatives from MUPD, Housing and Residence Life, Student Affairs, Student Government and Facilities and Operations meets periodically to review policies and procedures and address campus safety concerns. Students, administration, faculty, and staff representatives also periodically conduct walks of the entire campus to review lighting and other safety-related environmental concerns.

There are sixteen outdoor, two-way voice communications, emergency/service telephones strategically located throughout the campus that are directly connected to the MUPD. Six of these units are blue in color and mounted on buildings. Ten are stand-alone units, green in color with a blue light attached, which activate when used. Code Blue wall-mounted emergency telephones are located throughout the 3rd Avenue and 6th Avenue

parking garages. In addition, help phones are also available in each campus elevator. All units provide the police dispatcher with an exact location of the caller and are activated by pressing a single button.

Except for Residence Halls, most University facilities are open to the public during the day and evening hours when classes are in session. Most facilities have individual hours, and the hours may vary at different times of the year. Access to some of these buildings is also controlled by card access after normal business hours, and all of these buildings have varied levels of access. Residential facilities are accessible only to authorized building residents and their authorized guests.

Most academic and administrative buildings do not have a MUPD officer assigned to them. However, MUPD officers patrol the academic, administrative buildings and campus residential facilities on a regular basis to assess and evaluate security related matters. Housing staff acts as an additional set of eyes and ears regarding security in residential facilities. For information about the access protocol for a specific building, see the building manager, a department head, or contact MUPD at 304-696-4357 (HELP). For information about access and security in the residence halls, see the On-Campus Student Housing section below.

During the time that the University is officially closed, buildings are generally locked and only faculty, staff, and students with proper authorization are admitted.

Emergency Response and Evacuation Procedures

Marshall University maintains an extensive web page describing emergency procedures at www.marshall.edu/emergency.

Emergency Response

The University's Emergency Management Plan includes information about Incident Teams; University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts a minimum of one test per calendar year, which includes drill and emergency response exercises, such as tabletop or 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. Tests may be announced or unannounced. Marshall will publish a summary of its emergency response and evacuation procedures in conjunction with at least one test each calendar year. Documentation maintained for each test includes a description of the exercise, the date, time and whether or not it was announced.

MUPD Officers and MUPD supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually MUPD, HPD, CCSD, WVSP, and the HFD, and Cabell County Emergency Medical Services (CCEMS) Department. These responders typically work together to manage the incident. Depending on the nature of the incident, other University departments and other local or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for Marshall is publicized each year as part of the Institution's Clery Act compliance efforts, and that information is available on the MUPD website. Detailed information and updates to the Emergency Management Plan, Contingency and Continuity Plans are available at www.marshall.edu/emergency.

Notification to the Marshall Community about an Immediate Threat

Various offices on campus could be in a position to confirm an emergency situation or incident that poses a threat to the health and safety of members of the Marshall University community, including the MUPD, Student

Health Services, Office of Environmental Health and Safety, and Office of Radiation Safety for example. Depending upon the nature of the threat, the confirmation process may also include information collected from other University administrators, local first responders and/or the national weather center. If one of these departments confirms that, there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the University community, (MUPD, Office of Environmental Health and Safety, and the Office of University Communications) will collaborate to determine the content of the message. Marshall will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. University Communications, specifically; the Chief Marketing and Communications Officer, Director of University Communications or designee, Senior Director of Digital Marketing are responsible for activating the MU Alert System, Marshall University Homepage and Marshall University Social Media accounts and will use some or all the features described below to communicate the threat to the Marshall University community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. MUPD, Office of Environmental Health and Safety, and the Office of University Communications will, without delay and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to MUPD, HPD, CCSD, WVSP, HFD, and CCEMS) compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the Marshall University community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the Marshall campus community. These methods of communication include the MU Alert Emergency Notification System, which utilizes telephone, text, and e-mail messages. Information about MU Alert is available online at www.marshall.edu/emergency/mualert. In the event these systems are not available during an emergency, face-to-face communication will be used in the event of a system failure. Responsibility for developing the notification and activating the system is done through the Office of University Communications.

To sign up for MU Alert and/or update your information, please go to myMU and log in. After logging in, click the "MU Alert" triangle icon under the "Quick Links" heading in the upper left of the screen. Enter and/or update your contact information. Click "Save" to finish. More information can be found at www.marshall.edu/emergency/mualert/.

The University will post updates and follow up messages, during a critical incident on the University homepage at the "Emergency Info" link in the footer. Members of the larger community who are interested in receiving information about emergencies on campus should use the previously described link for obtaining updates in the event of an emergency on campus.

Marshall community members are encouraged to notify MUPD, by calling 304-696-4357 (HELP) of any situation or incidents on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. MUPD has the responsibility of responding to, and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, MUPD has a responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the community. If so, Federal Law requires that the Institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY					
MU Alert	Chief Marketing and Communications Officer	Director of Communications or designee	Chief Marketing and Communications Officer	Chief Marketing and Communications Officer	Director of Communications or designee
MU Homepage	Director of Communications or designee	Senior Director of Digital Marketing	Chief Marketing and Communications Officer	Director of Communications or designee	Senior Director of Digital Marketing
SECONDARY					
Social Media	Social Media Manager	Director of Communications or designee	Chief Marketing and Communications Officer	Social Media Manager	Director of Communications or designee

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Evacuation Procedures

An evacuation drill is coordinated by the Marshall Office of Environmental Health and Safety each semester for all residential facilities on campus. At the start of each semester students, receive training on emergency evacuation procedures which includes locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Marshall does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, MUPD and Housing and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave the area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify MUPD 304-696-HELP (4357) or dial 911.

Evacuation of specific buildings or all buildings may be necessary in a major emergency. Specific responses to emergency situations are located at: http://www.marshall.edu/emergency/emergency-management/

- Everyone must leave the building immediately when the fire alarm is activated, or if directed to do so by MUPD officers or other university officials.
- To exit the building, use the nearest safe exit or exit stairwell. Never use elevators in an emergency evacuation.
- If the nearest exit or exit stairwell is obstructed by smoke, fire, or other hazards, proceed to another one.

- During stairwell evacuation, hold the handrail, and stay to the right side of the stairwell. Allow enough room for others to enter the flow of traffic.
- Once outside the building, assemble at least 150 feet from the facility, and stand by for instructions from emergency personnel. Do not re-enter the building until given the "all clear" by emergency personnel.
- Take time to identify alternate paths to exit the building, noting the location of all stairwells.

Shelter-in-Place Procedures –What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, MUPD Housing Residence Life Staff members, other University employees, local police departments, or other authorities utilizing the University's emergency communications tools.

How to "Shelter–in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
   - An interior room;
   - Above ground level; and
   - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to MUPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Marshall, evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

Evacuation drills are monitored by the University Office of Environmental Health and Safety to evaluate egress and behavioral patterns. Reports are prepared by participating departments that identify deficient equipment

so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during their first-floor meetings and during other educational sessions that they can participate in throughout the year. The Housing and Residence Life staff members are trained in these procedures as well and act as an on-going resource for the students living in residential facilities.

Timely Warnings

Marshall University will make a timely warning to the campus community of crimes considered to be a threat to students and employees that are reported to campus security authorities or to local police agencies. See https://www.marshall.edu/emergency/emergency-management/

In an effort to provide timely notice to the Marshall community, and in the event of a serious crime or situation which may pose a serious or on-going threat to members of the Marshall community, that occurs on or within the MU Clery Geography (On Campus, Public Property or Non-campus), a Timely Warning Notice is sent through the MU Alert System to all students and employees on campus. Typically, the Institution will use the email system, texting and phone notification features to distribute a timely warning notice. The notices are generally written by the Senior Vice President for Communications and Marketing or a designee, and they are approved and distributed to the community by University Communications. Updates to the Marshall community about any particular case resulting in a Timely Warning Notice may be distributed via blast email or may be shared with *THE PARTHENON* for a follow-up story.

Timely Warning Notices are usually distributed for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/non negligent manslaughter, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by MUPD. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other MU community members and a Timely Warning Notice would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the MU Police Department. Cases involving property crimes will be assessed on a case-by-case basis and alerts will typically be sent if there is a discernible pattern of crime. The Marshall University Director of Public Safety or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Timely Warning Notice is warranted. Timely Warning Notices may also be posted for other crime classifications, as deemed necessary. Timely Warning Notices will be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Responsibility for developing the notification and activating the system is done through Marshall University's Office of University Communications.

Representatives from *THE PARTHENON* are invited to meet with the MUPD Director of Public Safety or a designee on a weekly basis to discuss crime on campus, and they decide what information they want to report to the University community.

The University is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

Daily Crime and Fire Log

A daily crime and fire log is available for review at the MUPD at 1801 5th Avenue from 8:00 a.m. – 4:30 p.m. Monday through Friday, excluding holidays. The information in the crime log typically includes the case

number, classification, date reported, date occurred, time occurred, general location, and disposition of each crime. The information about fires in on campus residential facilities includes the nature of the fire, date, time and location.

Sex Offender Registry

The State of West Virginia requires sex offenders to register with the State Police. The State makes this information available to law enforcement agencies. This information is available to the public at the following website:
https://apps.wv.gov/StatePolice/SexOffender/Disclaimer?continueToUrl=http%3A%2F%2Fapps.wv.gov%2FStatePolice%2FSexOffender%2F

Health Science Campus Student Housing

The Landing at Marshall University (Fairfield Landing)

Located on the Marshall University Health Sciences Campus: This facility offers apartment-style living to current graduate students with a focus on students in Pharmacy, School of Medicine, Forensic Science, and Physical Therapy programs. The Landing also offers housing for Faculty and Staff and serious students 21+ years of age.

The Landing is managed by the Property Manager, and the front desk is monitored 24 hours a day by an Administrative Assistant and Desk Assistants.

At Fairfield Landing all main entrances are locked 24 hours a day, seven days a week and can only be accessed by swiping the residents' ID.

Students are encouraged to always lock doors and windows. Screens are provided for when windows are open. Room doors have conventional locks.

Main Campus Student Housing

There are nine residence halls on the main campus. The main desk/lobby area of select halls is monitored 24 hours a day by a part time Resident Advisors or Desk Assistants. Each hall is administered by an Area Coordinator with the assistance of an Assistant Area Coordinator and Resident Advisors on each floor.

Marshall University Police Department and the Housing and Residence Life are jointly responsible for the development of procedures and programs to promote the greatest possible safety and security of the Residence Halls.

To support the goals and objectives of residence life, and to promote a safe and secure atmosphere in which to live, the University employs Desk Assistant staff who are assigned exclusively to the nine Residence Halls.

Within each residence hall all doors except the main entrance and specific entrances to accommodate disabled students are kept locked and armed with alarms that alert the desk staff of any exit, attempted entry, or unlocked or open doors. All main entrances are locked 24 hours a day, seven days a week and can only be accessed by the residents' ID.

Marshall University's visitation and guest policies are intended to provide security and protect the privacy of students living in the residence halls. Guests are required to be signed in at the front desk and to be escorted within the building by their host. Residents must obtain their roommate's agreement before allowing a guest to stay overnight. Guests may not stay in the building if their host/hostess leaves the building, room, or floor.

Students are encouraged to always lock doors and windows. Screens are provided for all windows with ground floor access, and all windows are equipped with locking devices. Room doors have conventional locks.

Educational programs emphasizing security and what residents can do to help protect themselves are provided by Housing and Residence Life, Marshall University Police Department, and other campus services, as appropriate to meet the needs of the residents and the goals of this policy.

We make every effort to ensure that all residence halls are free from uninvited visitors, but it is imperative that residents themselves take an active role in making sure that strangers are reported and that doors are not propped open. Crime reduction in large part is due to the willingness of the residents to accept responsibility for safeguarding themselves and their Residence Halls:

- Residence Hall Staff are encouraged to challenge, and residents are encouraged to report the presence of strangers or uninvited guests in the Residence Halls.
- In compliance with University policy, all guests must be properly signed in and escorted by a resident at all times.
- Residents are held accountable for their guest's actions.

Missing Persons Notification Policy

Every student who resides in any on-campus residence hall shall have the option annually to identify an individual to be contacted in case the student is determined to be missing. Only authorized campus officials will have access to this information. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information will be accessible only to authorized campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation.

Students are advised that in the event a student under 18 years of age and not emancipated, MUPD must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, MUPD will notify the local law enforcement agency within 24 hours of determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Procedure for Informing Students, Missing Persons Contact and Notifying Local Law Enforcement

At time of check-in, a student will be asked to confirm the information they provided on who to contact should they be deemed missing. If the student is under 18 years of age and is not an emancipated individual (by court order, no longer under the control or responsibility of parents) Marshall University or law enforcement officials are required to notify a custodial parent or guardian within 24 hours after the minor student is determined missing, and any other designated contact person within 24 hours. Should the MUPD investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by the MUPD. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, MUPD will inform the appropriate local law enforcement agency that the student is missing within 24 hours.

Procedure for Reporting Someone as Missing

Any person can report any student as missing. All missing student concerns should be reported to the Marshall University Police Department (MUPD) by calling (304) 696-4357 (HELP) Missing students reported to any student, staff, or faculty member should be reported immediately to the Marshall University Police Department. The following offices shall be informed of the missing student prior to or during the investigation:

- Director of Housing and Residence Life

- Marshall University Police Department
- Vice President of Student Affairs
- Vice President of Operations

Procedure for Investigating Someone as Missing

Once a student has been reported as missing, the information provided by the missing student will be used to contact the individual requested and an investigation shall take place that can include but not be limited to the following:

- Housing staff with or without MUPD present can enter the room or apartment to determine if student is present in the living space.
- Campus ID can provide information on when the student ID was last used for use in the dining facilities or to enter a residence hall or The Landing.
- Faculty can be contacted to inquire about student class attendance.
- The Guest Equipment and Management System (GEMS) can be accessed to provide information on students checking in or out of the residence halls as a guest.

The Missing Person Procedure can be found at https://www.marshall.edu/policies/files/2023/12/Student-2-Missing-Person-2018-06.pdf

Sexual Assault and Title IX

Marshall University does not discriminate based on sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking as defined by the Clery Act. As a result, Marshall University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a university official. In this context, Marshall University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Marshall University's policies and procedures governing sexual misconduct, visit:
https://www.marshall.edu/policies/files/2025/05/MUBOG-GA-3-Discrimination-Harassment-Sexual-Harassment-Sexual-Domestic-Misconduct-Stalking-and-Retaliation-Policy.pdf [1]
https://www.marshall.edu/policies/files/2024/08/STUDENT-03-Student-Disciplinary-Procedures-24-25.pdf
https://www.marshall.edu/policies/files/2023/12/Employee-Sexual-Misconduct-Procedures-HRS-1.pdf [2]

A. Definitions

There are numerous terms used by Marshall University in our policy and procedures.

Lack of Consent[3] is defined in West Virginia Code § 61-8B-2 (2013) as follows:
(a) Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without the consent of the victim.
(b) Lack of consent results from:
(1) Forcible compulsion;

[1] Previously Board of Governors Policy MUBOG-GA-01
[2] Previously Administrative Procedure Pers-01
[3] The State of West Virginia does not define "consent".

(2) Incapacity to consent; or
(3) If the offense charged is sexual abuse, any circumstances in addition to the forcible compulsion or incapacity to consent in which the victim does not expressly or impliedly acquiesce in the actor's conduct.
(c) A person is deemed incapable of consent when such person is:
(1) Less than sixteen years old;
(2) Mentally defective;
(3) Mentally incapacitated;
(4) Physically helpless; or
(5) Subject to confinement or supervision by a state or local government entity, when the actor is a person prohibited from having sexual intercourse or causing sexual intrusion or sexual contact pursuant to subsections (a) and (b) of section ten of this article.

Pursuant to Marshall University Board of Governors Policy No. GA-3, Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation – Including Title IX, section 2.8 "Consent" or "Effective Consent" means a clear, voluntary, and mutual agreement to engage in sexual activity, communicated through words or actions that both individuals understand. Silence or lack of resistance do not constitute consent. The person initiating the activity is responsible for ensuring that consent is present. If there is any confusion or uncertainty, they must stop and clearly ask before continuing. Consent can be withdrawn at any time, and once it is withdrawn, all sexual activity must stop immediately. Agreeing to one act does not imply consent to other acts, and past consent does not imply future consent. Consent cannot be given by someone who is asleep, unconscious, or too impaired by drugs or alcohol to understand the situation. Being intoxicated is never an excuse for failing to obtain consent. Consent must be given freely, without pressure, threats, deception, or force, and the individual giving consent must be of legal age. Ultimately, consent should always be understood in context,

"Consent" means the following Marshall University's definition of consent:

Consent is knowing, voluntary, and clear permission to engage in sexual activity given by word or action. Reasonable reciprocation can be implied consent; however, silence, passivity or lack of active resistance alone, without words or actions demonstrating permission, cannot be assumed to show consent. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, that is, the person who wants to engage in the specific sexual activity, to make sure that they have consent from their partner(s). Relying solely upon non-verbal communication can lead to miscommunication. It is important not to make assumptions. If confusion or ambiguity on the issue of consent arises at any time during the sexual interaction, it is important that the initiator stops and verbally clarifies the other individual's willingness to continue.

Consent to some sexual acts does not imply consent to others.

Past consent to a given act does not imply ongoing or future consent. A current or previous intimate relationship is not sufficient to constitute consent. Once given, consent can be withdrawn at any time through understandable words or actions that clearly convey that a party is no longer willing to engage in sexual activity. If and/or once consent is withdrawn, that sexual activity must cease immediately. Consent can expire as it lasts for a reasonable time, depending on the circumstances.

Consent cannot be obtained from someone who is asleep, unconscious, physically helpless, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. Incapacitation means being in a state where a person lacks the capacity to appreciate the nature of giving consent to participate in sexual activity. One may not engage in sexual activity with another whom one knows, or should reasonably have known, is incapacitated as a result of alcohol or other drugs. The use of alcohol or other drugs can have unintended consequences. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol or drugs on another's ability to give consent.

Being intoxicated or high does not diminish one's responsibility to obtain consent and is never an excuse for sexual misconduct

Consent cannot be obtained by deception, fraud, threat, coercion, or force. Agreement given under such conditions does not constitute consent.

To give consent, one must be of legal age.

Consent within relationships must be considered in context. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar patterns that may be evidenced.

Consent cannot be implied or inferred by attire or from purchases made, such as buying dinner or spending money on a date.

Any individual who engages in sexual activity when the individual knows or should know that the other person has not given consent is in violation of this policy. It is not an excuse that the Respondent was intoxicated and did not realize the Complainant did not give consent.

This definition is used to determine if the Marshall University Board of Governors Rule GA-3 has been violated. See generally, https://www.marshall.edu/policies/files/2025/05/MUBOG-GA-3-Discrimination-Harassment-Sexual-Harassment-Sexual-Domestic-Misconduct-Stalking-and-Retaliation-Policy.pdf [4]

Sexual Assault: "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Sex Offenses, Forcible:

Any sexual act directed against another person, without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent.

Federal regulations more specifically define a "sexual act" to include one or more of the following:

Forcible Rape: Penetration no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the Complainant

Forcible Sodomy: Oral or anal sexual intercourse with another person forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person (buttocks, genitals, breasts), for the purpose of sexual gratification, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

[4] Previously Board of Governors Policy MUBOG-GA-01

Sex Offenses, Non-forcible:

Incest: Non-forcible sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by West Virginia law.

Statutory Rape: Non-forcible sexual intercourse, with a person who is under the statutory age of consent.

Sexual Offenses are defined in West Virginia Code § 61-8B-1, *et. seq*. as follows:

Sexual Assault

A person is guilty of sexual assault in the first degree when: (1) The person engages in sexual intercourse or sexual intrusion with another person and, in so doing: (i) Inflicts serious bodily injury upon anyone; or (ii) Employs a deadly weapon in the commission of the act; or (2) The person, being fourteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is younger than twelve years old and is not married to that person.

WV Code 61-8B-3 Sexual assault in the first degree. (West Virginia Code (2013 Edition))

A person is guilty of sexual assault in the second degree when: (1) Such person engages in sexual intercourse or sexual intrusion with another person without the person's consent, and the lack of consent results from forcible compulsion; or (2) Such person engages in sexual intercourse or sexual intrusion with another person who is physically helpless.

WV Code 61-8B-4 Sexual assault in the second degree. (West Virginia Code (2013 Edition))

A person is guilty of sexual assault in the third degree when: (1) The person engages in sexual intercourse or sexual intrusion with another person who is mentally defective or mentally incapacitated; or (2) The person, being sixteen years old or more, engages in sexual intercourse or sexual intrusion with another person who is less than sixteen years old and who is at least four years younger than the defendant and is not married to the defendant.

WV Code 61-8B-5 Sexual assault in the third degree. (West Virginia Code (2013 Edition))

Sexual Abuse

A person is guilty of sexual abuse in the first degree when: (1) Such person subjects another person to sexual contact without their consent, and the lack of consent results from forcible compulsion; or (2) Such person subjects another person to sexual contact who is physically helpless; or (3) Such person, being fourteen years old or more, subjects another person to sexual contact who is younger than twelve years old.

WV Code 61-8B-7 Sexual abuse in the first degree. (West Virginia Code (2013 Edition))

A person is guilty of sexual abuse in the second degree when such person subjects another person to sexual contact who is mentally defective or mentally incapacitated.
WV Code 61-8B-8 Sexual abuse in the second degree. (West Virginia Code (2013 Edition))

A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent, when such a lack of consent is due to the victim's incapacity to consent by reason of being less than sixteen years old.

WV Code 61-8B-9 Sexual abuse in the third degree. (West Virginia Code (2013 Edition))

Domestic Violence: The term ‘‘domestic violence’’ means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the alleged victim, by a person with whom the alleged victim shares a child in common, by a person who is cohabitating with or who has cohabitated with the alleged victim as a spouse, by a person similarly situated to a spouse of the alleged victim under the domestic or family laws of the State of West Virginia, by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the State of West Virginia. The term spouse or intimate partner of the victim includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of complying with the requirements of this section and 34 CFR §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic Violence is defined in West Virginia Code §48-27-202 (2013) as follows:

"Domestic violence" or "abuse" means the occurrence of one or more of the following acts between family or household members, as that term is defined in section two hundred four of this article:
(1) Attempting to cause or intentionally, knowingly or recklessly causing physical harm to another with or without dangerous or deadly weapons;
(2) Placing another in reasonable apprehension of physical harm;
(3) Creating fear of physical harm by harassment, stalking, and psychological abuse or threatening acts;
(4) Committing either sexual assault or sexual abuse as those terms are defined in articles eight-b and eight-d, chapter sixty-one of this code; and
(5) Holding, confining, detaining, or abducting another person against that person's will.

Dating Violence:

Dating violence: Violence or threat of violence, committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

For the purposes of this definition: The existence of such a relationship shall be determined based on the complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Violence means physical violence.
Dating violence does not include acts covered under the definition of domestic violence.

Dating violence, for purposes of this Policy, does not include emotional abuse.
For the purposes of complying with the requirements of this section and 34 CFR §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

There is not a separate statute in West Virginia for “dating violence”. Any crimes committed as part of a dating relationship would be prosecuted under the general criminal code based upon the specific allegations presented.

Stalking:

Engaging in a course of conduct, on the basis of sex, directed at a specific person, that would cause a reasonable person to fear for their own safety, or the safety of others, or suffer substantial emotional distress.
For the purposes of this definition: Course of conduct means two or more acts, including, but not limited to, acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section and 34 CFR §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

West Virginia Code §61-2-9A (2020) Harassment is the statute used in West Virginia to prosecute stalking. It states:

(a) Any person who engages in a course of conduct directed at another person with the intent to cause the other person to fear for his or her personal safety, the safety of others, or suffer substantial emotional distress, or causes a third person to so act.

(b) Any person who harasses or repeatedly makes credible threats against another.

(c) For the purposes of this section:

(1) "Bodily injury" means substantial physical pain, illness, or any impairment of physical condition;

(2) "Course of conduct" means a pattern of conduct composed of two or more acts in which a defendant directly, indirectly, or through a third party by any action, method, device, or means:

(A) Follows, monitors, observes, surveils, or threatens a specific person or persons;

(B) Engages in other nonconsensual contact and/or communications, including contact through electronic communication, with a specific person or persons; or

(C) Interferes with or damages a person's property or pet;

(3) "Credible threat" means a threat of bodily injury made with the apparent ability to carry out the threat and with the result that a reasonable person would believe that the threat could be carried out;

(4) "Harasses" means a willful course of conduct directed at a specific person or persons which would cause a reasonable person mental injury or emotional distress and which serves no legitimate or lawful purpose;

(5) "Immediate family" means a spouse, parent, stepparent, mother-in-law, father-in-law, child, stepchild, sibling, or any person who regularly resides in the household or within the prior six months regularly resided in the household; and

(6) "Repeatedly" means on two or more occasions.

B. Education and Prevention Programs

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

a. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
b. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees as well as ongoing awareness and prevention campaigns for students and employees that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

b. Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
c. Defines the State of West Virginia W. Va. Code §61-8B-2 Lack of Consent as follows for the determination of sexual offenses:
   §61-8B-2. Lack of consent.
   (a) Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without the consent of the victim.
   (b) Lack of consent results from:
   (1) Forcible compulsion;
   (2) Incapacity to consent; or
   (3) If the offense charged is sexual abuse, any circumstances in addition to the forcible compulsion or incapacity to consent in which the victim does not expressly or impliedly acquiesce in the actor's conduct.
   (c) A person is deemed incapable of consent when such person is:
   (1) Less than sixteen years old;
   (2) Mentally defective;
   (3) Mentally incapacitated;
   (4) Physically helpless; or
   (5) Subject to confinement or supervision by a state or local government entity, when the actor is a person prohibited from having sexual intercourse or causing sexual intrusion or sexual contact pursuant to §61-8B-10 of [WV Code].
d. Defines pursuant to Marshall University Board of Governors Rule No. GA-3, Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation - Including Title IX, section 2.8 Consent/Effective consent as follows:

"Consent" means the following Marshall University's definition of consent:

Consent is knowing, voluntary, and clear permission to engage in sexual activity given by word or action. Reasonable reciprocation can be implied consent; however, silence, passivity or lack of active resistance alone, without words or actions demonstrating permission, cannot be assumed to show consent. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, that is, the person who wants to engage in the specific sexual activity, to make sure that they have consent from their partner(s). Relying solely upon non-verbal communication can lead to miscommunication. It is important not to make assumptions. If confusion or ambiguity on the issue of consent arises at any time during the sexual interaction, it is important that the initiator stops and verbally clarifies the other individual's willingness to continue.

Consent to some sexual acts does not imply consent to others.

Past consent to a given act does not imply ongoing or future consent. A current or previous intimate relationship is not sufficient to constitute consent. Once given, consent can be withdrawn at any time through understandable words or actions that clearly convey that a party is no longer willing to engage in sexual activity. If and/or once consent is withdrawn, that sexual activity must cease immediately. Consent can expire as it lasts for a reasonable time, depending on the circumstances.

Consent cannot be obtained from someone who is asleep, unconscious, physically helpless, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. Incapacitation means being in a state where a person lacks the capacity to appreciate the nature of giving consent to participate in sexual activity. One may not engage in sexual activity with another whom one knows, or should reasonably have known, is incapacitated as a result of alcohol or other drugs. The use of alcohol or other drugs can have unintended consequences. Alcohol or other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and effectively given. The

perspective of a reasonable person will be the basis for determining whether one should have known about the impact of the use of alcohol or drugs on another's ability to give consent. Being intoxicated or high does not diminish one's responsibility to obtain consent and is never an excuse for sexual misconduct.

Consent cannot be obtained by deception, fraud, threat, coercion, or force. Agreement given under such conditions does not constitute consent.
To give consent, one must be of legal age.
Consent within relationships must be considered in context. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar patterns that may be evidenced.
Consent cannot be implied or inferred by attire or from purchases made, such as buying dinner or spending money on a date.
Any individual who engages in sexual activity when the individual knows or should know that the other person has not given consent is in violation of this policy. It is not an excuse that the Respondent was intoxicated and did not realize the Complainant did not give consent.

States that the definition of Consent, as set forth above is used, in part, to determine whether Sexual Misconduct or Sexual Assault have occurred pursuant to the Marshall University Board of Governors Rule No. GA-3.

Defines pursuant to Marshall University Board of Governors Rule No. GA-3, Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation- Including Title IX, section 3.3.4 Dating Violence as follows:

Dating violence:

Violence or threat of violence, committed by a person, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

For the purposes of this definition: The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Violence means physical violence.

Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence:

Conduct that would meet the definition of a felony or misdemeanor crime committed by a person who, is a current or former spouse or intimate partner of the Complainant, or a person similarly situated to a spouse of the Complainant under the family or domestic violence laws of West Virginia; is cohabitating, or has cohabitated, with the complainant as a spouse or intimate partner; shares a child in common with the Complainant, or commits acts against a youth or adult Complainant who is protected from those acts under the family or domestic violence laws of West Virginia.

For purposes of this definition: Domestic violence does not include acts covered under the definition of dating violence.

Stalking: Engaging in a course of conduct, on the basis of sex, directed at a specific person, that would cause a reasonable person to fear for their own safety, or the safety of others, or suffer substantial emotional distress.

For the purposes of this definition: Course of conduct means two or more acts, including, but not limited to, acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

These definitions are used to determine if the Marshall University Board of Governors Rule GA-3 has been violated. See generally, https://www.marshall.edu/policies/files/2025/05/MUBOG-GA-3-Discrimination-Harassment-Sexual-Harassment-Sexual-Domestic-Misconduct-Stalking-and-Retaliation-Policy.pdf [5]

C. Safe and Positive Options for Bystander Intervention and Risk Reductions:

Description of safe and positive options for bystander intervention: Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Marshall University's educational programming includes information on safe and positive options for bystander intervention and risk reduction. Bystanders play a critical role in the preventing harm from crimes like domestic violence, dating violence, sexual assault, or stalking. By recognizing precursors that may lead to dangerous situations, like seeing a drunk person being aggressively pursued at a party or seeing someone engaging in risk-taking behaviors, a bystander can take safe and positive steps to intervene and reduce the risk of harm. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.

Risk reduction strategies addressed in our educational programs include:

- Dynamics of abuse and precursors to relationship and sexual violence
- Data on prevalence of intimate partner violence, sexual misconduct, and stalking for our campus community, who the victims are, common locations, perpetrator tactics, and timing of incident during the academic year
- Signs that indicate incapacitation and dynamics in the college environment, including party culture, that foster relationship and sexual violence
- Things to notice in a relationship or in a party environment that might be an indication of potential perpetration of violence
- The role of alcohol and other drugs in facilitating and justifying aggression and abusive conduct
- Skills for recognizing high-risk situations and how to look out for each other when going out:
    - Make a plan with friends and make sure everyone has each other's cell number.
    - Commit to not ditching someone if they have had too much to drink and/or become difficult or problematic
    - Go out with people you can trust and stay with the same group to make sure everyone gets home safely
    - Pay attention to people who hit on the drunkest person or try to get a drunk person alone or away from their friends

Bystander Intervention Strategies

It is important to determine as a bystander whether there is a safe and reasonable way to intervene, and to act in a way to assist a person whether it is before, during, or after an incident takes place.

[5] Previously Board of Governors Policy MUBOG-GA-01

First things first – be safe. Take action only if you feel that it is safe to do so. Determine what actions you feel comfortable taking based on the situation. Choose the best method to intervene based on the circumstances, including your own personal safety:

- **Direct**: Intervene directly. By intervening in the moment, bystanders may give the concerned person a chance to get to a safe place or leave a situation
- **Distract**: Distract either party
- **Delegate**: Bring in someone else to help

Safe and Positive Bystander Actions
Do's

- Take steps to stop a friend who chooses to use violence.
- Take the initiative to help friends who aren't thinking clearly avoid becoming targets of violence
- Prevent an intoxicated person from going to a private location with a friend or acquaintance.
- Recognize if a friend is in a relationship that involves fear or physical pain and voice your concerns where appropriate and assist them in getting help.
- Avoid situations where intoxicated people may be unable to consent.
- Talk to your friends about safety precautions and what to do if one is at risk.
- Contact the Vice President of Human Resources, the Deans, Security, or another person of authority who can assist. Please see below for contact information.

Don'ts

- Don't leave a friend or acquaintance alone at a party or bar.
- Don't escalate the situation.
- Don't remain silent or stand by if there is something you can safely do to intervene.
- Don't assume someone else has taken action to intervene.

There is no legal obligation for a bystander to intervene; however, if you observe an incident of concern and do not feel comfortable taking action, please consider contacting one of the people listed below.

Contacts

Bystanders are encouraged to contact the **Title IX Coordinator** (Jessica Rhodes, Esq. titleix@marshall.edu, 304-696-2934) or a designated Responsible Employee.

For mental or physical health-related issues, the **Marshall Counseling Services** can be reached at 304 696-3111 and the **Marshall Student Health Services** can be reached at 304 691-1100.

For Advocacy and support, **Violence Prevention and Response Program (**304 696-5701) or **Women's Center**, (304 696-3338)

If someone is in immediate danger, please immediately notify **MUPD** at 304 696-HELP (4357) or call **911** from off campus.

D. Primary and On-Going Prevention and Awareness Programs and Campaigns

Marshall University engages in comprehensive educational programming to prevent and bring awareness about sexual assault, domestic violence, dating violence, and stalking.

Programming Content Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students, faculty, and staff that:

a. Identifies sexual assault, domestic violence, dating violence, and stalking as prohibited conduct by Marshall University policies and state criminal law;
b. Defines what behavior constitutes sexual assault, domestic violence, dating violence, and stalking pursuant to Marshall University policies and state criminal law;
c. Defines what behavior and actions constitute consent to sexual activity pursuant to Marshall University policies and state criminal law;
d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than the bystander;
e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and,
f. Provides an overview of the information that follows below in this policy statement.

A. Description of Programs and Campaigns

a. New Student Welcome and New Hire Programming

Marshall University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, participating in and presenting information and materials during new employee orientation, participating in the faculty orientation program, and presenting educational programs throughout the year.

1. Specifically, Marshall University requires all new undergraduate students to participate in a required program:
   i. Speak Up Step In - Bystander Intervention Skills which is an in-person (or virtual), skill building program to train students in bystander intervention.
2. Marshall University also requires faculty, staff, and student employees to complete discrimination and harassment training according to the following schedule:
   i. Staff and student employees: within first 30 days of employment;
   ii. Faculty: within their first semester of employment; and
   iii. Everyone: after initial training, again at least once every three years.

b. Ongoing Programs and Campaigns

All employees, including student employees, must complete discrimination and harassment training at least once every three years. Some departments require more frequent completion of this training requirement. The Title IX Office also offers specialized departmental training for faculty, supervisors, and other employee groups throughout the year upon request.

The Violence Prevention and Response Program (VPRP), offers presentations on all its topic areas and how to support people who may be impacted by traumatic/disruptive life events. VPRP topic areas include, but are not limited to physical assault, hazing, experiences of bias, grief and loss, discrimination, harassment, sexual harassment, intimate partner abuse, sexual assault, and stalking.

Upon request, VPRP will provide tailored presentations and/or training on various subjects, including:

1. What the VPRP offers - This session should be done in combination with one of the options below:

2. Supporting survivors: how to help a friend (responding to a disclosure of trauma, for example sexual assault or intimate partner abuse).
3. How you respond to the matter. Friends, peers, mentors are often the first to be confided in.
    i. Learn about the positive impacts of trauma-informed support and how it can help a survivor heal. Learn skills on how to positively respond to someone after a traumatic or life-disrupting event.
    ii. o How to connect people to Counseling Center so they can get confidential support and VPRP to learn about all their rights and options
4. Speak Up Step In - Effective Bystander Intervention
5. Bystander intervention skills are included within the courses for all students, staff, and faculty.
6. Skill-building educational workshops to enhance bystander intervention efficacy. We explore factors that promote or prevent helping and practice skills for intervening effectively in real-world situations. This is a foundational skills-based training for helping people to notice and gain insight into potentially problematic situations and to increase their ability to interrupt, reduce, or prevent harmful or potentially harmful outcomes.
7. Educational campaigns (print and video) on bystander intervention skills and what constitutes sexual assault.
8. Undergraduate students – VPRP trains all incoming students at the start of the semester. Review sessions are offered for all students and student groups and organizations.
9. Graduate students – offered at Marshall University fall/spring on-line training through EVERFI, as well as face to face workshops and programs for departments, TA/RA skills for inside the classroom, among peers, and interactions with faculty.
10. Faculty and staff – departmental sessions for addressing concerns in the work environment, among peers, and during interactions with students. Also offered as part of the Manager's Academy.

The University provides ongoing prevention and awareness programs, education, and events for students throughout the year, including Rape Aggression Defense Training, Green Dot Bystander Intervention Training, Bringing in the Bystander Training, RAINN Day event, Red Flag Campaign, Take Back the Night, Walk a Mile in Her Shoes, and It's On Us Campaign. In order to make reporting and resource information widely available, the University also distributes printed materials that provide a list of on and off-campus resources for confidential reporting options and advocacy services available to students and employees.

Marshall also provides group-specific education to various populations on campus, including student athletes, members of Fraternity & Sorority Life, and student organizations. All student athletes are required to complete *Sexual Assault Prevention for Student Athletes* annually and are provided with additional bystander intervention trainings. Greek organizations are required to complete risk reduction and awareness education each year. Additional education is provided to students residing on campus. At the beginning of each semester, University Housing & Residence Life staff hold special floor meetings in the residence halls to discuss safe behaviors and residence hall security. Ongoing programs that focus on violence prevention and bystander intervention are offered periodically throughout the fall and spring semesters in the residence halls.

Faculty and staff are provided online education regarding sexual assault prevention and information on employees' Title IX reporting options and duties. In addition, all new UNI 100 facilitators and peer mentors are required to attend in-person bystander intervention training. Housing & Residence Life staff receive training regarding violence prevention, response, and reporting. Employees who train as a Title IX investigator, Title IX advisor, or Title IX Review Panel member receive training annually.

More information on **Violence Prevention and Response programs** and presentations can be found on their website https://www.marshall.edu/violence-prevention/ or contact Leah Tolliver at 304 696-3112, tolliver@marshall.edu.

Title IX Office is committed to preventing and eliminating discrimination and harassment based on race, color, national origin, ancestry, age, physical or mental disability, marital or family status, pregnancy, veteran status,

service in the uniformed services (as defined in state and federal law), religion, creed, sex, sexual orientation, genetic information, gender identity, or gender expression at the Marshall University. More information regarding programs and presentation or filing a report can be found on their website at https://www.marshall.edu/titleix/

TITLE IX TRAINING ACTIVITY REPORT FOR STUDENTS
JANUARY – DECEMBER 2025

The University offered the following **primary prevention and awareness programs for all incoming students** in 2025:

Name of Program	Date Held	Location Held	Type of Training
Title IX Training for Greek Life Students During Spring 2025 Fraternity Sorority Life (FSL) Risk Management Summit	January 25, 2025	Brad D. Smith School of Business (SBUS)	DoV, DaV, SA, S, SM, SH, Dis, In
Wellman Hall February Event for Residents Hosted by RAs	February 5, 2025	Wellman Hall	DoV, DaV, SA, S, SM, SH, Dis, In
Cards, Consent, and Consideration	February 10, 2025	Gibson Hall	DoV, DaV, SA, S, SM, SH, Dis, In
First Makeup Title IX Training Session for Greek Life Students Who Missed the 01/25/25 Training Date	February 12, 2025	Drinko Library	DoV, DaV, SA, S, SM, SH, Dis, In
How to Handle Heartbreak	February 17, 2025	Shawkey Dining Room in the Memorial Student Center (MSC)	DoV, DaV, SA, S, SM, SH, Dis, In
Second Makeup Title IX Training Session for Greek Life Students Who Missed the 01/25/25 Training Date	February 20, 2025	Drinko Library	DoV, DaV, SA, S, SM, SH, Dis, In
Third Makeup Title IX Training Session for Greek Life Students Who Missed the 01/25/25 Training Date	February 25, 2025	Drinko Library	DoV, DaV, SA, S, SM, SH, Dis, In
Fourth Makeup Title IX Training Session for Greek Life Students Who Missed the 01/25/25 Training Date	March 5, 2025	Drinko Library	DoV, DaV, SA, S, SM, SH, Dis, In
Sigma Phi Epsilon Executive Board Title IX Training	March 7, 2025	Virtual (Microsoft TEAMS)	DoV, DaV, SA, S, SM, SH, Dis, In
Be Bold: Cultivating Confidence and Reclaiming Assertiveness	March 31, 2025	Don Morris Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Alpha Chi Sigma Fraternity TIX Training	April 3, 2025	Science Building	DoV, DaV, SA, S, SM, SH, Dis, In
TIXO SAAM Event: R.A.D. Systems Workshop	April 9, 2025	John Marshall Dining Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Women's Soccer Beginning of the Year Meeting and Title IX Training	July 28, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Men's Basketball Beginning of the Year Meeting and Title IX	July 30, 2025	Buck Auditorium in the Chris Cline	DoV, DaV, SA, S, SM, SH, Dis, In

Training		Athletic Complex	
Title IX Training for Incoming 1st Year Medical School Students	July 31, 2025	Byrd Clinical Center	DoV, DaV, SA, S, SM, SH, Dis, In
Football Beginning of the Year Meeting and Title IX Training	August 1, 2025	Shewey Administration Building (Football Team Room)	DoV, DaV, SA, S, SM, SH, Dis, In
Volleyball Beginning of the Year Meeting and Title IX Training	August 4, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Men's Soccer Beginning of the Year Meeting and Title IX Training	August 4, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Cross Country Beginning of the Year Meeting and Title IX Training	August 11, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Main Campus WOW Title IX Training (11:30 a.m.)	August 13, 2025	Joan C. Edwards Playhouse	DoV, DaV, SA, S, SM, SH, Dis, In
Main Campus WOW Title IX Training (2:30 p.m.)	August 13, 2025	Joan C. Edwards Playhouse	DoV, DaV, SA, S, SM, SH, Dis, In
Main Campus WOW Title IX Training (4:00 p.m.)	August 14, 2025	Joan C. Edwards Playhouse	DoV, DaV, SA, S, SM, SH, Dis, In
Main Campus WOW Title IX Training (6:30 p.m.)	August 14, 2025	Joan C. Edwards Playhouse	DoV, DaV, SA, S, SM, SH, Dis, In
MOVC WOW Title IX Training	August 15, 2025	Mid-Ohio Valley Campus (MOVC)	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for MU Thundering Word Speech & Debate Team (Students and Faculty/Staff)	August 15, 2025	Smith Hall	DoV, DaV, SA, S, SM, SH, Dis, In
Main Campus WOW Title IX Training (4:00 p.m.)	August 15, 2025	Joan C. Edwards Playhouse	DoV, DaV, SA, S, SM, SH, Dis, In
Softball Beginning of the Year Meeting and Title IX Training	August 18, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Women's Basketball Beginning of the Year Meeting and Title IX Training	August 18, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In

Iced Tea & Fries with McNine: TIXO Presentation and Discussion on Consent (Know Your IX Day 2025: "No." is NOT a Challenge Presentation)	August 20, 2025	Shawkey Dining Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Track & Field Beginning of the Year Meeting and Title IX Training	August 20, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Men's and Women's Golf, Women's Swimming and Diving, and Women's Tennis Beginning of Year Meeting	August 20, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Baseball Beginning of the Year Meeting and Title IX Training	August 21, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Fall 2025 Fraternity and Sorority Life Risk Management Academy	August 23, 2025	SBUS	
Interfraternity Council (IFC) Title IX Training	September 20, 2025	SBUS	
Title IX Training to MTH 127 Class	September 29, 2025	Smith Hall	
DVAM Live Panel and Podcast Recording of Privacy and Power: The Role of Tech in Relationships	October 14, 2025	Shawkey Dining Room in the MSC	
Campus Safety Month Hazing Prevention Information Panel on the Intersection of Hazing, Power Dynamics, and Campus Safety	October 23, 2025	Shawkey Dining Room in the MSC	
New Member Summit for Fraternity and Sorority Life	October 25, 2025	SBUS	

- DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, S means Stalking, SM means Sexual Misconduct, SH means Sexual Harassment, Dis means Discrimination, and In means Investigative

TITLE IX TRAINING ACTIVITY REPORT FOR EMPLOYEES
JANUARY – DECEMBER 2025

The University offered the following **primary prevention and awareness programs for all employees** in 2025:

Name of Program	**Date Held**	**Location Held**	**Type of Training**
Vector Training (Online) for all Employees*	January 1, 2025 – July 21, 2025	Online	DoV, DaV, SA, S, SM, SH, Dis, In
ATIXA Training (Online) for all Employees**	July 22, 2025- December 31, 2025	Online	DoV, DaV, SA, S, SM, SH, Dis, In
RA and DA Title IX Training for Spring 2025	January 8, 2025	Corbly Hall	DoV, DaV, SA, S, SM, SH, Dis, In

E-Sports and Title IX Training	January 29, 2025	Memorial Student Center (MSC)	DoV, DaV, SA, S, SM, SH, Dis, In
How to Handle Heartbreak	February 17, 2025	Shawkey Dining Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for Peer Advocates with the Violence Prevention & Response Program	February 26, 2025	The Wellness Center in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for Interim Assistant Director of Case Coordination and Data Assessment	March 20, 2025	MSC Room 2W16	DoV, DaV, SA, S, SM, SH, Dis, In
Be Bold: Cultivating Confidence and Reclaiming Assertiveness	March 31, 2025	Don Morris Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
TIXO SAAM Event: R.A.D. Systems Workshop	April 9, 2025	John Marshall Dining Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Summer Maintenance Employee Title IX Training	May 12, 2025	Shawkey Dining Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
SMMC School of Nursing Faculty & Staff Title IX Training	May 14, 2025	St. Mary's Center for Education	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for Summer Research Interns	May 20, 2025	Arthur Weisberg Family Applied Engineering Complex	DoV, DaV, SA, S, SM, SH, Dis, In
WV-INBRE Summer Program Title IX Training	June 5, 2025	Robert C. Byrd Biotechnology Science Center	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for Faculty & Staff Working with Minors on Campus	June 24, 2025	Shawkey Dining Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for Faculty & Staff Working with Minors on Campus	June 30, 2025	Morrow Library	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for Athletic Trainers	July 21, 2025	Buck Auditorium in the Chris Cline Athletic Complex	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for Housing RAs and DAs	August 5, 2025	Corbly Hall	Don Morris Room in the MSC
UNI 100 Title IX Peer Mentor Training	August 11, 2025	Don Morris Room in the MSC	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for MU Thundering Word Speech & Debate Team (Students and Faculty/Staff)	August 15, 2025	Smith Hall	DoV, DaV, SA, S, SM, SH, Dis, In
Title IX Training for GAs	September 8, 2025	Science Building	DoV, DaV, SA, S, SM, SH, Dis, In
FAM Title IX Training (10 a.m.)	September 15, 2025	East Hall	DoV, DaV, SA, S, SM, SH, Dis, In

FAM Title IX Training (2 p.m.)	September 15, 2025	East Hall	DoV, DaV, SA, S, SM, SH, Dis, In
Marshall For All Staff TIXO Training	September 15, 2025	Old Main	DoV, DaV, SA, S, SM, SH, Dis, In
FAM Title IX Training (5 p.m.)	September 15, 2025	East Hall	DoV, DaV, SA, S, SM, SH, Dis, In
FAM Title IX Training (3 p.m.)	September 17, 2025	East Hall	DoV, DaV, SA, S, SM, SH, Dis, In

- DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault, S means Stalking, SM means Sexual Misconduct, SH means Sexual Harassment, Dis means Discrimination, and In means Investigative

Vector Training (Online) for All Employees is followed up with and certificates handed out to departments with 100% completion.*

Beginning in July 2025, Marshall University provides online Title IX training through ATIXA (the Association of Title IX Administrators). Employees complete required training modules, including mandated reporter training for higher education, on an on-demand basis.**

E. Procedures for Reporting a Complaint

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Cabell Huntington Hospital, St. Mary's Medical Center, Pleasant Valley Hospital, or a local hospital in their area. In West Virginia, evidence may be collected even if you chose not to make a report to law enforcement6, per West Virginia Non-Report Procedures.

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6 Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."West Virginia Code § 61-8B-16(c) provides "nothing in this section shall be construed to require an alleged victim of sexual assault to participate in the criminal justice system or to cooperate with law enforcement in order to provide a forensic medical examination pursuant to the provision of this section."

In cases where a victim chooses not to participate in the criminal process, it would be contrary to the West Virginia Code to require the victim's name on the sex crime evidence kit forms. In such cases, a tracking code is issued to the "non-report" sex crime evidence kit. These "non-report" sex crime evidence kits are collected by the examining physician, sexual assault nurse examiner (SANE) or other trained medical personnel who will be responsible for preparing the forensic evidence, while maintaining chain of custody. The sealed sex crime evidence kit will be shipped by FedEx to Marshall University Forensic Science Center (MUFSC) and stored for at least 18 months. Victims of these "non-reports" are given the tracking code and instructions on how to officially report to law enforcement and request the release of the "non-report" kit to the State Police Crime Lab for forensic analysis. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to university hearing boards/investigators or police.

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, (including on campus law enforcement and/or local police) it is the victim's choice whether to make such a report and victims have the right to decline involvement with the police. The University's Office of Public Safety (MUPD) will assist any victim with notifying local police if they so desire. James Terry, Director of Public Safety/Chief of Police, terry@marshall.edu, 304-696-2486; Jessica Rhodes, Esq., Title IX Coordinator, titleix@marshall.edu, 304-696-2934; Lisa Martin, Senior Director of Student Advocacy and Accountability, martil@marshall.edu, 304-696-2495; and Bruce Felder, Human Resources, felder1@marshall.edu, 304-696-3983, in addition to all other campus officials are available to provide their assistance to victims in reporting crimes, suspicious incidents or security problems. The MUPD can be contacted by calling 304-696-4357 (HELP) The Huntington Police Department may be reached directly by calling (304) 696-5510, in person at 675 10th St, Huntington, WV 25701. Additional information about the HPD may be found online at: http://www.hpdwv.com/. Contact of other law enforcement agencies can be found on page 4 of this report.

To make a police report, contact the law enforcement agency that has jurisdiction where the crime occurred. Your initial contact may be in person or by phone. However, you will probably need to meet with an officer in person to finalize the report. The initial report will collect the basic information regarding the incident. Once the report is made, you may be contacted by the officer investigating your report and be asked to provide additional information. Additional information could include providing the names and contact information for any witnesses and the collection of any evidence, including any evidence, which may be located on your cell phone, computer or other electronic devices. In addition, the office will collect any physical evidence that you may have in your possession.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report by calling, writing or coming into the office to report in person, the incident promptly to the Title IX Coordinator, Jessica Rhodes, Esq., Marshall University, Old Main Room 107, One John Marshall Drive, Huntington, WV 25755 PH. 304-696-2934 or email titleix@marshall.edu You can also use the report form that is online at https://marshall-advocate.symplicity.com/public_report/index.php/pid304645?

Further, if you so desire, you should report the incident to Public Safety, Marshall University, 1801 5th Avenue, Huntington, WV 25755, PH. 304-696-HELP (4357). The University will provide resources, on campus, off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. As outlined in the student handbook. https://www.marshall.edu/student-affairs/files/2025/08/2025-26-student-handbook.pdf
The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with MUPD or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

F. Institutional Response to a Report of Dating Violence, Domestic Violence, Stalking & Sexual Assault.

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant7 and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement. Students and employees should contact Jessica Rhodes, Esq., Title IX Coordinator at (304) 696-2934

Old Main Room 107, titleix@marshall.edu or Lisa Martin, Senior Director of Student Advocacy & Accountability, at (304) 696-2495 Memorial Student Center Room 2W38 martil@marshall.edu.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the below is a summary of the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any conduct hearing on campus arising from such a report:

Incident Being Reported:	Procedure Institution Will Follow:	Standard of Evidence
Sexual Assault	1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant and the University community 3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties 6. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 7. Institution will provide written instructions on how to apply for Protective Order 8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and the outcome of the hearing 10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation	Preponderance of the evidence
Stalking	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 5. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate	Preponderance of the evidence

7 This document will use "'victim' and 'complainant'" and "'perpetrator' and 'accused party'" interchangeably.

Dating Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 5. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate	Preponderance of the evidence
Domestic Violence	1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 5. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate	Preponderance of the evidence

See also, the entire Procedures for Student Disciplinary Action and Employee Disciplinary Procedures. Action can be found at:
https://www.marshall.edu/policies/files/2024/08/STUDENT-03-Student-Disciplinary-Procedures-24-25.pdf
https://www.marshall.edu/policies/files/2023/12/Employee-Sexual-Misconduct-Procedures-HRS-1.pdf [8]

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.
Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

Although West Virginia does not have a crime victims' rights act, West Virginia has enacted the Victim Protection Act of 1984, which provides the following:

[8] Previously Administrative Procedure Pers-

§61-11A-2 Testimony of crime victim at sentencing hearing.

(a) For the purposes of this section, "victim" means a person who is a victim of a felony, or, where a death occurs during the commission of a felony or a misdemeanor, the following persons shall be notified if known by the prosecutor: A member of the deceased victim's immediate family, the fiduciary of the deceased victim's estate or an adult household member residing with the victim.

(b) Prior to the imposition of sentence upon a defendant who has been found guilty of a felony, or of a misdemeanor if death occurs during the commission of a crime, or has pleaded guilty or nolo contendere to a felony, or to a misdemeanor if death occurs during the commission of a crime, the court shall permit the victim of the crime to appear before the court to make an oral statement for the record if the victim notifies the court of his or her desire to make such a statement after receiving notification provided in subsection (c) of this section. If the victim fails to notify the court, the failure is a waiver of the right to make an oral statement. In lieu of the appearance and oral statement, the victim may submit a written statement to the court or to the probation officer in charge of the case. The probation officer shall forthwith file the statement delivered to his or her office with the sentencing court and the statement must be made a part of the record at the sentencing hearing. The statement, whether oral or written, must relate solely to the facts of the case and the extent of injuries, financial losses and loss of earnings directly resulting from the crime for which the defendant is being sentenced.

(c) Within a reasonable time prior to the imposition of sentence upon the defendant, the prosecuting attorney or assistant prosecuting attorney in charge of the case shall make reasonable efforts, in writing, to advise the person who was the victim of the crime, the parent or guardian of a minor who was the victim of a crime, the fiduciary of the victim's estate if the victim is deceased and the immediate family members of the victim if the victim is deceased and if their whereabouts are known to the prosecutor or assistant prosecutor. The writing will provide the date, time, and place of the original sentencing hearing and of the victim's right to submit a written or oral statement to the sentencing court.

(d) The oral or written statement given or submitted by a victim in accordance with the provisions of this section is in addition to and not in lieu of the victim impact statement required by the provisions of section three of this article.

§61-11A-2a Notification of crime victim’s compensation fund.

Whenever the prosecuting attorney's office presents a case to a grand jury or proceeds in the circuit court on information, the prosecutor or assistant prosecutor shall within thirty days following said presentment or information notify in writing each victim of the alleged offense of the existence and basic provisions of article two-a, chapter fourteen of this code. Nothing in this section shall be construed as precluding the prosecuting attorney's office from other notification to victims of crime, or as creating a cause of action for damages against any prosecuting attorney or their staff, or against the state of West Virginia or any of its political subdivisions.

§61-11A-3 Victim impact statement; when required; contents; use; right of defendant to review and present evidence.

a) In every case in which a pre-sentence report is ordered by the court, such pre-sentence report shall contain a victim impact statement unless the court orders otherwise, if the defendant, in committing a felony or misdemeanor, caused physical, psychological, or economic injury or death of the victim.

(b) The victim impact statement shall be prepared by the probation officer and shall include the identity of the victim, an itemization of any economic loss suffered by the victim as a result of the offense, a description of the nature and extent of any physical or psychological injury suffered by the victim as a result of the offense, the details of any change in the victim's personal welfare, lifestyle or family relationships as a result of the offense, whether there has been any request for psychological or medical services initiated by the victim or the victim's family as a result of the offense and such other information related to the impact of the offense upon the victim as may be required by the court.

(c) If the court does not order a pre-sentence investigation and report, the prosecuting attorney may request that the probation officer prepare a victim impact statement. The victim impact statement shall be considered by the court as a factor in determining the appropriate sentence. Additionally, the statement may be utilized for the determination of claims by victims of crimes pursuant to the provisions of article two-a, chapter fourteen of this code.

(d) In cases that involve child victims of offenses defined in section twelve, article eight of this chapter or article eight-b or eight-d of this chapter, any victim impact statement in a pre-sentence report may include a statement from a therapist, psychologist or physician who is providing treatment to the child as to the recommendations regarding the effect that possible disposition may have on the child.
(e) A victim impact statement prepared in accordance with the provisions of this section, other than for claims by victims of crimes pursuant to the provisions of article two-a, chapter fourteen of this code, shall be made available to the defendant, and his counsel if he is so represented, at least ten days prior to the date set for pronouncement of his sentence. The court shall, upon motion by or on behalf of the defendant, grant the defendant a hearing, whereby he may introduce testimony or other information related to any alleged factual inaccuracies in the statement.

§61-11A-4 Restitution, when ordered.

a) The court, when sentencing a defendant convicted of a felony or misdemeanor causing physical, psychological, or economic injury or loss to a victim, shall order, in addition to or in lieu of any other penalty authorized by law, that the defendant make restitution to any victim of the offense, unless the court finds restitution to be wholly or partially impractical as set forth in this article. If the court does not order restitution, or orders only partial restitution, under this section, the court shall state on the record the reasons, therefore. (b) The order shall require that the defendant: (1) In the case of an offense resulting in damage to, loss of, or destruction of property of a victim of the offense: (A) Return the property to the owner of the property or someone designated by the owner; or (B) If return of the property under subparagraph (A) is impossible, impractical or inadequate, pay an amount equal to the greater of: (i) The value of the property on the date of sentencing; or (ii) the value of the property on the date of the damage, loss or destruction less the value (as of the date the property is returned) of any part of the property that is returned; (2) In the case of an offense resulting in bodily injury to a victim: (A) Pay an amount equal to the cost of necessary medical and related professional services and devices relating to physical, psychiatric and psychological care, including nonmedical care and treatment rendered in accordance with a method of healing recognized by the law of the place of treatment; (B) Pay an amount equal to the cost of necessary physical and occupational therapy and rehabilitation; and (C) Reimburse the victim for income lost by the victim as a result of the offense; (3) In the case of an offense resulting in bodily injury that also results in the death of a victim, pay an amount equal to the cost of necessary funeral and related services; and (4) In any case, if the victim (or if the victim is deceased, the victim's estate) consents, or if payment is impossible or impractical, make restitution in services in lieu of money, or make restitution to a person or organization designated by the victim or the estate. (c) If the court decides to order restitution under this section, the court shall, if the victim is deceased, order that restitution be made to the victim's estate. (d) The court shall impose an order of restitution to the extent that the order is as fair as possible to the victim and the imposition of the order will not unduly complicate or prolong the sentencing process. (e) The court shall not impose restitution with respect to a loss for which the victim has received or is to receive compensation, except that the court may, in the interest of justice, order restitution to any person who has compensated the victim for loss to the extent that the person paid the compensation. An order of restitution shall require that all restitution to victims under the order be made before any restitution to any other person under the order is made. (f) The court may require that such defendant make restitution under this section within a specified period or in specified installments. The end of the period or the last installment shall not be later than: (i) The end of the period of probation, if probation is ordered; (ii) five years after the end of the term of imprisonment imposed, if the court does not order probation; and (iii) five years after the date of sentencing in any other case. If not otherwise provided by the court under this subsection, restitution shall be made immediately.
(g) If the defendant is placed on probation or paroled under this article, any restitution ordered under this section shall be a condition of the probation or parole unless the court or Parole Board finds restitution to be wholly or partially impractical as set forth in this article. The court may revoke probation and the Parole Board may revoke parole if the defendant fails to comply with the order. In determining whether to revoke probation or parole, the court or Parole Board shall consider the defendant's employment status, earning ability, financial resources, the willfulness of the defendant's failure to pay, and any other special circumstances that may have a bearing on the defendant's ability to pay. (h) An order of restitution may be enforced by the state, or a victim named in the order to receive the restitution in the same manner as a

judgment in a civil action. (i) Notwithstanding any provision of this section to the contrary, the court may order, in addition to or in lieu of, restitution, that a defendant be required to contribute monetarily, or through hours of service, to a local crime victim's assistance program or juvenile mediation program which meets the following requirements: (1) The program is approved by a circuit judge presiding in the judicial circuit; and (2) The program is a nonprofit organization certified as a corporation in this state, and is governed by a board of directors.

§61-11A-8 Notification to victim of offender's release, placement, or escape from custody.

(1) Releasing the convicted person from imprisonment in any correctional facility; (2) Releasing the convicted person from confinement in any county or regional jail; (3) Placing the convicted person in a halfway house or other non-secure facility to complete his or her sentence; or (4) Any escape by the convicted person from a state correctional facility or a county or regional jail. (d) The notice shall include instructions for the victim or the victim's family member on how to request the notification. (e) Offenses which are subject to the provisions of this section are as follows: (1) Murder; (2) Aggravated robbery; (3) Sexual assault in the first degree; (4) Kidnapping; (5) Arson; (6) Any sexual offense against a minor; or (7) Any violent crime against a person. (f) The commissioner of corrections, a regional jail supervisor, a sheriff or a prosecuting attorney who receives a written request for notification shall provide notice, in writing or by telephone, to the last known address or addresses or telephone number or numbers provided by the victim or a member of the victim's family, or in the case of a minor child, to the custodial parent of the child, in accordance with the provisions of this section. In case of escape, notification shall be by telephone, if possible. (g) If one or more family members request notification and if the victim is an adult and is alive and competent, notification shall be sent to the victim, if possible, notwithstanding that the victim did not request the notification. (h) If notification by telephone to a victim is attempted, notification is not complete unless it is given directly to the person requesting notification and after that person's identity has been verified. An attempted notification made to a voice mail or another recording device or to another member of the household is insufficient. (i) For the purposes of this section, the following words or phrases defined in this subsection have meanings ascribed to them. These definitions are applicable unless a different meaning clearly appears from the context. (1) "Filing of a complaint" means the filing of a complaint in accordance with the requirements of rules promulgated by the supreme court of appeals or the provisions of this code. (2) "Victim" means a victim of a crime listed in subsection (e) of this section who is alive and competent. (3) "Victim's family member" means a member of the family of a victim of a crime listed in subsection (e) of this section who is not alive and competent.

§61-11A-9. Sexual Assault Victims' Bill of Rights.

(a) In addition to those rights afforded victims of crime by other provisions of this code, a sexual assault victim has the following rights:(1) The right to a personal representative of the victim's choice to accompany him or her to a hospital or other health care facility and to attend proceedings concerning the alleged assault, including police interviews and court proceedings: Provided, That nothing in this subsection shall be construed to violate established forensic interview protocols; (2) The right to receive a forensic medical examination consistent with the provisions of §61-8B-1(12) of this code conducted by a qualified medical provider in accordance with best practices, taking into consideration the age of the victim and circumstances of the offense; (3) The right to have a sexual assault evidence collection kit tested and preserved by the investigating law-enforcement agency;

(4) The right to be informed by the investigating law-enforcement agency of any results of the forensic medical examination, if such disclosure would not impede or compromise an ongoing investigation; (5) The right to be informed in writing of the policies governing the forensic medical examination and preservation of evidence obtained from the examination;

(6) The right to receive, upon his or her written request, notification by United States mail, restricted delivery, to his or her last known address, from the custodian of the evidence obtained from the forensic medical examination no fewer than 60 days prior to the date of the intended destruction or disposal of the evidence: Provided, That notice to a victim

which meets the requirements of this subdivision, whether received by the addressee or not, meets all notice requirements imposed by this section; (7) The right, upon his or her written request, to have the evidence obtained from the forensic medical examination preserved for an additional period not to exceed 10 years; and (8) The right to be informed of the rights afforded a victim pursuant to this section.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

Further, Marshall University complies with West Virginia law in recognizing Emergency Protective Orders and Final Protective Orders, Personal Safety Orders by any person who obtains an order of protection from West Virginia, or any reciprocal state should provide a copy to Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with Public Safety to develop a Safety Action Plan, which is a plan for Public Safety and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing the classroom location or allowing a student to complete assignments from home, or other necessary measures.

The University cannot apply for a legal order of protection, a no contact order or a restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. Protection from abuse orders may be available through Cabell County Magistrate Office in Huntington, West Virginia. In addition, the University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. For more information on how to obtain a Domestic Violence Protective Order go to http://www.courtswv.gov/lower-courts/pdfs/DomViolence.pdf. Additional information for all 50 states can be obtained at http://www.womenslaw.org/index.php.

Type Of Order	Rights of Victims	Institution's Responsibilities
WV Code	Domestic Violence Protection Order, is a protective order for victims of domestic violence. The Domestic Violence Protective Order, or DVP can	MUPD, Title IX Coordinator, Title IX

§48-27-101, *et. seq.* Domestic Violence Protection Order	be obtained through the magistrate court. There is a fee to file but the fees may be waived. The petition may be filed by a person seeking protection from domestic violence or abuse for themselves, or an adult family or household member on behalf of a child or an adult who is physically or mentally unable to file, or someone who saw or reported domestic violence and, as a result, has been abused, threatened or intimidated. The petitioner should be prepared to clearly describe what happened, provide dates of recent incident and any information of pervious history of abuse. A domestic violence advocate may help a petitioner complete the petition and understand his or her rights. To find a domestic violence advocate in your area, call 1-800-799-SAFE (7233). Marshall University's Women's Center and/or Student Advocate can help connect victims with a victim advocate to assist in filing a petition. The information above was obtained from WV Legislature https://www.wvlegislature.gov/wvcode/code.cfm and WV Legal Aid https://legalaidwv.org/legal-information/domestic-violence-protective-orders/	Investigators, Title IX Advocates, Title IX Review Panel, and/or Director of Student Advocacy and Accountability will inform a victim of domestic violence or relationship violence of their right to petition the Magistrate Court for an Domestic Violence Protective Order as well as the contact information for a victim advocate to assist them in filing if necessary.
WV Code **§53-8-1, *et. seq.*** Personal Safety Orders	Personal Safety Order is a protective order for victims of stalking and sex offenses who are not in relationships that qualify for protection under the Domestic Violence Protective Order. The Personal Safety Order, or PSO, is obtained through magistrate court. Filing fees may be waived. It is a civil remedy, and there is no obligation to file a criminal report in order to obtain a PSO. Any person may file the petition for themselves, or by a parent, guardian, or custodian on behalf of a minor child or incapacitated adult. Upon filing the petition, if a magistrate finds reasonable cause to believe the respondent committed the sex crime or stalking offense against the petitioner, then a temporary PSO can be issued. Under a PSO, the magistrate can order the offender to "stay away" —stay away from the victim's home, work, and school; refrain from contact, whether direct or indirect; not interfere with the victim and, if the victim is a minor, any siblings or minors in the home. The offender's access to firearms will normally only be restricted if firearms were used in the crime or if the offender has a prior firearms conviction or PSO violation. Law enforcement must attempt to serve the offender with the PSO within 72 hours of their receipt of the order and continue until proper service is made. A final hearing must be held within 10 days and the standard of proof is a preponderance of the evidence. The proceedings are closed to the public, and the public cannot have access to the file. Advocates (such as those from the local rape crisis center) and others may attend the hearing with the victim as long as they are not disruptive. A PSO can be granted for up to two years. Penalties for violating a PSO are first offense - 90 days in jail and/or $1,000 fine; second or subsequent offense - one year in jail and/or $2,500 fine. Marshall University's Women's Center and/or Student Advocate can help connect victims with a victim advocate to assist in filing a petition. Information obtained from WV Legal Aid: https://legalaidwv.org/legal-information/personal-safety-orders/ And WV Legislature: Article 8. Personal Safety Orders	MUPD, Title IX Coordinator, Title IX Investigators, Title IX Advocates, Title IX Hearing Officer, and/or Director of Student Advocacy and Accountability will provide information to a victim of domestic violence or relationship violence of their right to petition the Magistrate Court for a Domestic Violence Protective Order as well as the contact information for a victim advocate to assist them in filing if necessary.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

To the extent of the victim's cooperation and consent, University offices will work cooperatively to ensure that the complainant's health, physical safety, work, and academic status are protected, pending the outcome of a formal University investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, transportation or working situations in addition to counseling, health services, visa and immigration assistance, protective orders, and assistance in notifying appropriate local law enforcement.

Confidentiality

Additionally, personal identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution 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.

For example, publicly available record keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20). Further, 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 University to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the campus police department's Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking (On-Campus)

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
Title IX	Enforcement of issues related to discrimination, including Title IX	Title IX Coordinator / Jessica Rhodes, Esq.	304-696-2934
Mental Health Counseling	Crisis counseling, individual and group therapy	Marshall Counseling Center	304-696-3111
	Crisis counseling, individual and group therapy	Marshall Psychology Clinic	
Medical Services	Primary care concerns, See https://www.marshallhealth.org/services/walk-in-care/	Marshall Student Health	304-691-1100
Public Safety	Campus law enforcement	MUPD	304-696-4357
Office of Student Advocacy and Accountability	Enforcement of Student Conduct Issues	Office of Student Advocacy and Accountability	304-696-2495
Student Financial Aid	Assistance with Financial Aid	Office Student Financial Aid	304-696-3242

Victim Advocacy	A centralized location where gender-related concerns can be voiced, addressed directly, or referred to university or community supports	Women's Center	304 696-3338
	The Violence Prevention & Response Program is dedicated to creating and maintaining a safe and respectful campus environment by leading comprehensive and collaborative prevention initiatives, fostering a culture of community responsibility, and offering advocacy and support services to victims of interpersonal violence.	Violence Prevention and Response	304-696-5701
Visa and Immigration Assistance	Immigration Assistance/Visas	Office of International Students – Admission	304-696-7250

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking (Off-Campus)

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling/ Mental Health	Community Mental Health Services	Prestera Center	Huntington - 304 525-7851 Charleston - 304 341-0511 Point Pleasant - 304 675-2361
	Community Mental Health Services	Family Services – Goodwill	Huntington - 304-525-7034
Health	Forensic examination for victims of sexual assault and domestic violence	Emergency Room – Cabell Huntington Hospital/Marshall Health System	Huntington - 304 526-200
	Forensic examination for victims of sexual assault and domestic violence	Emergency Room – Saint Mary's Hospital/Marshall Health System	Huntington - 304 526-1234
	Forensic examination for victims of sexual assault and domestic violence	Charleston Area Medical Center – Women's and Children	Charleston - 304 388-2550
	Forensic examination for victims of sexual assault and domestic violence	Charleston Area Medical Center – Memorial General	Charleston – 304-388-5432
	STD Clinic and Family Planning Clinic	Cabell-Huntington Health Dept.	304-523-6483
Victim Advocacy	Sexual Assault Crisis and Advocacy Services	CONTACT Rape Crisis Center - Huntington	304-399-1111
	Sexual Assault Crisis and Advocacy Services	CONTACT- Point Pleasant	866-399-7273

	Sexual Assault Crisis and Advocacy Services	REACH Family Counseling Connections – South Charleston	304-340-3676
	Domestic Violence Shelter, Crisis and Advocacy Services	BRANCHES-Huntington	304-529-2382
	Domestic Violence Shelter, Crisis and Advocacy Services	BRANCHES-Point Pleasant	304-529-2382
	Domestic Violence Shelter, Crisis and Advocacy Services	YWCA Resolve Family Abuse Program – South Charleston	304-340-3549
Legal Assistance			
	Judicial system support for victims and witnesses	Cabell County Prosecuting Attorney Victim Assistance – Huntington	304-523-6483
	Judicial system support for victims and witnesses	Mason County Victim Assistance Program – Point Pleasant Area	304-675-5717
	Judicial system support for victims and witnesses	Kanawha County Prosecutor's Office Violence Against Women Advocate – South Charleston	304-357-0300
	Assistance in finding an attorney and support regarding other legal issues	Legal Aid of West Virginia	304-343-3013
	Attorney referral	West Virginia Lawyer Referral Service	http://www.wvlawyerreferral.org/search/
Visa and Immigration Assistance	Questions regarding VISAs and Immigration concerns	Catholic Charities West Virginia	304-343-1036 or 304-267-3071
Student Financial Aid	Assistance regarding financial aid concerns	College Foundation of West Virginia	1-800-GO-TO-XAP
Other	Emergency Response Services	Police, Ambulance, Fire Emergency Call Center	911
	Statewide Sexual Assault Coalition	WV Foundation for Rape Information and Services	304-366-9500
	Statewide Relationship Domestic Violence Coalition	WV Domestic Violence Coalition	304-965-3552

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

http://www.rainn.org – Rape, Abuse and Incest National Network
https://www.justice.gov/ovw/sexual-assault - Department of Justice
http://www2.ed.gov/about/offices/list/ocr/index.html Department of Education, Office of Civil Rights

Accommodations and Protective Measures Available for Victims
Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations as listed above).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, or other measures to help ensure the student's safety.

Type of Action Requested:	Who Can Request:	How to Request:	University Responsibility:
Change in Academic Schedule for Students	Students who are victims of sexual misconduct, domestic and/or dating violence, and/or stalking can request changes in their academic schedule. These requests can also be made on behalf of a student/victim by a family member or university employee who is acting in an advisor or advocacy role with consent of the student.	Person seeking change in academic schedule may contact: **Director of Student** Advocacy and Accountability: 304 696-2495 **Student Advocate:** 304 696-2284 **Title IX Coordinator:** 304 696-2934	Upon receiving a report of sexual misconduct, domestic violence, dating violence or stalking the Title IX Coordinator, Director of Student Advocacy and Accountability and/or MUPD Officer will: Assess the need to implement protective measures that may involve a change in student's academic schedule. Notify victim of their right to seek an academic accommodation, Assist victim in obtaining the academic accommodation.
Change in Living Arrangements for Students	Students who are victims of sexual misconduct, domestic and/or dating violence, and stalking can request changes in their living arrangements. These requests can also be made on behalf of a student victim by a family member or university employee who is acting as an advocate.	Person seeking change in living arrangements may contact: **Director of Housing and Residence Life**: 304 696-3152 **Associate Director of Housing and Residence Life:** 304 696-6208 **Director of First Year Hall:** 304 696-5827	Upon receiving a report of sexual misconduct, domestic violence, dating violence or stalking the Title IX Coordinator, Student Advocacy and Accountability Director and/or MUPD Officer will: Assess the need to implement protective measures that may involve a change to a student's on-campus housing arrangements. Notify the student of their right to seek a change in their on-campus housing arrangement. Assist the student in making changes to on-campus housing arrangements.

Change in Transportation for Students	Students who are victims of sexual misconduct, domestic and/or dating violence, and stalking can request changes in parking location as well as request an escort to their assigned parking lot (accommodation is also granted to reassign parking). These requests can also be made on behalf of a student, victim, family member, advisor or any other university employee who is serving as an advocate for the victim, including external advocates.	Person seeking change in transportation/parking may contact: **MUPD:** 304 696-HELP (4357) **Title IX Coordinator:** 304 696-2934 **Director of Student** Advocacy and Accountability**:** 304 696-2495	The Title IX Coordinator must ensure that all students have equal access and provide academic or living accommodations, such as changing residence halls, classroom schedules, notifying the survivors of continuing counseling services and eliminating the responsibility and burden for the victim to change their circumstances.
Change in Protective Measures for Employees	Employees who are victims of sexual misconduct, domestic and/or dating violence, and stalking can request changes in work assignment location, and/or parking location as well as request an escort to their assigned parking lot (accommodations are also granted to reassign parking). These requests can also be made on behalf of a student, victim, family member, advisor or any other university employee who is serving as an advocate for the victim, including external advocates.	Person seeking change in work assignment location, and/or transportation/parking may contact: **MUPD:** 304 696-HELP (4357) **Title IX Coordinator:** 304 696-2934 **Director of Human Resources:** 304 696-3983	The Title IX Coordinator must ensure that all employees have equal access and provide academic or living accommodations, such as changing residence halls, classroom schedules, notifying the survivors of continuing counseling services and eliminating the responsibility and burden for the victim to change their circumstances.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."9 We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list10 of some ways to be an active bystander. Further information regarding bystander intervention may be found at Marshall's Violence Prevention and Response Programs: https://www.marshall.edu/violence-prevention/. If you or someone else is in immediate danger, dial 911.This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, then ask if they are ok or tell someone who can help.
2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated. If it is not safe for you to directly intervene delegate (seek assistance from someone else to help).
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

9 Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

10 Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
5. **Make sure your cell phone is with you** and charged and that you have cab money.
6. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
7. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
8. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
9. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
10. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
11. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from punch bowls or other large, common open containers.
12. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
13. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
    b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    d. **Lie.** If you do not want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Examples of some excuses you could use are "need to take care of a friend or family member", "not feeling well", "have somewhere else that you need to be", or similar excuses.
15. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
16. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

G. Adjudication of Violations

Whether or not criminal charges are filed, the University or a person may file a complaint with the Office of Student Advocacy and Accountability under the Student Rights and Responsibilities, Marshall University Board of Governors Rule No. SA-1, alleging that a student has violated the standards of conduct outlined therein

https://www.marshall.edu/policies/files/2026/02/MUBOG-Rule-SA-1-Student-Rights-and-Responsibilities.pd f In addition, the University or a person may file a complaint alleging that a Student or Employee has violated the Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, And Retaliation – Including Title IX, Marshall University Board of Governors Rule No. GA-3 https://www.marshall.edu/policies/files/2026/07/mu-bog-3a.pdf by filing a complaint with the Title IX Office at www.marshall.edu/titleix. In addition, victims can report sexual misconduct to Public Safety and the University's Office of Student Affairs.

Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of whether the complainant choses to pursue criminal charges. See generally https://www.marshall.edu/policies/files/2026/07/mu-bog-3a.pdf

The University disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial process from the initial investigation and final resolution process transparent to the accuser and the accused. Typically, the period from commencement of an investigation through Final Investigation Report resolution (finding and sanction, if any) will not exceed an estimated ninety (90) business days. This timeframe may be extended for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for University breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. Investigators and Review Panel members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Title IX training remains significantly important as the University continues to expand our policies and procedures, initiatives, and community efforts to prevent sexual misconduct and promote a safe learning and working environment. Title IX training is provided on-line for ALL Title IX faculty and staff. The Title IX Office are participants in the Title IX Investigator Training School and Practical Skills Certification Course. This course is sponsored by the West Virginia Higher Education Policy Commission Division of Human Resources. Both faculty and staff in attendance of the training engage in working in a highly collaborative team-based-setting to explore foundational and current Title IX case law, identify and discuss effective response to issues within fact patterns drawn from real cases and discuss legal trends with effective internal resolution.

The Title IX Coordinator, Title IX Investigator, Hearing Officer and members of the Review Panel and other university administrators attend the Foundations of Title IX Investigations: Institute and Certification conference to ensure certification on the national level. The certification process offers recipients the opportunity of learning skills to coordinate the Complainant/Respondent responses to all complaints involved in allegations of sex discrimination, including monitoring outcomes, addressing patterns, and determining the on-campus climate. Additionally, the information learned at these conferences are provided to Marshall employees who are part of the Title IX Team.

Sanctions administered by the Hearing Panel

[11] Previously Board of Governors Policy MUBOG-GA-01
[12] Previously Board of Governors Policy MUBOG-GA-01

The Marshall University Board of Governors Rule No. SA-1 provides that:
Any student or organization may be referred by any complainant to the Office of Student Advocacy and Accountability concerning allegations that they have violated the University's policies, including those related to Sexual Misconduct.

Disciplinary procedures that are used by the institution are as following:
https://www.marshall.edu/policies/files/2024/08/STUDENT-03-Student-Disciplinary-Procedures-24-25.pdf
https://www.marshall.edu/policies/files/2023/12/Employee-Sexual-Misconduct-Procedures-HRS-1.pdf [13]

[13] Previously Administrative Procedure Pers-01

MARSHALL UNIVERSITY BOARD OF GOVERNORS
Rule No. GA-3
Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, And Retaliation Policy – Including Title IX
https://www.marshall.edu/policies/files/2025/05/MUBOG-GA-3-Discrimination-Harassment-Sexual-Harassment-Sexual-Domestic-Misconduct-Stalking-and-Retaliation-Policy.pdf [14]

1. ***How to File a Disciplinary Complaint Under this Policy***
   To report sexual misconduct to the University, victims can report sexual misconduct to the University law enforcement, the University's Title IX Office, and the University's Office of Student Advocacy and Accountability. A list of resources and contact information, including the Huntington Police Department, is included on the last page of this Policy.

2. ***How the University Determines Whether This Policy will be Used***

The Director of Student Advocacy and Accountability and/or the Title IX Coordinator reviews the incident report. The report is investigated, and a decision is made to charge. If the Complaint primarily involves Prohibited Conduct, then it will be handled by the Title IX Office, if not, then it will be handled by the Office of Judicial Affairs. See https://www.marshall.edu/policies/files/2024/08/STUDENT-03-Student-Disciplinary-Procedures-24-25.pdf
https://www.marshall.edu/policies/files/2023/12/Employee-Sexual-Misconduct-Procedures-HRS-1.pdf [15]

3. ***Steps in the Disciplinary Process***

Marshall University's Policy on Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, And Retaliation in conjunction with the following administrative procedures describes each type of disciplinary proceeding used by the University:

a. Student Disciplinary Procedures

The Student Disciplinary Procedures can be found online at
https://www.marshall.edu/policies/files/2024/08/STUDENT-03-Student-Disciplinary-Procedures-24-25.pdf

Appendix C, Section 1 of these procedures outlines the process that the University will follow when investigating and resolving reports of Title IX sexual and gender-based harassment and other forms of interpersonal violence committed by students under the policy are brought against a student. Appendix C, Section 2 of these procedures outlines the process for reports of Non-Title IX sexual and gender-based harassment, sexual misconduct, and other forms of interpersonal violence. In summary, once an allegation is made a threat assessment is made by MUPD, Title IX Coordinator, or Director of Student Advocacy or Accountability to determine what intervening action, if any, should be taken to protect the Victim and/or the University Community. This initial assessment is to take place within 72 hours of the report. Section 2.04 of the Student Disciplinary Procedures outlines the Sanctions that can be imposed by Marshall because of disciplinary action by the University against a Student. Non-reportable sanctions include formal warning and conduct probation, as defined therein. Reportable sanctions include probationary suspension, suspension, expulsion, deferred suspension. Other conditions or restrictions that may be imposed include deferral of degree, withholding of degree, revocation of a degree and such other sanctions as may be deemed necessary and appropriate. See generally
https://www.marshall.edu/policies/files/2024/08/STUDENT-03-Student-Disciplinary-Procedures-24-25.pdf

Upon completion of the health and safety threat assessment, by either , Title IX Coordinator, or Director of Student Advocacy or Accountability, as set forth above in these procedures, then the Complainant, Title IX Coordinator, or Director of Student Advocacy or Accountability will determine the course of action under these

[14] Previously Board of Governors Policy MUBOG-GA-01
[15] Previously Administrative Procedure Pers-01

Procedures, which may include, without limitation, Formal Resolution and/or Alternative Resolution (if available).

b. Employee Disciplinary Procedures
The Procedures for Reports of Prohibited Conduct Against Employees can be found online at, https://www.marshall.edu/policies/files/2023/12/Employee-Sexual-Misconduct-Procedures-HRS-1.pdf[16]

These procedures outline the process that the University will follow when allegations of violating Marshall University Board of Governors Rule GA-3 are brought against an employee. In summary, once an allegation is made against an employee a threat assessment is made to determine what intervening action, if any, should be taken to protect the Victim and/or the University Community. This initial assessment is to take place within 72 hours of the report. An employee found responsible is subject to the University's employee disciplinary procedures up to and including termination where appropriate.

Upon completion of the health and safety threat assessment, by either the Complainant or the Title IX Coordinator, as set forth above in these procedures, will determine the course of action under these Procedures, which may include, without limitation, Formal Resolution and/or Alternative Resolution (if available).

c. **Investigation Process for Students and Employees**
Whenever Formal Resolution commences, the Title IX Coordinator will determine whether the allegations are a violation of Title IX. If the allegation alleges a Title IX violation the Title IX Coordinator will designate one or more Investigators and/or an experienced external investigator to conduct a prompt, thorough, fair, and impartial investigation. Typically, the period from commencement of an investigation through Final Investigation Report resolution (finding and sanction, if any) will not exceed an estimated ninety (90) business days. Usually, the resolution of complaints of sexual misconduct is completed within 90 days of the report. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for University breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the university's ability to respond to the complaint may be limited.

Within ten (10) business days after receipt and consideration of any additional comments, questions and/or information submitted by the parties during the designated review and response period, the Investigator will prepare a Final Investigation Report, which will include a recommendation as to whether there is sufficient evidence, by a Preponderance of the Evidence, to support a finding of responsibility for a violation of the Policy.

Upon review of the Investigative Report, the Title IX Coordinator will (1) determine whether the investigation reveals facts requiring or permitting dismissal of the formal complaint or (2) send a Notice of Referral for a Review Panel Hearing contemporaneously to the parties and the Review Panel Hearing Officer. The Review Panel will hold a Hearing to determine (1) whether the concerns stated by the contesting party raise substantial doubt about the thoroughness, fairness and/or impartiality of the investigation; and, if not, (2) whether there is sufficient evidence to support the Investigator's recommended finding(s) by a Preponderance of the Evidence. Typically, a Hearing will be held within thirty (30) calendar days from the referral to the Review Panel for Live Hearing. After the hearing, The Review Panel Chair will simultaneously issue a written decision (the "Final Outcome Letter") to both the Complainant and the Respondent, with a copy to the Title IX Coordinator, within ten (10) business days following the Review Panel Hearing.

d. **Hearing Process for Students and Employees**

[16] Previously Administrative Procedure Pers-01

In all instances, the process will be conducted in a manner that is consistent with the institution's policy and procedures and that is transparent to the accuser and the accused.

1. The accuser and the accused student each can attend a hearing before a properly trained Review Panel that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for conferences and hearings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely and equal access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each can be advised by a personal advisor of their choice, at their expense, at any stage of the process and accompanied by that advisor at any meeting or proceeding. The University will not limit the choice of advisor or their presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding.
6. A student conduct decision is based on the preponderance of evidence standard, i.e., "more likely than not to have occurred" standard. In other words, the conduct process asks, "is it more likely than not that the accused student violated the university's Student Conduct Code?"
7. The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
8. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. The accuser and the accused each have the right to appeal the outcome of the hearing by filing a written appeal with the University's Title IX Coordinator within five (5) business days from the date of the decision. The appeal is then referred to the Appeal Officer for review. The parties will be notified simultaneously in writing of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.
9. The Appeal Officer's decision is final.

However, employees in the State of West Virginia can appeal any action taken against them by the University to the West Virginia Public Employees Grievance Board.

The above procedures are used for allegations of dating violence, domestic violence, and sexual assault and stalking.

Confidentiality

The University will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

Victims may request that directory information on file with the University be withheld by contacting the Marshall University Registrar's Office at 304-696-2252.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution 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.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

See pg. 14, 4.5 Disclosure and Confidentiality, https://www.marshall.edu/policies/files/2025/05/MUBOG-GA-3-Discrimination-Harassment-Sexual-Harassment-Sexual-Domestic-Misconduct-Stalking-and-Retaliation-Policy.pdf [17], Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking, And Retaliation- Including Title IX.

MUBOG-GA-3 IS THE POLICY APPLICABLE TO EMPLOYEES ACCUSED OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

There are various polices at the University that might be impacted by an allegation of domestic violence, dating violence, sexual assault, and stalking, including:

MARSHALL UNIVERSITY BOARD OF GOVERNORS
Rule No. GA-3
Discrimination, Harassment, Sexual Harassment, Sexual & Domestic Misconduct, Stalking and Retaliation Policy – Including Title IX
https://www.marshall.edu/policies/files/2025/05/MUBOG-GA-3-Discrimination-Harassment-Sexual-Harassment-Sexual-Domestic-Misconduct-Stalking-and-Retaliation-Policy.pdf [18]

MARSHALL UNIVERSITY POLICY UPHR-2
Employee Infractions
https://www.marshall.edu/policies/files/2023/12/UPHR-2-Employee-Infractions-2020-06-25.pdf [19]

1. ***How to File a Disciplinary Complaint Under this Policy***

To report sexual misconduct to the University, victims can report sexual misconduct to the University law enforcement, to the University's Title IX Office, and the University's Human Resources Office.

2. ***How the University Determines Whether This Policy will be Used***
   The report will be investigated by the University's law enforcement office, if it contains allegations of a crime. If it does not contain allegations of criminal activity, it will be investigated by the University's Title IX Office.

3. ***Steps in the Disciplinary Process***
   In addition to the possibility of criminal charges being filed, an employee may be subject to internal disciplinary process. The University generally uses a four-part progressive discipline system that begins with an oral warning up to and including termination. However, there are certain offenses that can lead to immediate termination including, but not limited to, physical abuse of an individual on university property, sexual harassment, assault or rape.

4. ***Anticipated Timelines***
   Generally, the decision to take disciplinary action occurs within one week of receiving the complaint.

5. ***Decision-Making Process***

[17] Previously Board of Governors Policy MUBOG-GA-01
[18] Previously Board of Governors Policy MUBOG-GA-01
[19] Previously Board of Governors Policy MUBOG-HR-10

Once it has been determined that disciplinary action to be taken against an employee, the employee has the right to avail themselves of the review and appeal process provided to all state employees at Marshall University through the West Virginia Public Employees Grievance Board (Grievance Board). http://www.pegb.wv.gov.

The West Virginia Grievance process has three levels of review:

Level One: Level One is a conference or hearing at the election of the grievant. It is held on campus before the President or the President's designee, who provides the President with a recommended decision.

Level Two: Level Two is mandatory mediation, where the parties attempt to resolve the grievance amicably.

Level Three: Level Three is an evidentiary hearing before an Administrative Law Judge, employed by the Grievance Board. The Administrative Law Judge hears evidence from both parties and renders a decision on the merits of the case.

Appeals: The Administrative Law Judge's decision can be appealed to the Kanawha County, West Virginia, Circuit Court. Thereafter, the Circuit Court Judge's decision can be appealed to the Supreme Court of Appeals of West Virginia.

6. ***Standard of Evidence***
   The Grievance Board utilized the preponderance of evidence standard in deciding its cases.

7. ***Possible Sanctions***
   Employees who violate this policy will be subject to discipline including:
   Oral Warning
   Written Warning
   Written Warning with improvement plan
   Suspension
   Termination

Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

8. ***Range of Protective Measures Available to a Victim Alleging Misconduct***

The Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to, a university order of NO CONTACT, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Marshall University. If it is determined by the Title IX Coordinator in consultation with the MUPD additional security measures may be enforced to ensure the safety and well-being of any individual involved including, but not limited to, the victim and any witnesses.

University-Initiated Protective Measures

In addition to the protective measures previously noted, the Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take the necessary action

to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to, a university order of NO CONTACT, residence hall relocation, adjustment of course schedules, a leave of absence, campus escort by law enforcement from a specific location to another, or reassignment to another supervisor, or position. These remedies may be applied to both/multiple parties involved in the complaint. As further explained, violations of the Title IX Coordinator's directives, including protective measures will constitute related violations that may lead to further disciplinary action. Both parties have the option of university assigned Advisors or an Advisor of their choice for support throughout the entire process. Protective measures may be temporary pending the results of the investigation or may become permanent as determined by Marshall University. Additionally, the University provides support tailored to meet the needs of each individual student to ensure appropriate services are identified for students with disabilities, language or any other barriers that may have been identified or disclosed.

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In West Virginia, convicted sex offenders must register with the West Virginia State Police. You can link to this information, which appears on Marshall University's website, by accessing website at http://www.marshall.edu/mupd/.

Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Alcoholic Beverages

Marshall University has established a policy and guidelines governing the sale, possession and consumption of alcoholic beverages on the University campus that are consistent with West Virginia state law. State law prohibits the sale and consumption of all alcoholic beverages to persons under the age of 21. Accordingly, MUPD enforces West Virginia state law underage drinking laws and does not permit the unlawful possession, use, and/or consumption of alcoholic beverages by underage persons, further this activity is not permitted on property owned or controlled by the University. In addition, the Office of Student Advocacy and Accountability enforces the Student Code of Conduct for offenses related to underage drinking laws and does not permit the unlawful possession, use, and/or consumption of alcoholic beverages by underage persons, on or off University property. See Sections 5.2.4.2 and 5.2.4.3 of Board of Governors Rule SA-1, Student Rights and Responsibilities.
https://www.marshall.edu/policies/files/2024/08/MUBOG-SA-1-Student-Rights-and-Responsibilities.pdf

Illegal Drugs

The University is in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. The possession, use, sale, manufacture or distribution of any illegal drug is prohibited on property owned or controlled by the University. University Police officers enforce Federal and State drug laws on campus. Members of the University community are responsible for knowing and complying with provisions of West Virginia and Federal law that prohibits the unlawful possession, sale, delivery, manufacture or use of those drugs known as "controlled substances."

Drug and Alcohol Misuse Educational Programs

In compliance with the Drug Free Schools and Communities Act, Marshall University publishes information regarding the University 's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for MU students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: https://www.marshall.edu/wellness/tobacco-use/.

Descriptions of University drug and alcohol misuse education programs may be found at the link on the University's disclosures web page at www.marshall.edu/disclosures/drugfree.

Consistent with its educational mission, the University assists members of the community by providing counseling and substance abuse education programs. These services and programs are made available on the campus through:

- Substance Abuse Education Program – Phone: 304-696-4103, 1210 Wellness Center suite in the Rec Center
- Counseling Services - Phone: 304-696-3111, Prichard Hall, South Lobby
- Vocational Rehabilitation - Phone: 304-696-2394, 153 Prichard Hall

Off-Campus (Non-campus) Student Residences

Marshall University has non-campus locations of student organizations officially recognized by the University, including those student organizations with non-campus housing facilities. Marshall University monitors and records criminal activity at such locations close to campus through a cooperative effort with the HPD. These non-campus locations are in Huntington, West Virginia and MUPD works closely with the City of Huntington Policy Department in monitoring and recording any criminal activity by students at these locations. In addition, this information would also be provided with the information obtained for the annual report provided in compliance with the Clery Act.

Crime prevention programs emphasizing security measures and precautions are available to students who reside off campus from the Marshall University Police Department. The Marshall University Police Department, Huntington Police Department, Cabell County Sheriff's Department, and the Huntington detachment of the West Virginia State Police have a mutual working relationship, providing each other with assistance when necessary.

Preparation of the Annual Disclosure of Crime Statistics

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the MU Police Department (MUPD), Huntington Police Department (HPD) and Cabell County Sheriff's Department (CCSD) and non-police officials (as defined below). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Crime statistics are gathered for the core campus and other buildings owned, controlled, and used for educational purposes from local police agencies, Office of Student Advocacy and Accountability, and from campus security authorities, as defined by Federal law. Statistical information is requested and provided to MUPD on an annual basis.

All the statistics are gathered, compiled, and reported to the University community via the Campus Security Report which is published by MUPD. MUPD submits the annual crime statistics published in this brochure to the

Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

Marshall distributes a blast email notice to all enrolled students and current employees on an annual basis. The notice includes a summary of the contents of the Campus Security Report. The email also includes the address where the Campus Security Report can be found on-line at https://www.marshall.edu/disclosures/securityreport/ and information about how to request a hard copy of the brochure.

Marshall reports the crimes required by the Clery Act that occurred on or within an institution's Clery Geography that were reported to a Campus Security Authority.

Main Campus

Number of Occurrences of Selected Crimes

Criminal Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
RAPE	2023	2	1	1	0
	2024	3	3	0	0
	2025	0	0	0	1
FONDLING	2023	0	0	0	0
	2024	1	0	0	0
	2025	1	0	0	0
INCEST	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ROBBERY	2023	0	0	0	0
	2024	0	0	0	0
	2025	1	0	0	2
AGGRAVATED ASSAULT	2023	0	0	0	0
	2024	2	0	0	3
	2025	0	0	0	3
BURGLARY	2023	8	0	3	0
	2024	2	0	0	0
	2025	1	0	0	8
MOTOR VEHICLE THEFT	2023	2	0	0	2
	2024	4	0	0	2

2025	4	0	0	3

ARSON	2023	0	0	0	0
	2024	0	0	0	0
	2025	1	0	0	0
LARCENIES	2023	55	4	9	0
	2024	66	1	0	10
	2025	58	9	4	0

Arrests and Disciplinary Referrals Reporting Table

Arrests and Disciplinary Referrals Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS:	2023	1	0	0	0
WEAPONS: CARRYING, POSSESSING	2024	0	0	0	0
	2025	0	0	0	3
DISCIPLINARY REFERRALS:	2023	1	1	0	0
WEAPONS: CARRYING, POSSESSNG	2024	1	0	0	2
	2025	0	0	0	0
ARRESTS:	2023	5	1	0	0
DRUG ABUSE VIOLATIONS	2024	5	1	1	19
	2025	4	2	0	44
DISCIPLINARY REFERRALS:	2023	11	10	0	1
DRUG ABUSE VIOLATIONS	2024	16	16	0	0
	2025	24	23	0	0
ARRESTS:	2023	9	4	0	0
LIQUOR LAW VIOLATION	2024	6	6	0	21
	2025	2	2	0	13
DISCIPLINARY REFERRALS:	2023	33	33	0	0
LIQUOR LAW VIOLATIONS	2024	30	26	0	0
	2025	46	46	7	0

VAWA Offenses Reporting Table

VAWA Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2023	1	1	0	0
	2024	2	0	0	0
	2025	2	2	0	1
DATING VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STALKING	2023	3	1	0	0

	2024	2	0	0	0
	2025	0	0	0	1

- **There were no reported hate crimes for the years 2023, 2024, 2025.**
- **There were no unfounded crimes for the years 2023, 2024, 2025.**

Branch Campuses and Non-campus locations

Marshall University offers classes at three locations considered "branch campuses" and one location considered a "non-campus location."

Marshall University Medical Science Campus – Huntington, WV

The Marshall University Medical Science Campus (MUMSC) is in the Fairfield Community of Huntington, West Virginia. It is specifically located from east to west between 14th Street and 17th Street and north to south between 10th Avenue and Washington Boulevard. The campus contains the Marshall University Medical Center which houses the Joan C. Edwards School of Medicine; Stephen Kopp Hall which houses the Marshall University School of Pharmacy; Erma Ora Clinical Byrd Center, Douglas Center, and the University Forensic Science Program. The campus also contains Fairfield Landing, a professional student apartment complex which opened in 2019. With that addition of the Fairfield Landing apartment complex and the Marshall University School of Pharmacy it was determined that it was appropriate to create the Marshall University Medical Science Campus. Therefore prior to 2019, the applicable crime statistics for this area were included with the main campus.

Number of Occurrences of Selected Crimes

Criminal Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
FONDLING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
INCEST	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

ROBBERY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
AGGRAVATED ASSAULT	2023	0	0	0	0
	2024	0	0	0	1
	2025	0	0	0	0
BURGLARY	2023	0	0	0	0
	2024	0	0	0	0
	2025	1	0	0	0
MOTOR VEHICLE THEFT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARSON	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
LARCENIES	2023	2	0	0	0
	2024	1	0	0	0
	2025	1	0	0	0

Arrests and Disciplinary Referrals Reporting Table

Arrests and Disciplinary Referrals Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESSING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	2
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSNG	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	2
	2025	0	0	0	9
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2023	0	0	0	0
	2024	1	1	0	0
	2025	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATION	2023	0	0	0	0
	2024	0	0	0	6
	2025	0	0	0	1
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

[20] This is a category not required by federal law.

VAWA Offenses Reporting Table

VAWA Offenses Reporting Table					
OFFENSE:	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DATING VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STALKING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	1

- **There were no reported hate crimes for the years 2023, 2024, 2025.**
- **There were no unfounded crimes for the years 2023, 2024, 2025.**

Marshall University – South Charleston

The South Charleston campus of Marshall University is located at 100 Angus E. Peyton Drive, South Charleston, WV just off the Kanawha Turnpike.

There is normally a Marshall University police officer or a security officer on duty at this campus. The police officer regularly meets with the maintenance staff of the campus to ensure safety and security issues are addressed. If students at the South Charleston campus need to report a crime, they should contact the officer on campus at 304-746-8969 or 304-546-8788 during business hours or dial 911 outside of business hours or in case of an emergency. Normal business hours are posted on the campus. Students taking South Charleston classes will receive "timely warnings" of serious incidents via the normal timely warning process (see Timely Warnings section above).

Number of Occurrences of Selected Crimes-South Charleston Campus

Criminal Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
FONDLING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
INCEST	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ROBBERY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
AGGRAVATED ASSAULT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
BURGLARY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MOTOR VEHICLE THEFT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARSON	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
LARCENIES	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

Arrests and Disciplinary Referrals Reporting Table

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSING	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSNG	2024	0	0	0	0

	2025	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATION	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
LIQUOR LAW VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0

VAWA Offenses Reporting Table

VAWA Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DATING VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STALKING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

- There were no reported hate crimes for the years 2023, 2024, 2025.
- There were no unfounded crimes for the years 2023, 2024, 2025.

Marshall University – Mid Ohio Valley Center

The Mid-Ohio Valley Center of Marshall University is located at 1 John Marshall Way in Point Pleasant, WV near the Pleasant Valley Hospital.

There is NOT normally a Marshall University police officer or a security officer on duty at this campus. If students at the Mid-Ohio Valley Center need to report a crime, they should contact a campus administrator during business hours, (304-674-7220) or dial 911 outside of business hours or in the case of an emergency. Normal business hours are posted on the campus. Students taking MOVC classes will receive “timely warnings” of serious incidents via the normal timely warning process (see Timely Warnings section above).

Number of Occurrences of Selected Crimes-Mid Ohio Valley Center

Criminal Offenses Reporting Table

		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
FONDLING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
INCEST	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ROBBERY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
AGGRAVATED ASSAULT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
BURGLARY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MOTOR VEHICLE THEFT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARSON	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
LARCENIES	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

Arrests and Disciplinary Referrals Reporting Table

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSING	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSNG	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS:	2023	0	0	0	0
DRUG ABUSE VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
DRUG ABUSE VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS:	2023	0	0	0	0
LIQUOR LAW VIOLATION	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
LIQUOR LAW VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0

VAWA Offenses Reporting Table

VAWA Offenses Reporting Table					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DATING VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STALKING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

- There were no reported hate crimes for the years 2023, 2024, 2025.
- There were no unfounded crimes for the years 2023, 2024, 2025.

Marshall University – Bill Noe Flight School, Yeager Airport, Charleston, WV

The Bill Noe Flight School of Marshall University is located at Yeager Airport, Charleston, West Virginia.

There is NOT normally a Marshall University police office or a security officer on duty at this campus. If students need to report a crime, they contact the ARCC at KCRW as posted in each flight line room.

Students receive emergency notifications through the ENS system as outlined in the Bill Noe Flight School ERP.

Number of Occurrences of Selected Crimes-Bill Noe Flight School, Yeager Airport, Charleston, WV

Criminal Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
FONDLING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
INCEST	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ROBBERY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
AGGRAVATED ASSAULT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
BURGLARY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MOTOR VEHICLE THEFT	2023	0	0	0	0
	2024	0	0	0	0

	2025	0	0	0	0
ARSON	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
LARCENIES	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

Arrests and Disciplinary Referrals Reporting Table

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSING	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSNG	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS:	2023	0	0	0	0
DRUG ABUSE VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
DRUG ABUSE VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS:	2023	0	0	0	0
LIQUOR LAW VIOLATION	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
LIQUOR LAW VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0

VAWA Offenses Reporting Table

VAWA Offenses Reporting Table					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

DATING VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STALKING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

- There were no reported hate crimes for the years 2023, 2024, 2025.
- There were no unfounded crimes for the years 2023, 2024, 2025.

Marshall University – Aviation Maintenance Technology Program, Tri-State Airport, Huntington, WV

The Aviation Maintenance Technology Program of Marshall University is located at Tri-State Airport, Huntington, West Virginia.

There is NOT normally a Marshall University police officer or a security officer on duty at this campus. If students at the KHTS campus need to report a crime they notify the ARCC as noted in the ERP for this campus or dial 911 outside of business hours or in case of an emergency.

Number of Occurrences of Selected Crimes-Aviation Maintenance Technology Program, Tri-State Airport, Huntington, WV

Criminal Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
FONDLING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
INCEST	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STATUTORY RAPE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ROBBERY	2023	0	0	0	0

	2024	0	0	0	0
	2025	0	0	0	0
AGGRAVATED ASSAULT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
BURGLARY	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
MOTOR VEHICLE THEFT	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
ARSON	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
LARCENIES	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

Arrests and Disciplinary Referrals Reporting Table

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSING	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
WEAPONS: CARRYING, POSSESSNG	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS:	2023	0	0	0	0
DRUG ABUSE VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
DRUG ABUSE VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0
ARRESTS:	2023	0	0	0	0
LIQUOR LAW VIOLATION	2024	0	0	0	0
	2025	0	0	0	0
DISCIPLINARY REFERRALS:	2023	0	0	0	0
LIQUOR LAW VIOLATIONS	2024	0	0	0	0
	2025	0	0	0	0

VAWA Offenses Reporting Table

VAWA Offenses Reporting Table					
		GEOGRAPHIC LOCATION			
OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS STUDENT HOUSING FACILITES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
DATING VIOLENCE	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0
STALKING	2023	0	0	0	0
	2024	0	0	0	0
	2025	0	0	0	0

- There were no reported hate crimes for the years 2023, 2024, 2025.
- There were no unfounded crimes for the years 2023, 2024, 2025.

Crime Statistics Appendix

Specific Information about Classifying Crime Statistics

The statistics in this brochure are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and the relevant federal law (the Clery Act).

The number of victims involved in a particular incident is indicated in the statistics column for the following crime classifications: Murder/Non-Negligent Manslaughter, Negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, and Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The number reflected in the statistics for the following crime categories includes one offense per distinct operation: Robbery, Burglary, Larceny, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart.

In cases of Motor Vehicle Theft, each vehicle stolen is counted as a statistic.

In cases involving Liquor Law, Drug Law, and Illegal Weapons violations, each person who was arrested is indicated in the arrest statistics. The statistics captured under the “Referred for Disciplinary Action” section for Liquor Law, Drug Law, and Illegal Weapons violations indicates the number of people referred to the Office of Judicial Affairs for disciplinary action for violations of those specific laws.

Hate Crime statistics are reported by the crime, geographic area, and category of prejudice. Hate crimes are captured for all of the above related crime categories, if the perpetrator selected the victim based on his/her race, gender, religion, sexual orientation, ethnicity/national origin, and/or disability, In addition, the institution is required to report any hate crime involving Intimidation, Vandalism, Larceny, Simple Assault or other bodily injury, even though there is no requirement to report the crime classification in any other area of the compliance document. Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender’s bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim’s race, sexual orientation, etc., the assault is then also classified as a hate crime.

Specific Information about the Crime Statistics Reported by Marshall
Statistics for "Residential Facilities" are also counted in the "On-Campus" crime category. The law requires institutions to break out the number of "On-Campus" crimes that occur in residential facilities.

Crime statistics for the category of larceny are not required by law but are still provided in the interest of informing the community about the most frequent crimes that occur at Marshall.

Sex Offenses Definitions
Crime Definitions from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program

Rape
The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

(As per the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program)
Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

A. Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

B. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

C. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

Other Crime Definitions
(As Per the Uniform Crime Reporting Handbook)

Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied using a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding).

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or causing the victim fear.

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone's); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Offense Definitions relating to Hate/Bias Related Crime Statistics
(As per the UCR Hate Crime Reporting Guidelines)

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious serve or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, sever laceration or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm using threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Geography definitions from the Clery Act

On-Campus-*Defined as:* (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Non-Campus Building Or Property*-Defined as:* (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property*-Defined as:* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

The University crime statistics do not include crimes that occur in privately owned homes, businesses, or other private property within or adjacent to the campus boundaries.

Campus Fire Safety Annual Compliance Report

Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. Recent changes to this law now require all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics related to student housing. The following public disclosure report details all information required by this law as it relates to Marshall University.

On-Campus Housing Fire Safety Equipment

At Marshall University, all ten residence halls are protected by fire detection and alarm systems which are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department. The buildings are also equipped with either emergency generators or lighting fixtures that incorporate backup batteries; upon loss of power, these systems automatically activate to assure adequate egress lighting in hallways and emergency exit stairwells. All residence halls are fully equipped with sprinklers. Carbon monoxide detectors have been installed in all residence halls where products of combustion could occur. All fire safety systems and equipment are strictly maintained and tested in accordance with applicable NFPA standards. Fire detection systems are required to be tested at least annually. All fire detection systems at Marshall University are inspected and tested twice per year (once per semester) by a licensed and qualified contractor. Fire suppression systems are also inspected and tested on a quarterly basis by a licensed and qualified contractor in accordance with applicable NFPA standards.

Construction Overview

ISO defines six construction classes for public buildings.

Construction Class 1 — frame
Construction Class 2 — joisted masonry
Construction Class 3 — noncombustible
Construction Class 4 — masonry noncombustible
Construction Class 5 — modified fire resistive
Construction Class 6 — fire resistive

Buskirk Hall

This facility is a six-story, 69,396 square feet, ISO Construction Class 6 building constructed in 1963. The building is fully sprinkler protected and equipped with a Class I standpipe. The building is also protected by fire detection and alarm systems that are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

First Year Residence Halls North & South

This complex consists of two (North & South) four-story buildings, ISO Construction Class 1 constructed in 2007. Each building is fully sprinkler protected and is also protected by fire detection and alarm systems that are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

Gibson Hall

Located at the Marshall Commons Residence Hall Complex: this facility is a four story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems that are centrally monitored

24 hours/day, seven days/week by the Marshall University Police Department.

Haymaker Hall

Located at the Marshall Commons Residence Hall Complex: this facility is a four-story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems that are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

Holderby Hall

This facility - a nine-story with basement, 103,378 square feet, ISO Construction Class 4 building constructed in 1963 with an addition in 1969 – was razed in 2025.

Twin Towers

This complex consists of two (East and West) fifteen-story buildings connected by a single-story dining hall, 254,167 square feet, ISO Construction Class 5 building constructed in 1968. The building is fully sprinkler protected. This building is also provided with a Class II standpipe. The building is also protected by fire detection and alarm systems that are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

Wellman Hall

Located at the Marshall Commons Residence Hall Complex: this facility is a four-story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems that are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

Willis Hall

Located at the Marshall Commons Residence Hall Complex: this facility is a four-story, 38,257 square feet, ISO Construction Class 4 building constructed in 2002. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems that are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

The Landing

Located on the Marshall University Medical Science Campus: This facility offers housing options to current graduate students, students in Pharmacy, Medicine, Forensic Science, Physical Therapy programs, students 21+ years of age, as well as Faculty, Staff and employees of affiliated organizations. The building is fully sprinkler protected. The building is also protected by fire detection and alarm systems that are centrally monitored 24 hours/day, seven days/week by the Marshall University Police Department.

Fire Safety Systems

Residential Facilities	Fire Alarm Monitoring Done On Site by MUPD	Partial Sprinkler System[1]	Full Sprinkler System[2]	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards	Number of Evacuation (fire) drills each calendar year
Buskirk Hall 1738 College Ave.	Yes	NA	Yes	Yes	Yes	Yes	2
Fairfield Landing 1130 14th Street	Yes	NA	Yes	Yes	Yes	Yes	2
First Year North 399 Thundering Herd Dr.	Yes	NA	Yes	Yes	Yes	Yes	2
First Year South 415 Thundering Herd Dr.	Yes	NA	Yes	Yes	Yes	Yes	2
Gibson 523 18th St.	Yes	NA	Yes	Yes	Yes	Yes	2
Haymaker 520 17th. St.	Yes	NA	Yes	Yes	Yes	Yes	2
Holderby 1720 5th. Ave.	Yes	NA	Yes	Yes	Yes	Yes	1
Towers East 1850-1854 5th. Ave.	Yes	NA	Yes	Yes	Yes	Yes	2
Towers West 1850-1854 5th. Ave.	Yes	NA	Yes	Yes	Yes	Yes	2
Wellman 1710 6th Ave.	Yes	NA	Yes	Yes	Yes	Yes	2
Willis 523 18th St.	Yes	NA	Yes	Yes	Yes	Yes	2

Fire Safety Education, Training and Fire Drills

All on-campus residents (including those with special needs) receive intensive and comprehensive fire safety training at the beginning of each semester. Training on fire and life safety is also provided to all Area Coordinators, Assistant Area Coordinators, Resident Advisors, and all Housing and Residence Life employees. In addition, a quality control program that covers emergency and evacuation procedures is reviewed regularly with the occupants and staff of each respective residence hall. Each resident is required to review and comply with the requirements outlined on the Housing and Residence Life web site (available at: https://www.marshall.edu/housing/) which includes information on fire safety and what appropriate action to take during a fire alarm or fire emergency. There is an emergency evacuation map posted on each floor to direct occupants to primary and secondary exits. Fire drills are conducted in residence halls at a minimum of two times per year in coordination with Marshall University's office of Environmental Health and Safety and Housing & Residence Life.

2025 Residence Hall Fire Drills

[1] Partial Sprinkler System is defined as having sprinklers in the common areas only.
[2] Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.

Residence Hall	Spring Semester	Fall Semester	Total Drills
Buskirk Hall 1738 College Ave.	January 17, 2025	August 6, 2025	2
Fairfield Landing 1130 14th Street	January 12, 2025	September 4, 2025	2
First Year North 399 Thundering Herd Dr.	January 17, 2025	September 4, 2025	2
First Year South 415 Thundering Herd Dr.	January 17, 2025	September 4, 2025	2
Gibson 523 18th St.	January 23, 2025	August 6, 2025	2
Haymaker 520 17th. St.	January 23, 2025	August 6, 2025	2
Holderby 1720 5th. Ave.	RAZED 2025	RAZED 2025	1
Towers East 1850-1854 5th. Ave.	January 23, 2025	August 6, 2025	2
Towers West 1850-1854 5th. Ave.	January 23, 2025	August 6, 2025	2
Wellman 1710 6th Ave.	January 23, 2025	August 6, 2025	2
Willis 523 18th St.	January 23, 2025	August 6, 2025	2

There are no fraternity and sorority houses that are located on university property at this time. The City of Huntington Fire Department visits each residence hall once per semester to ensure that responding personnel are familiar with the building design and layout.

Procedures Students and Employees Should Follow in Case of a Fire

If there is an actual fire emergency, students are instructed to:

1. Sound the Alarm: If you discover or suspect a fire, sound the fire alarm. If there is no alarm in the complex, warn the other occupants by knocking on doors and shouting as you exit the building.
2. Exit the Building: Try to aid others, but only if you can do so safely. After leaving the building, remain at least 100 feet away from it. Do not return to the building until university personnel has given an "all clear" signal.

Fire Reporting

Overall direction and authority for the Emergency Management Team (EMT) of the University lies with the Director of Public Safety. The Director of Public Safety will act as Incident Commander and will direct response actions to save lives and protect. The Emergency Management Coordinator will be the Director of Environmental Health and Safety. All emergencies including fires must be reported to Director of Public Safety (MUPD) and the Director of Environmental Health and Safety. If a member of the MU community finds evidence that a fire occurred and has been extinguished, they are required to report the incident to Public Safety for investigation and inclusion in the annual fire statistics.

- James E. Terry, Director of Public Safety (MUPD)
(304) 696-4357 (6HELP)

• Tracy B. Smith, Director of Environmental Health and Safety
(304) 696-2993

General Evacuation Procedures

The fire alarms alert community members of potential hazards, and community members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. The Fire Marshall can levy fines and penalties to individuals who fail to evacuate a building promptly – but a more important reason for evacuating is for safety reasons.

When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus typically ring to the MUPD dispatcher or to a security desk.

MUPD publishes this fire safety report as part of its annual Clery Act Compliance document, via this brochure, which contains information with respect to the fire safety practices and standards for MU This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire (see Fire Statistics charts below for more information). The compliance document is available for review 24 hours a day on the MUPD website at http://www.marshall.edu/disclosures/securityreport.

Student Housing Evacuation Procedures In Case of a Fire

- If you hear the fire alarm, immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
- Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and a coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- Residence life staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (Example: there is an emergency in the building leave by the nearest exit) and knock-on doors as they make their way to the nearest exit and out the building.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- DO NOT USE ELEVATORS. Elevator shafts may fill with smoke, or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. Residence Life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

Specific Fire Prevention Related Policies and Programs

All faculty, staff and students must comply with university health and safety policies and programs, attend required training, report any identified safety or health hazard, and know their roles in an emergency. See http://www.marshall.edu/safety/fire/fire-safety/.

The State Fire Marshal's Office and the West Virginia Board of Risk and Insurance Management inspect all campus buildings and facilities at least once annually.

Smoking is prohibited in all university properties owned and operated by Marshall University, including residence halls.

An application must be submitted for certain types of events on campus, and these events are subject to a review and approval process. The use of open flames and pyrotechnics, layout of assembly areas/events, and use of decorations are all evaluated during this review.

All tents, stages and other temporary facilities must comply the West Virginia's Fire Code, including the prohibition on the use of open flames near or under any tent.

All students must evacuate the building upon fire alarm activation and building ambassadors have been assigned and trained in proper evacuation procedures and reentry into the building when authorized.

Resident Directors & Advisors are trained to perform safety audits of residence rooms, coordinate emergency evacuations and warning procedures, and facilitate the performance of fire and other drills.

The Marshall University Environmental Health & Safety Department limits the types of electrical appliances allowed in residence halls, establishes expectations for compliance with drills and training, provides for periodic health and safety inspections of residence rooms, affirms limitations on materials that may be stored in resident rooms, prohibits open flames without a permit, limits the use of combustible decorations/furnishings, and notifies the Department of Student Affairs if students violate university policies and programs.

THE USE OF OPEN FLAMES IN RESIDENCE HALLS IS STRICTLY PROHIBITED.

The possession of extension cords, hot plates, toaster ovens, halogen lamps, barbeque grills, or other heat-producing cooking utensils is NOT permitted. NO appliances with open or exposed heating coils are permitted. Refrigerators rated at more than 2.5 amps are not permitted in student rooms.

Coffee pots and popcorn poppers encased with heating units are the only cooking appliances permitted in the residence halls.

All electrical appliances in operation cannot exceed 20 amps of power at one time. Appliance amperage is usually specified in the instrument manual, or on the equipment itself.

Electrical extension cords are NOT permitted, nor are multi-outlet electrical plugs that are plugged into or attached to wall outlets.

The use of power strips/surge protectors is permitted for computers, TV's, cell phone chargers and radios. All electrical appliances (such as refrigerators, coffee makers, space heaters, etc.) must be plugged directly into a wall outlet.

Statistical Report for Fire Response to Residence Halls

Facility	Number of Fires	Cause of Fire	Deaths Related to Fire	Injuries Related to Fire	Value of Property Damage
Buskirk Hall 1738 College Ave.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
Fairfield Landing3 1130 14th Street					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
First Year North 399 Thundering Herd Dr.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
First Year South 415 Thundering Herd Dr.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
Gibson Hall 523 18th St.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
Haymaker Hall 520 17th. St.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
Holderby Hall 1720 5th. Ave.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
Twin Towers East 1850-1854 5th. Ave.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0

2025	0	NA	0	0	0
Twin Towers West 1850-1854 5th. Ave.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
Wellman Hall 1710 6th Ave.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0
Willis Hall 523 18th St.					
2023	0	NA	0	0	0
2024	0	NA	0	0	0
2025	0	NA	0	0	0

Plans for Future Improvement

Marshall University maintains a prioritized list of projects to upgrade older fire systems, enhance the capabilities of existing systems, or install new fire safety systems in existing buildings. During the fiscal year ending 2026, Marshall University upgraded Life Safety systems in First Year North and First Year South.