

2016 ANNUAL CAMPUS SECURITY

&

FIRE SAFETY REPORT



University of
Science & Technology
Police Department

1201 North State Street
G-10 Campus Support
Rolla, MO 65409-0470
(573) 341-4300

In accordance with the Jeanne Clery Disclosure of Campus Security Policy
and Campus Crime Statistics Act

Greetings:

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000, 2008, and 2013. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986.

The *Clery Act* requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crime data is collected, reported and disseminated to the campus community and submitted to the Department of Education. The act is intended to provide students and their families with accurate, complete and timely information about safety on campus so that they can make informed decisions. Visit the website to learn more about the [Jeanne Clery Act](#).

In compliance with this act, the Missouri S&T Police Department has produced this report, "Campus Crime and Fire Safety Report", which contains the aforementioned information. Compliance with these provisions does not constitute a violation of the Family Educational Rights and Privacy Act of 1974 (FERPA). Campus crime statistics include crimes reported to the Missouri S&T Police Department, designated campus officials, and local law enforcement agencies. In addition to campus crime statistics, this report also is a resource guide for campus safety services, crime prevention strategies, as well as fire safety information and fires reported by campus residence halls. Upon completion of the report, students, faculty, and staff are notified of its availability through the econnection and provided with the website where the report can be accessed. Copies of the report may be obtained at the Missouri S&T Police Department.

We hope this publication proves helpful, informative, and provides an opportunity for communication between the Missouri S&T Police Department and the community which it serves.

Sincerely,

Doug Roberts

Doug Roberts
Chief of Police

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MISSOURI S&T POLICE DEPARTMENT INFORMATION

Chapter 172.350 of the Missouri Revised Statutes grants Missouri S&T Police Officers the power to maintain order, preserve peace, and make arrests as now held by peace officers, and with the further power to expel from the public buildings, campuses, grounds, and farms persons violating the rules and regulations prescribed by the Board of Curators of the University of Missouri. Additionally, all sworn members of the department also hold police officer commissions with the City of Rolla Police Department. All sworn members are required to be licensed by the Missouri Department of Public Safety's Peace Officers Standards and Training Program. Therefore Missouri S&T Police Officers have complete authority to apprehend and arrest anyone involved in an illegal act on-campus and within the city limits of Rolla.

In the case of a major offense, such as rape, murder, aggravated assault, and robbery, Missouri S&T Police Department may choose to handle the investigation or request the assistance of another law enforcement agency such as the Missouri State Highway Patrol, City of Rolla Police Department, or Phelps County Sheriff's Department. The department however does not have any written agreement with any of the other local law enforcement agencies regarding the investigation of criminal incidents. The prosecutions of criminal offenses are handled by either the City of Rolla Prosecuting Attorney's Office or the Phelps County Prosecuting Attorney's Office. In cases involving minor offenses by students, the campus police may also refer the individual to the Office of the Vice Chancellor of Student Affairs. Missouri S&T Police Department officers can and do respond to student related incidents that occur in close proximity to campus. Through coordination with local law enforcement agencies, criminal activity engaged in by students at off campus locations may be reported to the Office of the Vice Chancellor of Student Affairs for any action or follow-up that may be required.

Campus Police personnel work closely with local, state, and federal law enforcement agencies. All 911 calls for Phelps County are answered by the City of Rolla Police Department's Central Dispatch Center, which handles dispatching services for the Missouri S&T Police Department. Missouri S&T Police Officers have direct radio communication with City of Rolla Police Officers. Police personnel can access the National Crime Information Computer system (NCIC), the Missouri Uniform Law Enforcement System (MULES), and other law enforcement databases. These databases are used for accessing criminal history data, nationwide police records,

driver/vehicle identification information, as well as other local, state, and federal law enforcement information.

MISSION STATEMENT

The mission of the Missouri S&T Police Department is to support the campus community in fulfilling its commitment to teaching, research, and service by providing a safe and secure environment for students, faculty, staff, and visitors in partnership with all members of the campus community.

VALUES

The members of the Missouri S&T Police Department adhere to the following values:

M. I. N. E. R.

Making a difference: We are proud of our profession and committed to making a difference.

Integrity: We will hold ourselves to the highest legal, moral and ethical standards.

Neighborhood: We will partner with the university neighborhood in order to jointly resolve concerns.

Excellence: We will strive for personal and professional excellence.

Respect: We will ensure that all persons are treated with equality, courtesy, and compassion.

I. Clery Geography

The Clery Act requires crime statistics to be broken down according to the geographic location where the offense occurred. These locations are defined as Missouri S&T's "Clery Geography." The Clery Act divides Missouri S&T's Clery Geography into four categories: On-Campus Property, On-Campus Student Housing Facilities (a sub-set of On-Campus Property), Public Property, and Non-Campus Property.

On-Campus Property. On-Campus Property includes any building or property owned or controlled by Missouri S&T within the same reasonably contiguous geographic area and used by Missouri S&T in direct support of, or in a manner related to, its educational purposes, including residence halls. On-Campus Property also includes any building or property that is within or reasonably contiguous to Missouri S&T's other On-Campus Property that is owned by Missouri S&T but controlled by another person or entity, is frequently used by students, and supports Missouri S&T's institutional purposes.

On-Campus Student Housing Facilities. On-Campus Student Housing Facilities include any dormitory or other residential facility for students that is located on Missouri S&T's On-Campus Property. Missouri S&T's On-Campus Student Housing Facilities are part of Missouri S&T's On-Campus Property, but the Clery Act requires Missouri S&T to separately disclose statistics for the total number of crimes that occurred on its On-Campus Property, including On-Campus Student Housing Facilities, and the number of crimes that occurred in On-Campus Student Housing Facilities as a subset of the total.

Missouri S&T's On-Campus Student Housing Facilities include property that is owned and controlled by Missouri S&T; property that is owned by Missouri S&T and managed by a third party; and property owned by Missouri S&T and leased to officially-recognized student organizations. Missouri S&T's On-Campus Student Housing Facilities for the years included in this report are:

Missouri University of Science and Technology On-Campus Student Housing Facilities			
Name	Address	Type	Control
Buehler Hall	207 West 9th Street Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Farrar Hall	620 West 9 th Street Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Keller Building 1	807 North Rolla St. Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing

Keller Building 2	811 North Rolla St. Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Miner Village	900 Collegiate Blvd Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Residential Commons 1	700 University Drive Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Residential Commons 2	1575 Watts Drive Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Rolla Suites	1204 North Pine St Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Sally Hall	600 North Elm St. Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
State Street Hall	805 North State St. Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing
Thomas Jefferson Hall	202 West 18th Street Rolla, MO 65401	Residence Hall	Missouri S&T Residential Life & Housing

Public Property. For Clery purposes, Missouri S&T's Public Property includes all public property, including thoroughfares (such as public bike paths or walking trails), streets, sidewalks, and parking facilities, that is within Missouri S&T's On-Campus Property or immediately adjacent to and accessible from Missouri S&T's On-Campus Property. Generally, Missouri S&T's Public Property includes any public sidewalk that borders Missouri S&T's On-Campus Property, the public street along the sidewalk, and the public sidewalk on the other side of the street. It also includes public trails or parks immediately adjacent to Missouri S&T's On-Campus Property. Major roadways through the Missouri S&T On-Campus Property are considered Public Property because they are not controlled and maintained by Missouri S&T.

Non-Campus Property. The final category of Clery Act property is Non-Campus Property. Non-Campus Property includes any building or property owned or controlled by a student organization that is officially recognized by Missouri S&T. It also includes any building or property owned or controlled by Missouri S&T that is not reasonably geographically contiguous with Missouri S&T's On-Campus Property, used in direct support of or in relation to educational purposes, and is frequently used by students. Non-Campus Property does **not** include all properties owned or controlled by Missouri S&T. Properties that are not used in direct support of or in relation to educational purposes or frequently used by students are excluded from Missouri S&T's Non-Campus Property and from Missouri S&T statistical disclosures.

The following is a list of Missouri S&T's Non-Campus Property for the years included in this Report. For property owned by Missouri S&T, the Clery Act requires Missouri S&T to disclose statistics only for the portion of the property that is used in direct support of or in relation to educational purposes and frequently used by students. Property that was leased to third parties or used for administrative offices but not frequently used by students is not included in Missouri S&T's statistical disclosures. For property controlled (but not owned) by Missouri S&T, the Clery Act requires Missouri S&T to disclose statistics only for crimes that occurred when Missouri S&T had control of the property, i.e., the dates and times specified in its lease or other written agreement. Likewise, if Missouri S&T's written agreement is for part of a building or property, Missouri S&T discloses statistics only for crimes that occurred on the contracted space, as well as any other areas of the property that students or employees must use to access that space.

Missouri University of Science and Technology Non-Campus Property 2013-2015		
Name	Address	Ownership / Control
Housing	1804 Maxwell St Rolla, MO 65401	Owned
Housing	800 West 13 th St Rolla, MO 65401	Owned
Housing	802 West 13 th St Rolla, MO 65401	Owned
Housing	808 West 13 th St Rolla, MO 65401	Owned
Housing	804 West 13 th St Rolla, MO 65401	Owned

Housing	710 West 13 th St Rolla, MO 65401	Owned
Housing	712 West 13 th St Rolla, MO 65401	Owned
Housing	810 West 13 th St Rolla, MO 65401	Owned
Housing	1000 N Pine St Rolla, MO 65401	Leased
Housing	1005 N Pine St Rolla, MO 65401	Leased
Housing	100 West 13 th St Rolla, MO 65401	Leased
Housing	107 East 6 th St Rolla, MO 65401	Leased
Housing	805 N State St Rolla, MO 65401	Leased
Housing	207 West 9 th St Rolla, MO 65401	Leased
Housing	600-604 North Elm St Rolla, MO 65401	Leased
Housing	1701 North Pine St Rolla, MO 65401	Leased
Housing	1204 North Pine Rolla, MO 65401	Leased
Chancellor's House	10539 Limestone Lane Rolla, MO 65401	Leased

Baptist Student Union	Basement Classroom 610 West 10 th St Rolla, MO 65401	Leased
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Separate Campus. In addition to breaking down statistics for On-Campus Property, Public Property, and Non-Campus Property, the Clery Act requires Missouri S&T to separately report statistics for any location that qualifies as a Separate Campus. For purposes of the Clery Act, a Separate Campus is a location owned or controlled by Missouri S&T that is not reasonably geographically contiguous with its main campus and that offers an organized program of study, or courses in educational programs leading to a degree, certificate, or other recognized credential.

Missouri S&T's Global-St. Louis qualifies as a separate campus for Clery purposes. The S&T Global – St. Louis is located at 12837 Flushing Meadows Drive, St. Louis, MO, 63131, and it offers Distance and Continuing Education courses and certificates in a wide variety of topics and skills. S&T Global – St. Louis's On-Campus Property includes the S&T Global building and parking lot, as well as the green space that separates it from adjoining properties. S&T Global's Public Property consists of the adjacent portions of Flushing Meadows Drive and Hidden Creek Court. S&T Global – St. Louis has no On-Campus Student Housing Facilities or Non-Campus Property.

Missouri S&T PD does not provide police service or investigate crimes at S&T Global. Members of the University community should immediately report any crimes that occur at S&T Global to the City of Town and Country Police Department by calling 911 or the department's non-emergency number, (314) 737-4600. Crimes also may be reported to Missouri S&T PD at (573) 341-4300, and UMSL PD will forward the report the local law enforcement agency. Because S&T Global – St. Louis is not within Missouri S&T PD's patrol jurisdiction, Missouri S&T's crime log does not include crimes reported for S&T Global – St. Louis, and S&T Global has no on-campus housing and is not included in Missouri S&T's fire log. **Missouri S&T's policies described in this report also apply to students who attend classes at Missouri S&T Global-St. Louis unless otherwise indicated.**

REPORTING OF CRIMINAL ACTIVITY AND OTHER EMERGENCIES

Annual Campus Security Report

The Missouri S&T Police Department has the role of gathering information for, preparation of, and submission of the institution's Annual Campus Security Report. The annual campus security report is reviewed and updated annually as one cohesive document per the requirements of federal law. It is the duty of the Missouri S&T Police Departments' Chief, or their designee, to gather the required information for and submit the institution's Annual Campus Security Report prior to set deadlines.

Campus Security Authorities

"Campus security authority" is defined as - An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. Clery further defines campus security authorities as:

- ☐ A campus police department or a campus security department of an institution. If your institution has a campus police or security department, those individuals are campus security authorities. A security department can be as small as one person.
- ☐ Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). Include individuals who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security or escort students around campus after dark.
- ☐ Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. If you direct the campus community to report criminal incidents to anyone or any organization in addition to police or security-related personnel, that individual or organization is a campus security authority.

□ An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Examples of individuals who meet the criteria for being campus security authorities include:

A coordinator of Greek affairs.

A dean of students who oversees student housing, a student center or student extracurricular activities.

A director of athletics, a team coach or a faculty advisor to a student group.

A student resident advisor or assistant or a student who monitors access to dormitories.

A physician in a campus health center, a counselor in a campus counseling center or a victim advocate or sexual assault response team in a campus rape crisis center if they are identified by your school as someone to whom crimes should be reported or if they have significant responsibility for student and campus activities. However, if these individuals are not identified as people to whom crimes should be reported or do not have significant responsibility for student and campus activities, they would not be considered CSAs.

Each month The Clery Coordinator sends emails to identified Campus Security Authorities asking them to fill out an online CSA Crime statistics reporting /data gathering form to report their crime statistics.

MO S&T's Campus Security Authorities view the Campus Safety and Security Reporting Training documentation, <http://www2.ed.gov/admins/lead/safety/handbook.pdf>, provided by the Department of Education.

The Clery Coordinator is a member of the police department assigned the responsibility of collecting statistics from Campus Security Authorities and compiling the information received into the Campus Crime Act and Fire safety report.

Local Law Enforcement

The Missouri University of Science and Technology Police Department is committed to assisting our campus community; we have concurrent jurisdiction and responsibility to provide professional police service, investigate crimes on all property owned or controlled by the University, and provide educational safety classes to the campus community. Missouri S&T Police also hold a city commission with the local police department. We send request annually for Clery crime statistics to agencies in our Clery geography, inquiring if they have received any reportable offenses not previously shared with the Campus Police.

Daily Crime Log

The Missouri S&T Police Department maintains a written, easily understood Daily Crime Log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the patrol jurisdiction of the campus police department and was reported to the department via a Campus Security Authority or another law enforcement agency. This log includes: the nature, date, time, and general location of each crime, and the disposition of the complaint, if known. This log will not include reports made to other agencies. It shall be the duty of Missouri S&T Police Department to prepare this report in a timely manner so the community and media have access to the information.

Timely Warnings Reports

The MO S&T Police Department provides timely warnings about reported crimes to the campus community (Faculty, Staff, and Students), in a manner that will aid in the prevention of similar crimes if it is determined that a serious or continuing threat exists. Departmental supervisors review all reports taken by the department and/or information provided to the department by Campus Security Authorities or Local Police Authorities in a timely manner to determine any offenses that are subject to disclosure in the Annual Campus Security Report and represent a serious or continuing threat to faculty, staff, and students of the campus community. If it is determined that there is a serious or continuing threat, the supervisor, or their designee shall notify the public information officer, or their designee who will send out a media release, mass e-mail, and/or do a web posting of the incident to help prevent similar crimes from happening.

Emergency Mass Notification

Upon confirmation of a significant emergency, the Chief of Police, Police Lieutenants or the Director of Communications and or their designee will, will provide immediate notice to appropriate segments of the campus community upon confirmation of a significant emergency, unless such notice would compromise efforts to contain the emergency. Notifications may occur through use of the University's mass notification service, through the local media, or through other communication channels as appropriate for the emergency. The University's mass notification service allows for notification through multiple means, including cell phone, email addresses, text messaging.

Mass Notification Annual Test

As part of Missouri S&T's Crisis Communication Plan, Missouri S&T tests its mass notification system at least once every semester. The test focuses on the messaging capabilities of the system. When a test has been deemed appropriate, the Emergency Notification System is activated and people enrolled in the system are notified that a test is being performed and there is no immediate emergency. More information about the [University of Missouri System's Emergency Mass Notification System](#), as well as registration instructions, can be found on the website.

Emergency Response and Evacuation Procedures

The university's [Emergency Management Plan](#) can be found on the website.

The S&T Police Department's Initial Response under an 'All Hazard' plan:

- 1) In the event of an unanticipated natural or man-made disaster, the first sworn member on the scene will immediately assume the duties of Incident Commander until relieved by a sworn member of higher rank.
- 2) Uniformed patrol officers will attempt to secure the area by stopping all traffic into the affected area (with the exception of emergency response units).
- 3) Communications Officer will notify the appropriate medical, fire agencies, and/or additional resources, as indicated by the Incident Commander.
- 4) The Incident Commander will notify the Chief of Police. The Chief of Police or their designee will determine what parts of the critical incident

plan should be initiated and if the Campus Emergency Management Plan needs to be initiated.

- 5) Assistance from other agencies may be requested and used to provide for command, operations, planning, logistics, and finance/administration of the incident.
- 6) The Incident Command System (ICS) protocols shall be used when appropriate in natural and man-made disasters. The ICS identifies the Incident Commander, the Command Staff, and the General Staff positions. The ICS also includes functional provisions for command, operations, planning, logistics, and finance/administration.

Procedures Used to Notify the Campus Community

In the event of a situation that poses an immediate threat to members of the campus 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 emergency notification to all or a segment of campus community. These methods of communication include the Missouri S&T's Mass Notification (Rave Mobile Safety System), The Rave Mobile Safety System send alerts as a phone call, text message and emails. The University will post updates during critical incident on the S&T Alert homepage <http://alert.mst.edu/>

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

The Missouri University of Science and Technology Police Department and /or other campus police officer may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, campus police officer become aware of these situations when they are reported to the Police Dispatch Recorder or upon discovery during patrol or other assignments. Once campus police officer confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, the campus police will notify the on duty or on – call lieutenant, Chief of Police or a member of the S&T Communication Department to issue an emergency notification. The University's authorized representatives will immediately initiate all or some portions of the University's emergency notification system. If, in the professional judgment of police officer, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the University may elect to delay issuing an

emergency notification. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community.

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification

University and/or campus police officer on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the University community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the University mass notification system, the University will also post applicable messages about the dangerous condition on the <http://alert.mst.edu/> homepage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, University officials will distribute the notification to the entire campus community.

Determining the Contents of the Emergency Notification

The S&T Police or the S&T Communications responsible for issuing the emergency notification (usually the senior supervisor) will, in concert with University and the on scene campus police officer, determine the contents of the notification. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

Procedures for Disseminating Emergency Information to the Greater Community

If there is an emergency condition on university property that may endanger the surrounding community the campus police office will notify dispatch who will notify local city and county departments by radio and telephone and inform them of the current situation and actions be undertaken by the university.

Enrolling in the University's Emergency Notification System

We encourage members of the campus community to enroll in the S&T Alert system by visiting <http://mstalert.com/signup/> We encourage University community members to regularly update their information at the same site.

Notice on Non-Retaliation Policy

An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights under the Clery Act.

Crime Reporting

Students, faculty, staff, and visitors are encouraged to report all crimes and public safety related incidents in a timely manner to the Missouri S&T Police Department. The Missouri S&T Police Department is the primary agency for reporting and investigating all crimes that occur on university property. Any instances of criminal or suspicious acts and emergencies occurring on the campus, including residence halls, should be reported to the Missouri S&T Police Department regardless of how seemingly insignificant the crime.

The Missouri S&T Police Department is located at 1201 North State Street G-10 Campus Support Facility Building. The S&T Police Department be contacted by telephone, emergency phone or in person. Emergency phones are located across campus. The non-emergency phone numbers is (573) 341-4300. The emergency number is 911. If dialing 911, the initial call will go to the City of Rolla Police Department's Central Communications. The Rolla Police Department's Central Communication is the dispatching center for all public safety agencies in Phelps County which includes the Missouri S&T Police Department. Officers will respond as quickly as possible to any request for assistance, whether it is an emergency or not. Response time is based on current activity load and the urgency of the call. Crimes in progress, traffic accidents and medical emergencies have a higher priority than other types of calls.

In all instances of criminal activity, the Missouri S&T Police Department works to determine the exact nature and perpetrator(s) of the crime for the purposes of developing a viable case to be forwarded to the City of Rolla Prosecutor's Office or the Phelps County Prosecutor's Office for prosecution. In some cases offense reports will also be forwarded to the department of student affairs for adjudication through the campus disciplinary process. Statistics for cases forwarded to student affairs that are offenses pursuant to The Jeanne Clery Act will appear in this report. Additionally, the Missouri S&T Police Department reports crime

statistics to the Missouri State Highway Patrol for inclusion in the Uniform Crime Report published by the Federal Bureau of Investigation.

Crimes Involving Student Organizations at Off-Campus Locations

The Missouri University of Science and Technology relies on its close working relationships with local law enforcement agencies to receive information about incidents involving Missouri University of Science and Technology students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, the Missouri University of Science and Technology will actively investigate certain crimes occurring on or near campus. If the University Police learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Office of Student Conduct, as appropriate.

The University encourages all recognized student organizations to abide by federal, state, and local laws, and University regulations. The University will generally be limited to conduct which occurs on the Missouri University of Science and Technology premises or at University-sponsored or University-supervised functions. However, the University may take appropriate action, including, but not limited to the imposition of sanctions under Sections 200.020 and 200.025 of the Collected Rules and Regulations against students for conduct occurring in other settings, including off campus, in order to protect the physical safety of students, faculty, staff, and visitors or if there are effects of the conduct that interfere with or limit students' ability to participate in or benefit from the University's educational programs and activities.

Voluntary Confidential Reporting System

The university does not have a voluntary confidential reporting system for annual crime statistics. There are some very good reasons, in addition to prosecuting criminal activity, to promptly report crime. Timely notification about certain types of crime may affect the safety of others. These crimes include murder, rape, sexual assault, burglary, robbery, motor vehicle theft and arson. When you make your report, you assist Missouri S&T Police Department in maintaining accurate records of the incidence of crime on campus. This information helps to

keep the campus safe by providing the most accurate information on criminal activity to members of the campus community.

Notification of Missing Students

If a member of the university community has reason to believe a student who resides in on-campus housing is missing, he or she should report it immediately to the residence hall assistant (RHA) for the facility where the individual is currently a resident or the Missouri S&T Police Department. In the event the applicable RHA cannot be reached immediately the duty resident director (RD) should be contacted.

The Missouri S&T Police Department should be contacted immediately if the student has been confirmed missing. It is preferred that the concerned individual talk directly to a Missouri S&T Police Officer.

Designation of Contact for Missing Students

When a student checks into their residential life assignment they will have the opportunity to specify an individual, other than their emergency contact, that should be contacted within 24 hours of a determination that the student is confirmed as missing. If a student does not specify someone, then the emergency contact will be considered the contact for the purposes of these procedures, and will be notified within 24 hours of a determination that the student is confirmed as missing. Students will also be informed that if they are younger than 18 years old (and not emancipated) when they are determined to be missing the university will, within 24 hours, contact their custodial parent or guardian in addition to the contact designated for situations where they are determined to be missing. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement personnel in the furtherance of a missing person investigation. Update emergency notifications through Joe'SS at: joess.mst.edu.

Homeland Security and Terrorism

The Missouri S&T Police Department works with numerous law enforcement agencies to combat terrorism and related crimes in our service area. To aid our

department and the community combat terrorism it is essential that the community reports suspicious activity that may be related to terrorism. If you have seen a person or incident that you consider suspicious or related to terrorist type activity, please report it to the Missouri S&T Police Department at (573) 341-4300. Immediate or emergency information can be relayed by calling 911.

Important Phone Numbers

Emergency	911
Missouri S&T Police Department <u>(non-emergency)</u>	573-341-4300
University Information	573-341-4111
Rolla Police <u>(non-emergency)</u>	573-308-1213
Phelps County Regional Medical Center	573-458-8899
Student Health	573-341-4284

CRIME PREVENTION

Crime Prevention Programs

The Missouri S&T Police Department has a crime prevention officer that provides educational programming and other crime prevention functions to the university community. The crime prevention officer educates the members of the university community about safety. Periodically during the academic year the Crime Prevention Officer and other members of the Missouri S&T Police Department present crime prevention awareness sessions. A common theme of all the awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Knowing how to protect yourself and being aware of your environment are the best ways to prevent becoming a victim. The Missouri S&T Police Department offers several programs centered on preventing crimes. All programs are free to anyone affiliated with the university and include:

R.A.D. (Rape Aggression Defense): A comprehensive course that covers awareness, prevention, avoidance and hands on defense training.

Personal Safety: General overview of individual safety tips and concerns.

Alcohol/Drug Awareness: Risks and impact of alcohol and drug abuse.

Operation ID: Department provided engraver for marking personal property.

Programs are presented on a requested basis. To register for a program or to schedule one for your area, please contact the Missouri S&T Police Department at (573) 341-4300. You can get a detailed explanation of each program on our web site at: <http://police.mst.edu/aboutus/services/>.

Your Role in Crime Prevention

A secure environment is made possible through community involvement in crime prevention. The purpose of community crime prevention is simple: to help you recognize your own vulnerability to crime, and reduce your risk through preventive action and cooperation with the police. A high percentage of campus crimes are incidents of opportunity. Often campus community members contribute to situational crimes by needlessly placing themselves or their property at risk. Crime will occur wherever there is opportunity, but prevention efforts can be effective in reducing these opportunities. You play an essential role in crime prevention efforts. Be cautious, careful, and alert to your own safety; protect your possessions and university property.

Theft is the most common crime on the Rolla campus. Most thefts occur during the daylight hours, and thieves enter the structure without forced entry. In your residence, living group or office, exchange information about your schedule and watch your neighbors' rooms and work areas.

Security at Non-residential Buildings

Most non-residential campus buildings and facilities are accessible to members of the campus community and guests and visitors during normal hours of business, Monday - Friday, and for limited designated hours on Saturday and Sundays. Access times will

vary depending upon the nature of the building and activity. Except for those students, faculty and staff with keys or appropriately authorized access cards, access is generally restricted to university-affiliated personnel during recognized holidays

It is the policy of the Missouri S&T Police Department that after normal working hours, all buildings should be locked to maintain security of the buildings and their contents. Faculty, students and staff members may be issued keys to university buildings upon recommendation of the department chairman or administrative head, in accordance with established procedures. Keys are issued for entry to university buildings for conducting university business only.

Security at Residence Halls

All university residence halls have a 24-hour security program which includes locking the exterior doors at midnight. Residents can protect themselves and their property by making responsible decisions. Unescorted persons should not be given access to residence hall after hours; residents can access their own halls after hours by using their student key. Doors should not be propped open at any time. The names and telephone numbers and locations of on-call student staff are posted in the residence halls; each resident should locate this information in advance of an emergency. Keeping every room door locked at all times will deter crime, as almost every theft in a residence hall is a result of an unsecured room or unattended belongings. Every security measure taken by the residence hall staff depends on the responsible actions of each resident for its effectiveness.

Other tips for your security include:

- Ask strangers to wait in common areas while their friends are summoned.
- Lock your room door and windows when you leave, even if only for a minute, and take your keys with you.
- Keep small valuable items out of sight, in a closed drawer, or another safe place.
- Politely offer assistance to persons in your building or residence you do not recognize. If they have legitimate business, they will appreciate your help. If they do not, ask them to leave.
- Keep your room locked when you are out during move-in. Do not leave your car unlocked when loading or unloading.

- Do not leave coats, books, or other valuable items in common areas. Keep them in your room.
- If you hear or see something suspicious, call the police immediately.

Maintenance and Security of Campus Facilities

Landscaping and outdoor lighting on campus are surveyed and modified for pedestrian safety and security. Campus grounds personnel trim shrubs from sidewalks, walkways, and building entrances to enhance lighting and visibility. Campus walkways are inspected regularly to ensure adequate lighting and replacement of burned-out lights. Many campus emergency telephones follow major walkways. Maps showing walkways and emergency telephones are available at the Missouri S&T Police Department and online at

<http://police.mst.edu/media/campussupport/police/documents/EmergencyPhones.pdf>

Security Officers employed by the Missouri S&T Police Department lock interior and exterior doors on campus buildings each evening. These security officers also report door, light and security hardware operating deficiencies.

Campus Services Officers employed by the Missouri S&T Police Department lock exterior doors on campus buildings. Each evening. These campus service officer also report door, light and security hardware operating deficiencies.

Safety Escorts

Whether you are a student, faculty, staff, or visitor there may be times that you find yourself on campus at night. Rather than walking alone to your car or residence hall you can call the Missouri S&T Police Department at (573) 341-4300 to request an escort to your campus destination. Your escort will be a member of the Missouri S&T Police Department and in department uniform.

Bystander Intervention

Bystanders are the largest group of people involved in criminal incidents – they greatly outnumber both the perpetrators and the victims. Bystanders have a range of involvement in incidents. Some know that a specific crime is happening or will happen; some see a crime or potential crime in progress. Regardless of how close to the crime they are, bystanders have the power to stop crimes from occurring and to get help for people who have been victimized. If you find yourself in this situation, follow the below Tips and Options for intervening in a situation potentially involving a crime.

Tips & Options:

- Approach everyone as a friend
- Try to split up the parties involved
- Do not be antagonistic
- Redirect the focus of one person somewhere else
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police
- If you encounter a situation involving Dating Violence, The following steps should be taken.
 1. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
 2. Speak up when someone discusses plans to take sexual advantage of another person.
 3. Call police when a person is yelling at another and it is not safe for you to intervene.
 4. Refuse to leave the area (or call police) if a person is trying to get you to leave so they can take advantage of another.
 - Speak up when people use racist, sexist, homophobic or other harmful language.
- Ensure friends who are incapacitated do not leave the party or go to secluded places with another person.
 -

STEP-UP! is Missouri S&T's bystander intervention training. It is a prosocial behavioral and educational program for college students with the goals of:

- Raising awareness of helping behaviors
- Increasing motivation to help

- Developing skills and confidence when responding to problems or concerns
- Ensuring the safety and well-being of self and others
- Educating Bystanders about preventing Dating Violence, Domestic Violence, Sexual Assault, and Stalking

STEP-UP! is being offered by the STEP-UP! Training Committee and is available on a request basis. Please contact the Missouri S&T office of [Student Wellness Center](#) for more information.

Warning signs of Abusive Behavior

Past abuse

An abuser may say, "I hit someone in the past, but she made me do it." An abusive person who minimizes what happened with a previous partner is likely to be violent with their current partner. Abusive behavior does not just go away; long-term counseling and a sincere desire to change are necessary.

Threats of violence or abuse

Threats can involve anything that is meant to control the victim. For example, "I'll tell your parents about your drug use if you don't do what I want." Healthy relationships do not involve threats, but an abusive person will try to excuse this behavior by saying that "everybody talks like that."

Breaking objects

An abuser may break things, beat on tables or walls or throw objects around or near the victim. This behavior terrorizes the victim and can send the message that physical abuse is the next step.

Use of force during an argument

An abuser may use force during arguments, including holding the victim down, physically restraining the victim from leaving the room, and pushing and shoving. For example, an abuser may hold a victim against the wall and say, "You're going to listen to me."

Jealousy

An abuser will say that jealousy is a sign of love. In reality, jealousy has nothing to do with love. It is a sign of insecurity and possessiveness. An abuser may question the victim about whom they talk to or be jealous of time spent with other people. As the jealousy progresses, the abuser will call the victim frequently, stop by unexpectedly or monitor the victim's activities.

Controlling behavior

An abuser will claim that controlling behavior is out of concern for the victim's welfare. They will be angry if the victim is late and will frequently interrogate the victim. As this behavior gets worse, the abuser will control the victim's appearance and activities.

Quick involvement

An abuser will often pressure someone to make a commitment after a very short amount of time. The abuser comes on quickly, claiming "love at first sight," and will tell the victim flattering things such as "You're the only person I could ever love."

Unrealistic expectations

The abuser is dependent on the victim for everything and expects perfection. The victim is expected to take care of everything for the abuser, particularly all emotional support. The abuser will say things like, "You're the only person I need in my life."

Isolation

The abuser will attempt to diminish and destroy the victim's support system. If a female victim has male friends, she is accused of being a "whore." If she has female friends, she is accused of being a "lesbian." If she is close to her family, she is accused of being "tied to the apron strings." The abuser will accuse people who are close to the victim of "causing trouble."

Blames others for problems

Abusers will rarely admit to the part they play in causing a problem. He or she will blame the victim for almost anything that goes wrong.

Blames others for their feelings

An abuser will tell the victim, "I hurt you because you made me mad," or "You're hurting me when you don't do what I ask." Blaming the victim is a way of manipulating them and avoiding any responsibility.

Hypersensitivity

An abuser can be easily insulted. The slightest setbacks are seen as personal attacks. An abuser will rage about the everyday difficulties of life as if they are injustices -- such as getting a traffic ticket or not doing well on an exam.

Cruelty to animals or children

An abuser may brutally punish animals or be insensitive to their pain or suffering. Pets can be used to control the victim or to emotionally abuse them.

"Playful" use of force during sex

The abuser may like to hold the victim down during sex. They may want to act out sexual fantasies in which the victim is helpless. An abuser may show little concern about whether the victim wants to have sex and use sulking or anger to manipulate the victim into compliance. They may demand sex or start having sex with the victim when they are sleeping or very intoxicated.

Rigid sex roles

Male abusers often expect women to serve and obey them. They view women as inferior to men and believe that a woman is not a whole person without a relationship with a man.

Jekyll-and-Hyde personality

Explosiveness and mood swings are typical of abusers, and these behaviors are related to other traits such as hypersensitivity. This is not always a sign of mental health problems but may be a way of controlling the victim by being unpredictable.

DRUG AND ALCOHOL POLICIES AND PROGRAMS

Alcohol and Drugs

Missouri S&T Police officers enforce laws regulating the use of alcoholic beverages and underage drinking. Missouri S&T is committed to maintaining a safe and healthy environment for the campus community. Alcohol and other drugs should not interfere with the University's educational mission. All Missouri S&T students, faculty members, staff members, and administrators are subject to local, state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs. Violations of Missouri University of Science and Technology regulations can result in disciplinary action up to and including expulsion for students and discharge for employees.

Missouri S&T Alcohol Policy

The use or possession of any alcoholic beverage is strictly prohibited on all University property except where appropriate University approval is given, subject to legal requirements. To request the use of alcoholic beverages, individuals should inquire at the Student Life Office, located in room 218 of the Havener Center, phone (573) 341-6771.

It is the responsibility of each recognized student organization to see that those in attendance at their social functions and meetings conduct themselves in accordance with Missouri S&T regulations, local ordinances, state and federal laws, and the organization's national affiliation regulations. Each recognized student organization shall be held responsible, as an organization, for any violation of Missouri S&T regulations, local ordinances, state and federal laws, and the organization's national affiliation regulations committed on any premises under its control.

The Missouri University of Science and Technology observes and supports all applicable state and federal laws and local ordinances regulating the sale and possession of alcoholic beverages. Additional information about the Missouri S&T alcohol policy is available on line at

https://www.umsystem.edu/ums/rules/collected_rules/facilities/ch110/110.050_alcoholic_beverages

Drug Policy

Missouri University of Science and Technology regulations prohibit the unlawful possession, use, distribution, manufacture, and sale of alcoholic beverages and illicit drugs without proper prescription or required license or as expressly permitted by law or University regulations, including operating a vehicle on University property, or on streets or roadways adjacent to and abutting a campus, under the influence of alcohol or a controlled substance as prohibited by law of the State of Missouri.

Drug and Alcohol Abuse Prevention Programs

The university has developed programs to prevent the illicit use of drugs, the abuse of alcohol and sexual violence awareness. The programs provide services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services and disciplinary actions. These programs include:

PEERS

Joe's P.E.E.R.S is a student group that promotes healthy behaviors through awareness campaigns, skill-building programs and distribution of wellness and health info. The group works closely with the student wellness office to provide health promotion for campus. Joe's P.E.E.R.S. members are trained in leadership, communication, programming and presentation skills, as well as specific wellness topic areas.

STUDENT HEALTH 101

Student Health 101 is a monthly electronic newsletter (August - May) that covers health and wellness issues that YOU, as a student need to know (i.e. staying healthy on campus, adjusting to life away from home, mental health, alcohol and drugs, sexual responsibility, and more).

ELECTRONIC CHECK-UP TO GO (e-CHUG)

e-CHUG is a brief self-assessment that provides accurate and detailed information about personal risk patterns, individual level of alcohol tolerance, unique family risk factors, harm reduction strategies and helpful resources on campus and in the community.

MOST MINERS

Most Miners is an on-going health awareness campaign that is conducted by the student wellness office to inform the campus community that Missouri S&T students make healthy, responsible choices. The campaign is designed to correct misperceptions about Missouri S&T students by providing accurate information about them in the form of messages that are taken from annual student health behavior surveys. This strategy is referred to as social norms clarification.

NEW STUDENT PROGRAMS

During opening week new students, transfer students and upper classmen leaders are involved in sessions regarding Title IX information, sexual assault/violence/harassment awareness and prevention. Sessions include: #MinersThink, Mentor Training, Volunteer Training, bystander intervention and suicide prevention.

Miners 4 Recovery (recovery/sobriety support group)

Miners4 Recovery offers S&T Counseling, disability support and student wellness program and services for students in recovery for alcohol and drug use.

Brief Alcohol Screening & Intervention for College Students (BASICS)

BASICS program at Missouri S&T is to motivate students to reduce risky behaviors associated with alcohol consumption. BASICS will provide you with a structured opportunity to assess your own risk, identify potential changes that could work for you and help you to reduce your risk for developing future problems.

The Student Alcohol Responsibility Training (START)

START is a program which assist student in planning and hosting a successful, fun, and safe event of any kind.

Marijuana 101

Marijuana 101 is a course that is consistently updated with the latest and strongest drug research available. 6 lessons cover a variety of key issues such as marijuana

dependence, effects of marijuana, mental health issues, synthetic marijuana, local laws and legalization issues, and legal penalties associated with use.

Further information regarding these programs can be found online at the [Missouri S&T Wellness Resource Center](#).

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, and STALKING POLICY, PROCEDURES, AND PROGRAMS

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. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **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.
10. **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.).
11. **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.
12. **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 the punch bowls or other large containers.

13. **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.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately by calling 911.** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. 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 don't 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. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **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?
17. 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.

Sexual Misconduct

Sexual misconduct as defined in policy 600.020 C3: 1) nonconsensual sexual intercourse; 2) nonconsensual sexual contact involving the sexual touching of the genitals, breast or anus of another person or the nonconsensual sexual touching of another with one's own genitals whether directly or through the clothing; 3) exposing one's genitals to another under circumstances in which he or she should reasonably know that his or her conduct is likely to cause affront or alarm; or 4) sexual exploitation.

The University of Missouri System, Standards of Conduct prohibits sexually violent acts, termed "Sexual Misconduct" by the University of Missouri System, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking and sexual harassment. While The University of Missouri System utilizes different standards and definitions than the

Missouri State Statutes, sexual misconduct often overlaps with crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX <https://titleix.mst.edu/>, and the Clery Act, which mandates the contents of this report.

It is the policy of the University to notify the campus police department when sexual misconduct occurs, typically without providing identifying information about the incident, unless a victim wishes that information to be shared, or an emergency requires disclosure. Victims have the option to notify the campus police directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to campus or local law enforcement, but may also respect a victim's request not to do so. In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, faculty and staff the Missouri University of Science and Technology utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming.

It is the policy of the Missouri University of Science and Technology to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester.

Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention), and discuss institutional policies on sexual misconduct as well as the Missouri State Statute definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, often taking the form of campaigns, emails, guest speakers and events such as Campus Safety Walk, Social Norms campaign, Bystander campaign, Speak up/Speak Out, Campus Do's and Don'ts, Faculty/Staff orientations, Denim Day just to name a few. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose, and motivates them to intervene as stake holders in the safety of the community when others might choose to be bystanders.

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence does occur, the Missouri University of Science and Technology takes the matter very seriously. The University employs interim protection measures such as interim suspension and/or no contact orders in any case where a person's behavior represents a risk of violence, threat, pattern or predation. If a student is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, she/he is subject to action in accordance with the institution's appropriate discrimination and harassment policies. Anyone wishing to officially report such an incident may do so by contacting Human Resources Institutional Equity, Diversity and Inclusion 573-341-7734, Student Affairs 573-341-4292 or the Police Department 573-341-4300. Anyone with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence is encouraged to report it immediately.

If you are the victim of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact the Police Department at 911. If the offense occurred off campus, the victim may still call Missouri S&T Police Department and receive assistance in notifying the appropriate agency to respond to their location.
2. Consider securing immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to Counseling, Disability Support, and Student Wellness, Located at 320 W. 12th Street. Room 204 Norwood Hall 573-341-4211.131 for support and guidance. These are considered confidential resources.
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 96 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.

- To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
 - Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean **paper** bag or clean sheet, to avoid contamination.
 - If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
 - Record the names of any witnesses, and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation.
 - Try to memorize details (physical description, names, license plate number, car description), or even better, write notes to remind you of details, if you have time and the ability to do so.
 - If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify Missouri S&T Campus Police Department so that those orders can be enforced by the police department.
5. Even after the immediate crisis has passed, consider seeking support from Missouri S&T Counseling Services, 573-341-4211, 320 West 12th Street or contact the S&T Police so they can get you in touch with someone from counseling.

Procedures and Policies

The Missouri S&T Police Department has a policy and procedure in place for handling the prohibited acts of sexual assault, domestic violence, dating violence, and stalking incidents. If you are a victim of any of the aforementioned crimes at this university, your first priority should be to get to a place of safety. You should then obtain necessary

medical treatment. The Missouri S&T Police Department strongly advocates that victims report the incident in a timely manner. Time is a critical factor for evidence collection and preservation.

If you are a victim of any of the above crimes you should go to the Missouri S&T Police Department or call the Missouri S&T Police Department at 911. If the incident occurred off-campus, you may still call the Missouri S&T Police Department. If you choose, the Missouri S&T Police Department will notify the appropriate agency to handle the report. If you choose to call the Missouri S&T Police Department an officer will contact you at the scene of the incident, the hospital, or another location. The S&T Police Officer can provide the victim with a University Wellness Resources Card. This card informs them about Counseling, Disability Support and Student Wellness and the services provided by that department, Dean of Students, Student Affairs which provides the victim with campus and off campus resources and a Title IX reference card that explains Title IX if the S&T Police Officer deems it appropriate. The Missouri S&T Police Department complies with all Missouri state statutes regarding orders of protection, no contact orders, and restraining orders. These orders can be obtained by contacting the Phelps County Prosecutor's Office or the Dean of Students office.

For sexual assaults, you should seek medical attention in an emergency room or another medical provider that performs legal sexual assault exams. Local resources are the Phelps County Regional Medical Center, (573) 458-8899 and student health services, (573) 341-4284. To preserve evidence, you should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance.

You should also seek support and assistance from a private physician, friend, relative, or other service. Some local service resources are

- **EMERGENCY 911**

- Missouri S&T Counseling Services (573) 341-4211
- Russell House/Abuse Shelter Hotline 800-998-8340
- Pathways Community Behavioral Healthcare (573) 364-7551
- Missouri S&T Student Health Services (573) 341-4284
- Phelps County Regional Medical Center (573) 458-8899

You can decide to have the incident handled in the following ways:

- You may press charges against the suspect.
- You may ask that university disciplinary action be initiated against the suspect.
- You may ask the police to contact the suspect about the incident and choose not to have the suspect arrested.
- You may tell the police not to contact the suspect about the incident and choose not to have the suspect arrested.

University procedures provide the following in addition to, or in lieu of, pressing criminal charges in cases of alleged violence or sexual assault through the office of Institutional Equity, Diversity & Inclusion under [CRR 200](#)-Student Conduct, [CRR 370](#)-Academic Grievance and [CRR 380](#)-Staff Grievances:

Resolution procedures for accusations of Dating Violence.

Procedure for when the accused is a student (200.025)

1. General

The University will act on any formal or informal complaint or notice of violation of the University's anti-discrimination policies. The procedures described below apply to all such complaints or notice when the Accused is a student, students or a student organization.

Jurisdiction of the University of Missouri generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, the University may take appropriate action, including, but not limited to, the imposition of sanctions under Section 200.025 of the Collected Rules and Regulations against students for conduct occurring in other settings, including off-campus, in order to protect the physical safety of students, faculty, staff, and visitors or if there are effects of the conduct that interfere with or limit students' ability to participate in or benefit from the University's educational programs and activities.

2. Definitions:

1. University's Anti-Discrimination Policies. The University's Anti-Discrimination Policies include the Equal Employment/Education Opportunity Policy located at Section 320.010 of the Collected Rules and Regulations and the Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy located at Section 600.020 of the Collected Rules and Regulations.

2. **Complainant.** The term “Complainant” refers to the alleged victim of discrimination under the University’s Anti-Discrimination Policies. The University may also serve as Complainant when the alleged victim does not wish to participate in the Resolution Process.
 3. **Accused.** The person, persons or student organization alleged to have violated the University’s Anti-Discrimination Policies.
 4. **Complaint.** Formal or informal complaint or notice of violation of the University’s Anti-Discrimination Policies.
 5. **Advisors.** The individuals selected by Complainant and Accused to provide support and guidance throughout the Equity Resolution Process. Each party is allowed one advisor.
 6. **Appropriate Administrative Officers.** The Appropriate Administrative Officers are trained administrators designated by the Chancellor or designee and typically are the Title IX Coordinator, the Director of Student Conduct or the Chief Equity Officer/Affirmative Action Officer.
 7. **Student.** A person having once been admitted to the University who has not completed a course of study and who intends to or does continue a course of study in or through one of the campuses of the University. For the purpose of these rules, student status continues whether or not the University’s academic programs are in session.
 8. **Student Organization.** A recognized student organization which has received Official Approval in accordance with Section 250.010 of the Collected Rules and Regulations. Three members of the organization may represent the student organization in all proceedings.
 9. **Equity Resolution Hearing Panelists.** A group of at least ten (10) administrators or staff appointed by the Chancellor or designee to serve as hearing panelists in the Formal Resolution Process.
 10. **Equity Resolution Hearing Panel.** A group of three (3) trained administrators or staff from the larger group of Equity Resolution Hearing Panelists who serve as the Formal Hearing Panel for a specific Complaint.
 11. **Equity Resolution Appellate Officer.** A trained, senior-level administrator appointed by the Chancellor or designee to hear all appeals stemming from the Equity Resolution Process.
 12. **Formal Resolution.** Resolution of a Complaint by an Equity Resolution Hearing Panel.
 13. **Informal Resolution.** Resolution of a Complaint by the Appropriate Administrative Officer.
 14. **Conflict Resolution.** Resolution using alternative dispute resolution mechanisms such as mediation, facilitated dialogue or restorative justice.
3. **Filing a Complaint.** Any student, employee, volunteer or visitor who believes that a student or student organization has violated the University’s Anti-Discrimination Policies should contact the Chief Student Affairs Officer (or designee) and in the case of sexual misconduct or allegations of other forms of

sex discrimination as defined in Section 600.020 of the Collected Rules and Regulations, the Title IX Coordinator. Such individuals can also contact campus police if the alleged offense may also constitute a crime. In order to foster reporting and participation, the University may provide amnesty to Complainants and witnesses accused of minor student conduct violations ancillary to the incident.

In matters of a student Complainant involving sexual misconduct, sex-based stalking, dating/intimate partner violence, and sexual harassment, as defined in Section 600.020 C2, the Title IX Coordinator should inform and obtain the consent from the Complainant before proceeding with an investigation. If the Complainant requests confidentiality or asks that the Complaint not be pursued, the Title IX Coordinator should take all reasonable steps to investigate and respond to the Complaint consistent with the request for confidentiality or the request not to pursue an investigation. If a Complainant insists that identifiable information, such as the Complainant's name, not be disclosed to the alleged perpetrator, the Title IX Coordinator should inform the Complainant that the institution's ability to respond may be limited. The Title IX Coordinator should evaluate the Complainant's request in the context of providing a safe and nondiscriminatory environment for all students. The University reserves the right to pursue a resolution when a Complainant chooses not to initiate an investigation or participate in the Equity Resolution Process, when necessary to protect the University community or others and provide a safe and nondiscriminatory environment for all students. If, after due deliberation, the Title IX Coordinator decides the University will not pursue the Complaint, the Title IX Coordinator should consider other steps to limit and remedy the effects of the alleged misconduct and prevent its recurrence.

4. **Interim Remedies.** During the Equity Resolution Process and prior to making a determination whether the alleged violation has occurred, the Appropriate Administrative Officer (or designee) may provide interim remedies including, but not limited to, one or more of the following:
 1. Referral and facilitating access for Complainant to counseling, medical services and/or mental health services.
 2. At Complainant's request, assignment of a trained Advisor to provide support to the Complainant throughout the Equity Resolution Process.
 3. Implementing contact limitations on the Accused or on all parties.
 4. Referral of Complainant to victim advocacy and support services either on and/or off-campus.
 5. Referral of Complainant to academic support services and any other services that may be beneficial to the Complainant.
 6. Adjusting the courses, assignments, exam schedules, etc. of the Complainant and/or the Accused.

7. Altering the on-campus housing assignments, dining arrangements, or other campus services for either the Complainant and/or the Accused.
8. Altering the extracurricular activities of either the Complainant and/or the Accused.
9. Providing transportation accommodations for the Complainant.
10. Informing the Complainant of her/his right to notify law enforcement authorities of the alleged incident and offering to help facilitate such a report.
11. Suspending, on an interim basis, the Accused from University housing, classes, the University campus/facilities/events and/or all other University activities or privileges for which the student might otherwise be eligible, when the Appropriate Administrative Officer or designee finds and believes from the available information that the presence of the Accused on campus would seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. The appropriate procedure to determine the future status of the student will be initiated within seven business days.
 1. In all cases in which an interim suspension is imposed, the Accused will be given the opportunity to meet with the Appropriate Administrative Officer prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented.
 2. At the discretion of Appropriate Administrative Officer, alternative coursework options may be pursued to ensure as minimal an impact as possible on the Accused.
 3. The Appropriate Administrative Officer has sole discretion to implement or stay an interim suspension and to determine its conditions and duration.
 4. Violation of an interim suspension under this policy will be grounds for expulsion.
12. Suspending, on an interim basis, the Accused Student Organization's operations, University recognition, access to and use of the University campus/facilities/events and/or all other University activities or privileges for which the Accused Student Organization might otherwise be eligible, pending the completion of the Equity Resolution Process.

5. Investigation

Upon receipt of a Complaint, the Appropriate Administrative Officer and, in the case of sexual misconduct or allegations of other forms of sex discrimination as defined in Sections 600.020 and/or 200.010C of the Collected Rules and Regulations, the Title IX Coordinator or designee conducts a preliminary investigation to gather enough information to refer the matter to the appropriate resolution process and to provide appropriate interim remedies. If a Complainant wishes to pursue an investigation or if the University, based on the alleged policy

violation, wishes to pursue an investigation, then the Appropriate Administrative Officer promptly investigates or appoints a trained investigator or a team of trained investigators. Investigation of reported misconduct brought directly by Complainant should be completed expeditiously, normally within 30 business days of notice to the Appropriate Administrative Officer. Investigation may take longer when initial reports fail to provide direct first-hand information or in complex cases.

The University may undertake a short delay (several days to weeks, to allow evidence collection by the law enforcement agency) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. University action will not typically be altered or precluded on the grounds that civil cases or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

All investigations will be thorough, reliable and impartial, and will include interviews with relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary. The parties are allowed to have an Advisor of their choice present with them for all Equity Resolution Process interviews, meetings and proceedings.

6. Advisors

Each Complainant and Accused is allowed to have one Advisor of their choice present with them for all Equity Resolution Process interviews, meetings and proceedings. The parties may select whomever they wish to serve as their Advisor, including an attorney or parent. If requested by either the Complainant or the Accused, the Appropriate Administrative Officer will assign a trained Advisor to provide support throughout the Equity Resolution Process. University trained Advisors are administrators or staff at the University trained on the Equity Resolution Process. The parties may not require that the assigned Advisor have specific qualifications such as being an attorney. An Advisor is not required and any party may elect to proceed without an Advisor.

The Advisor may not make a presentation or represent the Complainant or the Accused during any meeting or proceeding. The parties are expected to ask and respond to questions on their own behalf, without representation by their Advisor. The Advisor may consult with the advisee quietly or in writing, or outside the meeting or proceeding during breaks, but may not speak on behalf of the advisee to the investigators or hearing panelists. Advisors who do not follow these guidelines will be warned or dismissed from the meeting or proceeding at the discretion of the investigator(s) during the investigation, the Appropriate Administrative Officer during the Informal Resolution process, or the Equity

Resolution Hearing Panel Chair during the Formal Resolution process. If warned, a second violation will result in dismissal of the Advisor from the meeting or proceeding.

7. Resolution of a Complaint

During or upon the completion of investigation, the Appropriate Administrative Officer will review the investigation, which may include meeting with the investigators. Based on that review, the Appropriate Administrative Officer will make a decision on whether a reasonable person could, based on the evidence gathered, find the Accused responsible for violating the University's Anti-Discrimination Policies. If, in the opinion of the Appropriate Administrative Officer, a reasonable person could find the Accused responsible based on the evidence presented, the Appropriate Administrative Officer will direct the process to continue and the Complaint will be resolved through one of three processes discussed briefly here and in greater detail below:

- Conflict Resolution – Resolution using alternative dispute resolution mechanisms such as mediation, facilitated dialogue or restorative justice
- Informal Resolution – Resolution by the Appropriate Administrative Officer
- Formal Resolution – Resolution by the Equity Resolution Hearing Panel

The parties may select Conflict Resolution (subject to the approval of the Appropriate Administrative Officer), Informal Resolution or Formal Resolution for resolution of the Complaint.

If either party or both parties select a Formal Resolution, the Complaint will be addressed using the Formal Resolution option. If there is no Complainant, the Accused may select either Informal Resolution or Formal Resolution for resolution of the Complaint.

If, following the review described above, the Appropriate Administrative Officer decides that no reasonable person could find the Accused in violation, then the process will end. In the case of sexual misconduct or allegations of other forms of sex discrimination as defined in Section 600.020 of the Collected Rules and Regulations, Complainant may request that the Title IX Coordinator reopen the investigation. If there is reasonable cause to reopen the investigation, the Title IX Coordinator will direct the investigation to continue, or if there is a preponderance of evidence of a violation, then the Title IX Coordinator may recommend conflict resolution, Informal Resolution or Formal Resolution, based on the below criteria. This decision lies in the sole discretion of the Title IX Coordinator. Such decisions are considered final.

4. Notice of Charges

At least seven business days prior to the applicable resolution process, or as far in advance as is reasonably possible if an accelerated resolution

process is scheduled with the consent of the parties, the Appropriate Administrative Officer will send a letter to the parties with the following information:

1. A description of the alleged violation(s) and applicable policies
2. A description of the applicable procedures
3. A statement of the potential sanctions/remedial actions that could result
4. An indication that the parties may have the assistance of an Advisor of their choosing, throughout the resolution process, though the Advisor's attendance at throughout the resolution process is the responsibility of the respective parties
5. A statement that Retaliation is prohibited

This Notice of Charges letter will be made in writing and will be delivered either:

- i. In person, or
- ii. Mailed to the local address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

5. Conflict Resolution

The Appropriate Administrative Officer will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. Conflict resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Informal Resolution or Formal Resolution processes to resolve conflicts. Mediation is never utilized in cases involving allegations of nonconsensual sexual intercourse or nonconsensual sexual contact. In a conflict resolution meeting, the Appropriate Administrative Officer will facilitate a dialogue with the parties to an effective resolution, if possible.

Sanctions and appeals are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies. The Appropriate Administrative Officer will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions. The Appropriate Administrative Officer utilized for Conflict Resolution may not be the same as the Appropriate Administrative Officer used in either the Informal Resolution or Formal Resolution Processes.

Conflict resolution will not be the primary resolution mechanism used to address complaints of sexual misconduct or violent behavior of any kind or in other cases of serious violations of policy, though it may be made available after the formal process is completed should the parties and the Appropriate Administrative Officer believe that it could be beneficial. It is not necessary to pursue conflict resolution prior to pursuing either Informal Resolution or Formal Resolution and either party can stop that process at any time and request either the Informal Resolution or Formal Resolution Process.

6. Procedural Details for Informal Resolution and Formal Resolution.

For both the Informal and Formal Resolution Processes, the following will apply:

1. The standard of proof will be “preponderance of the evidence,” defined as determining whether evidence shows it is more likely than not that a policy violation occurred.
2. Three members of the organization may represent the Accused Student Organization in all proceedings.
3. Questioning or evidence about the Complainant’s prior sexual conduct is not permitted, though the Appropriate Administrative Officer or Equity Resolution Hearing Panel Chair may grant a limited exception in regards to the sexual history between the parties.
4. The resolution process will normally be completed within 60 business days. Deviations from this timeframe will be promptly communicated to both parties.
5. The Accused may not directly question the Complainant and the Complainant may not directly question the Accused. However, if both Complainant and Accused request the opportunity, direct questioning between the parties will be permitted. Otherwise questions will be directed through the Chair, the Investigator or the Appropriate Administrative Officer and those questions deemed appropriate and relevant will be asked on behalf of the requesting party.
6. Informal resolution procedures may be used when both parties elect to resolve the Complaint using the Informal Resolution or when there is no Complainant and the Accused elects Informal Resolution.
7. At any time prior to the conclusion of the Informal Resolution process (i.e.: prior to a finding being made as to responsibility for the charges), the Complainant and/or the Accused may request that the Complaint shift to the Formal Resolution process. Upon

receipt of such a request from either or both parties, the Complaint will shift to the Formal Resolution Process.

8. The Appropriate Administrative Officer may, in their discretion, grant reasonable extensions to the timeframes and limits provided.
9. The Resolution Processes will proceed regardless of whether the Accused chooses to participate in the investigation, the finding or the hearing.

7. Rights of the parties in Informal Resolution and Formal Resolution.

1. Statement of the Rights of the Complainant

- 1) To be treated with respect by University officials.
- 2) Access to campus support resources (such as counseling and mental health services and University health services).
- 3) To have an Advisor of their choice accompany them to all interviews, meetings and proceedings throughout the Equity Resolution Process.
- 4) To refuse to have an allegation resolved through the Informal Resolution Process.
- 5) To receive amnesty for minor student misconduct that is ancillary to the incident, at the discretion of the Appropriate Administrative Officer.
- 6) To receive advance notice of the investigation and notice of a Formal Resolution Hearing.
- 7) An equal opportunity to present a list of potential witnesses and provide evidence.
- 8) To be free from retaliation.
- 9) To have Complaints heard in substantial accordance with these procedures.
- 10) Where the Complainant is not the reporting party, the Complainant has full rights to participation in any Equity Resolution Process.
- 11) To be informed of the finding, rationale and sanction (where applicable to the Complainant) of the Complaint in writing.
- 12) To report the matter to law enforcement (if applicable) and to have assistance in making that report.
- 13) To request reasonable housing, living and other accommodations and remedies consistent with Section 200.025D of the Collected Rules and Regulations.
- 14) To request a no contact directive between the parties.
- 15) Equal opportunity to appeal the findings and sanction.
- 16) Additional Rights For Formal Resolution:

- To have the names of witnesses that may participate in the hearing at least two days prior to the hearing.
- To have copies of all pertinent documentary evidence and any investigative report at least two business days prior to the hearing.
- To request alternative attendance or questioning mechanisms for the hearing (e.g.: screens, Skype, questions directed through the Chair, etc.)

2. Statement of the Rights of the Accused

- 1) To be treated with respect by University officials.
- 2) Access to campus support resources (such as counseling and mental health services and University health services), unless suspended from campus pending the completion of the process
- 3) To have an Advisor of their choice accompany them to all meetings and proceedings throughout the Equity Resolution Process.
- 4) To refuse to have an allegation resolved through conflict resolution procedures or using the Informal Resolution process.
- 5) An equal opportunity to present a list of potential witnesses and provide evidence.
- 6) To receive notice of the policies alleged to have been violated and notice of a Formal Resolution Hearing.
- 7) To have complaints heard in substantial accordance with these procedures.
- 8) To be informed of the finding, rationale and sanction of the Complaint in writing.
- 9) Equal opportunity to appeal the findings and sanction.
- 10) Additional Rights For Formal Resolution:
 - a) To have the names of witnesses that may participate in the hearing at least two days prior to the hearing.
 - b) To have copies of all pertinent documentary evidence and any investigative report at least two business days prior to the hearing.
 - c) To request alternative attendance or questioning mechanisms for the hearing (e.g.: screens, Skype, questions directed through the Chair, etc.)

8. Informal Resolution: Resolution by the Appropriate Administrative Officer

Informal Resolution, or Resolution by the Appropriate Administrative Officer, can be pursued for any behavior that falls within the University's Anti-Discrimination Policies. Informal Resolution may be used when both parties elect to resolve the Complaint using the Informal Resolution process or, if there is no Complainant, the Accused elects Informal Resolution.

The Informal Resolution process consists of a prompt thorough and impartial investigation, a finding on each of the alleged policy violations, and sanctions for findings of responsibility.

The Appropriate Administrative Officer will meet with the Accused to review the charges and the investigation. The Accused may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If the Accused admits responsibility, in whole or in part, the Appropriate Administrative Officer will render a finding that the individual is in violation of University policy for the admitted conduct. For any disputed violations, the Appropriate Administrative Officer will render a finding utilizing the preponderance of the evidence standard. The Appropriate Administrative Officer will also determine appropriate sanctions or remedial actions. The findings and sanctions are subject to appeal.

At any point during the Investigation and Informal Resolution process prior to the finding (i.e.: the conclusion of the Informal Resolution process), either party may request that the matter be referred to the Formal Resolution for presentation before The Equity Resolution Hearing Panel.

At least three business days prior to rendering a finding on disputed violations, the Appropriate Administrative Officer will provide the parties with written notice of intent to render a finding using Informal Resolution, either

- i. In person, or
- ii. Mailed to their local address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once emailed, notice will be presumptively delivered.

If, after at least three business days neither of the parties request in writing that the matter be referred to the Formal Resolution process, the Appropriate Administrative Officer will render a finding on the disputed violations. Once findings have been made, the right to the Formal

Resolution process is waived and the Informal Resolution process is complete. The finding of the Informal Resolution process remains subject to appeal.

The Appropriate Administrative Officer will inform the Accused and the Complainant of the final determination in writing within 3 business days of the resolution, without significant time delay between notifications. The final determination letter will be made in writing and will be delivered either:

- i. In person, or
- ii. Mailed to the local address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

9. Formal Resolution: Resolution by the Equity Resolution Hearing Panel

For Complaints that are not resolved through Informal Resolution, the Appropriate Administrative Officer will initiate the Formal Resolution Process.

1. Equity Resolution Hearing Panelist Pool

The University will create and annually train a pool of not less than ten (10) administrators or staff as hearing panelists. Panelists are appointed by the Chancellor (or designee) to serve a renewable term of three (3) years. Panelist appointments should be made with attention to representation of groups protected by the University's Anti-Discrimination Policies. The Chancellor (or designee) will select a Hearing Panelist Chair, who assigns and coordinates the pool and those Panelists assigned to specific hearings.

2. Equity Resolution Hearing Panel

When a Complaint is not resolved through the Informal Resolution Process, the Hearing Panelist Chair will assign three members from the Hearing Panelist pool to serve on the specific Hearing Panel and will also designate the Chair of the panel. An alternate may be designated to sit in throughout the process as needed. The Chair of the Hearing Panel helps ensure that the process adheres materially to the procedural elements of the Equity Resolution Hearing Process. The institution reserves the right to have its attorney or attorneys present during the hearing.

3. Notice of Hearing

At least seven business days prior to the hearing, or as far in advance as is reasonably possible if an accelerated resolution

process is scheduled with the consent of the parties, the Appropriate Administrative Officer will send a letter to the parties with the following information:

- 1) A description of the alleged violation(s) and applicable policies
- 2) A description of the applicable procedures
- 3) A statement of the potential sanctions/remedial actions that could result
- 4) An indication that the parties may have the assistance of an Advisor of their choosing, at the hearing, though the Advisor's attendance at the hearing is the responsibility of the respective parties. The Advisor may not address the Hearing Panel.
- 5) The time, date and location of the hearing. If any party does not appear at the scheduled resolution process, the resolution process will be held in their absence. For compelling reasons, the resolution process may be rescheduled.

This Notice of Hearing letter will be made in writing and will be delivered either:

- i. In person, or
- ii. Mailed to the local address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

4. Equity Resolution Hearing Panel - General Procedures

Equity Resolution Hearing Panels will be convened, usually within one to two weeks of the completion of the investigation. The Hearing Panel has the authority to hear all collateral allegations of misconduct, meaning that it hears all allegations of discrimination, harassment and retaliation, but also may hear any additional alleged policy violations that are alleged to have occurred in concert with the alleged discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within the jurisdiction of the Equity Resolution Procedure. Accordingly, investigations should be conducted with as wide a scope as necessary.

Participants will include the Chair, the two other members of the Hearing Panel, and may include the investigator(s) of the Complaint, the Complainant, the Accused (or up to three organizational representatives in a case where an organization is charged), Advisors to the parties and any called witnesses.

At least four business days prior to the hearing, the parties will give to the Appropriate Administrative Officer a list of the names of the proposed witnesses and copies of all proposed documentary evidence. At least two business days prior to the hearing, the Appropriate Administrative Officer will have available for the parties to pick-up the names of proposed witnesses, copies of all pertinent documentary evidence and a copy of any investigative report. In addition, the parties will be given a list of the names of each of the Equity Resolution Hearing Panel members at least two business days in advance of the hearing. Should any Complainant or Accused object to any panelist, they must raise all objections, in writing, to the Hearing Panelist Chair as soon thereafter as possible. Hearing Panel members will only be unseated if the Hearing Panelist Chair concludes that their bias precludes an impartial hearing of the Complaint. Additionally, any panelist or Chair of the Hearing Panel who feels they cannot make an objective determination must recuse himself or herself from the proceedings when notified of the identity of the parties and all witnesses in advance of the hearing.

The Chair of the Hearing Panel, in consultation with the parties and investigators, may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the investigator(s) in the investigation report or during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though formal cross-examination is not used between the parties. If alternative attendance or questioning mechanisms are desired such as the grievant not wanting to be in the same room as the accused for the hearing (screens, Skype, questions directed through the Chair, etc.), the parties should request them from the Chair at least two business days prior to the hearing. The University will make reasonable accommodations for both parties in keeping with the principles of equity and fairness.

5. The Hearing

Formal rules of evidence will not apply. Any evidence that the panel

believes is relevant may be considered, including history of related misconduct by the Accused that shows a pattern. The Chair of the Hearing Panel will address any evidentiary concerns prior to and/or during the hearing and may exclude irrelevant or immaterial evidence. The Chair of the Hearing Panel will determine all questions of procedure and evidence. Anyone appearing at the hearing to provide information will respond to questions on their own behalf. There will be no observers permitted in the hearing other than as provided herein.

Once the procedures are explained and the participants are introduced, the investigator(s) will present the report of the investigation first, and be subject to questioning by the parties and the Hearing Panel. The investigator(s) will be present during the entire hearing process. The Hearing Panel will then permit testimony by the parties and any present witnesses. The parties may question anyone giving testimony. Questions may be directed through the panel at the discretion of the Chair of the Hearing Panel.

Unless the Chair of the Hearing Panel determines it is appropriate, no one will present information or raise questions concerning:

- 1) Incidents not directly related to the possible violation, unless they show a pattern.
- 2) The sexual history of the Complainant (though there may be a limited exception made in regards to the sexual history between the parties).
- 3) The character of the Complainant.

The Chair of the Hearing Panel may allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Panel or the parties involved. The Panel does not hear from character witnesses.

In hearings involving more than one accused individual or in which two Complainants have accused the same individual of substantially similar conduct, the standard procedure will be to hear the Complaints jointly; however, the Appropriate Administrative Officer or the Chair of the Hearing Panel may permit the hearing pertinent to each Accused to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each Accused.

6. Decisions

The three members of the Equity Resolution Hearing Panel will

deliberate with no others present, except any legal advisor to the Hearing Panel, to determine whether the Accused is responsible or not responsible for the policy violation(s) in question. The panel will base its determination on a preponderance of the evidence (i.e., whether it is more likely than not that the Accused committed each alleged violation). If an Accused is found responsible by a majority of the panel, the panel will determine appropriate sanctions.

The Equity Resolution Hearing Panel Chair will prepare a written panel report and deliver it to the Appropriate Administrative Officer detailing the finding, how each member voted, the information cited by the panel in support of its determination and any information the Equity Resolution Hearing Panel excluded from its consideration and why. The report should conclude with sanctions. This report should not exceed two pages in length and is typically submitted to the Appropriate Administrative Officer within two (2) business days of the end of deliberations. Deviation from the 2-day period will be communicated to the parties, along with an expected time to completion.

The Appropriate Administrative Officer will inform the Accused and the Complainant of the final determination within 3 business days of receipt of the panel report, without significant time delay between notifications. Notification will be made in writing and may be delivered by one or more of the following methods:

- i. In person.
- ii. Mailed to the local or permanent address of the parties as indicated in official University records.
- iii. Emailed to the parties' University-issued email account.

Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

7. Sanctions

1) Factors considered in sanctioning

When the Accused is found responsible, the Equity Resolution Hearing Panel assigned to the Complaint in the Formal Resolution Process or the Appropriate Administrative Officer in the Informal Resolution Process will determine sanctions and remedial actions. The Appropriate Administrative Officer will apply and enforce the sanctions and remedial actions and may also add other remedial

actions as deemed appropriate. Factors considered when determining a sanction/remedial action may include:

- a) The nature, severity of, and circumstances surrounding the violation.
- b) The disciplinary history of the Accused.
- c) Any other information deemed relevant by the Equity Resolution Hearing Panel in the Formal Resolution Process or the Appropriate Administrative Officer in the Informal Resolution Process.
- d) The need for sanctions/remedial actions to bring an end to the discrimination, harassment and/or retaliation.
- e) The need for sanctions/remedial actions to prevent the future recurrence of discrimination, harassment and/or retaliation.
- f) The need to remedy the effects of the discrimination, harassment and/or retaliation on the Complainant and the University community.

2) Types of Sanctions

The following sanctions may be imposed upon any Accused or Accused Student Organization found to have violated the University's Anti-Discrimination Policies or the Student Conduct Code; more than one of the sanctions may be imposed for any single violation. Sanctions include but are not limited to:

- a) Warning. A notice in writing to the Accused or Accused Student Organization that there is or has been a violation of institutional regulations.
- b) Probation. A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe sanctions if the Accused or Accused Student Organization is found to be violating any institutional regulation(s) during the probationary period.
- c) Loss of Privileges. Denial of specified privileges for a designated period of time.
- d) Restitution. Compensating the University for loss, damage, or injury to University property. This may take the form of appropriate service and/or monetary or material replacement.
- e) Discretionary Sanctions. Work assignments, service to the University, or other related discretionary assignments, or completion of educational programming or counseling.
- f) Residence Hall Suspension. Separation of the Accused

from the residence halls for a definite period of time, after which the Accused is eligible to return. Conditions for readmission may be specified.

g) Residence Hall Expulsion. Permanent separation of the Accused from the residence halls.

h) Campus Suspension. Accused is suspended from being allowed on campus for a definite period of time. Logistical modifications consistent with the sanction imposed, may be granted at the discretion of the Chief Student Affairs Officer or designee.

i) University Dismissal. An involuntary separation of the Accused from the institution for misconduct. It is less than permanent in nature and does not imply or state a minimum separation time.

j) University Suspension. Separation of the Accused from the University for a definite period of time, after which the Accused is eligible to return. Conditions for readmission may be specified.

k) Withdrawal of Recognition. Accused Student Organization loses its Official Approval as a recognized student organization. May be either temporary or permanent.

l) University Expulsion. Permanent separation of the Accused from the University.

10. Withdrawal While Charges Pending

Should an Accused decide to withdraw from the University and not participate in the investigation and/or hearing, the process will nonetheless proceed in the Accused's absence to a reasonable resolution and, if the Accused is found responsible, the Accused will not be permitted to return to University unless all sanctions have been satisfied.

11. Equity Resolution Panel Appellate Process

1. Equity Resolution Appellate Officer

An administrator is appointed by the Chancellor to serve as the University's Equity Resolution Appellate Officer. The Equity Resolution Appellate Officer will be the individual who reviews all appeals to determine if they meet the requirements for appeal and, if the appeal does meet the requirements to appeal, examines the appeal and the entire record of the case, including but not limited to hearing testimony, all forms of evidence, the investigative report and record, to render a determination on the appeal.

2. Grounds for Appeal

Both Complainant and Accused are allowed to appeal the decision

of the Equity Resolution Panel or the Appropriate Administrative Officer, but appeals are limited to the following:

- 1) A procedural error occurred that significantly impacted the outcome of the Informal or Formal Resolution (e.g. substantiated bias, material deviation from established procedures, etc.).
- 2) To consider new evidence, unavailable during the original hearing, Informal or Formal Resolution or investigation, that could substantially impact the original finding or sanction.
- 3) The sanctions fall outside the range typically imposed for this offense, or for the cumulative conduct record of the Accused.

Both parties may submit a request for appeal to the Equity Resolution Appellate Officer. All requests for appeal must be submitted in writing to the Equity Resolution Panel Appellate Officer within three business days of the delivery of the written finding of the Equity Resolution Hearing Panel or the Appropriate Administrative Officer. The Equity Resolution Appellate Officer may, in their discretion, grant an extension of 5 business days to both parties to file a request for appeal.

3. Requests for Appeal

Appeals must meet the various requirements for appeal, or the Appeal is denied without being fully considered on its merits. This helps ensure the efficient and timely operation of the appellate process. Accordingly, when the parties submit an appeal, they are deemed to “request” that their appeal be heard and the Equity Resolution Appellate Officer will review the appeal to determine if it meets the requirements for an appeal.

4. Review of the Request to Appeal

The Equity Resolution Appellate Officer will make an initial review of the appeal request(s). The original finding and sanction are presumed to have been decided reasonably and appropriately. When any party requests an appeal, the other party (parties) will be notified. The party requesting appeal must show that the grounds for an appeal request have been met, and the other party or parties may show the grounds have not been met, or that additional grounds are met. The Equity Resolution Appellate Officer will then review the request for appeal to determine whether:

- 1) The request is timely, and
- 2) The appeal is on the basis of any of the three articulated grounds listed above in Section 200.025G.8.b., and
- 3) When viewed in the light most favorable to the appealing party, the appeal states grounds that could result in an adjusted finding or sanction.

The Equity Resolution Appellate Officer will reject the request for appeal if all three of the above are not met. Such a decision is final.

5. Review of the Appeal

If all three requirements for appeal listed above are met, The Equity Resolution Appellate Officer will accept the request for appeal and proceed with rendering a decision on the appeal applying the following additional principles:

- 1) Decisions by the Equity Resolution Appellate Officer are to be deferential to the original decision, making changes to the finding only where there is clear error and to the sanction/remedial action only if there is a compelling justification to do so.
- 2) Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the Formal Resolution or Informal Resolution, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the original Equity Resolution Hearing Panel or Appropriate Administrative Officer for reconsideration.
- 3) Sanctions imposed are implemented immediately unless the Equity Resolution Hearing Panel or Appellate Officer or designee stays their implementation pending the outcome of the appeal.
- 4) The Equity Resolution Appellate Officer will normally render a written decision on the appeal to all parties within 7 business days from accepting the request for appeal.
- 5) All parties should be informed of whether the grounds for an appeal are accepted and the results of the appeal decision.
- 6) Once an appeal is decided, the outcome is final: further appeals are not permitted.

12. Failure to Complete Sanctions/Comply with Interim and Long-term Remedial Actions

All Accused are expected to comply with all sanctions, remedial actions and corrective actions within the time frame specified by the Appropriate

Administrative Officer (Informal Resolution), the Equity Resolution Hearing Panel (Formal Resolution) or the Equity Resolution Appellate Officer. Failure to follow through on these sanctions, remedial actions and corrective actions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions/remedial/corrective actions and/or suspension, expulsion or withdrawal of recognition from the University. Suspension will only be lifted when compliance is achieved to the satisfaction of the Appropriate Administrative Officer.

13. Records

In implementing this policy, records of all Complaints, resolutions, and hearings will be kept by the Appropriate Administrative Officer. An audio, video, digital, or stenographic record of the hearings will be maintained and will be filed in the office of the Appropriate Administrative Officer or designee and, for the purpose of review or appeal, be accessible at reasonable times and places to the Accused and the Complainant. Letters of notice, exhibits, hearing record, and the findings and determination of the Hearing Panel will become the "Record of the Case." Files will be kept for seven (7) years following final resolution.

Procedure for when the accused is a faculty member (600.040)

1. General

The University will act on any formal or informal complaint or notice of violation of the University's anti-discrimination policies. The procedures described below apply to all such complaints or notice when the Accused is a Faculty Member.

2. Jurisdiction

Jurisdiction of the University of Missouri generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, the University may take appropriate action, including, but not limited to, the imposition of sanctions under Section 600.040 of the Collected Rules and Regulations against Faculty Members for conduct occurring in other settings, including off-campus, (1) in order to protect the physical safety of students, employees, visitors, patients or other members of the University community, (2) if there are effects of the conduct that interfere with or limit any person's ability to participate in or benefit from the University's educational programs, activities or employment, (3) if the conduct is related to the Faculty Member's fitness or performance in the professional

capacity of teacher or researcher or (4) if the conduct occurs when the Faculty Member is serving in the role of a University employee.

3. Definitions

1. **University's Anti-Discrimination Policies.** The University's Anti-Discrimination Policies include the Equal Employment/Education Opportunity Policy located at Section 320.010 of the Collected Rules and Regulations and the Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy located at Section 600.020 of the Collected Rules and Regulations.
2. **Complainant.** Complainant refers to the alleged victim of discrimination under the University's Anti-Discrimination Policies. The University may also serve as the Complainant when the alleged victim does not want to participate in the resolution process.
3. **Accused.** The Faculty Member or Members alleged to have violated the University's Anti-Discrimination Policies.
4. **Faculty Member.** For purposes of Section 600.040, Faculty Member includes all regular and non-regular academic staff appointments as defined in Sections 310.020 and 310.035 of the Collected Rules and Regulations.
5. **Complaint.** Any verbal or written communication or notice of an alleged violation of the University's Anti-Discrimination Policies.
6. **Advisors.** The individuals selected by the Complainant and the Accused to provide support and guidance throughout the Equity Resolution Process. Each party is allowed one advisor.
7. **Investigators.** Investigators are trained individuals appointed by the Provost or Provost's Designee to conduct investigations of the alleged violations of the University's Anti-Discrimination Policies.
8. **Equity Resolution Hearing Panelists Pool ("Hearing Panelist Pool").** A group of at least ten (10) faculty and ten (10) administrators and/or staff selected by the Chancellor or the Chancellor's designee to serve as hearing panel members in the Hearing Panel Resolution.
9. **Equity Resolution Hearing Panel ("Hearing Panel").** A group of three (3) trained Equity Resolution Hearing Panelist Pool members who serve as the Hearing Panel for a specific Complaint. The panel will include at least one faculty member and one administrator or staff member.
10. **Hearing Panelist Pool Chair ("Pool Chair").** The Hearing Panelist Pool Chair is selected by the Chancellor or Chancellor's Designee. The Pool Chair assigns and coordinates the hearing panel members to serve on the Hearing Panel for a specific Complaint and designates the Chair of the Hearing Panel for a specific Complaint. The Pool Chair may serve as a panel member or the Chair of the Hearing Panel for a specific Complaint.

11. **Chair of the Hearing Panel (“Panel Chair”).** Chair of the Hearing Panel for a specific Complaint is designated by the Hearing Panelist Pool Chair. The Pool Chair may serve as the Chair of the Hearing Panel for a specific Complaint.
12. **Summary Resolution.** Resolution of the Complaint upon the determination by the Provost or the Provost’s Designee that no reasonable person could find the Accused responsible for violating the University’s Anti-Discrimination Policies.
13. **Conflict Resolution.** Resolution using alternative dispute resolution mechanisms such as mediation, facilitated dialogue or restorative justice.
14. **Administrative Resolution.** Resolution of the Complaint by the Provost or Provost’s Designee making the finding on each of the alleged policy violations, the Provost’s Designee recommending sanctions (when applicable), and the Provost making the finding on sanctions.
15. **Hearing Panel Resolution.** Resolution of the Complaint by an Equity Resolution Hearing Panel making the finding on each of the alleged policy violations and recommending sanctions and the Provost making the finding on sanctions.
16. **Record of the Case in the Section 600.040 Process.** The Record of the Case in the Section 600.040 Process includes, when applicable: Letter(s) of notice, exhibits, hearing record (an audio, video, digital or stenographic record of the hearing); the finding on each of the alleged policy violations by either the Hearing Panel, the Provost or the Provost’s Designee; the recommendation of sanctions by the Hearing Panel or Provost’s Designee; the finding of sanctions by the Provost; and the decision on the appeal, if applicable.
17. **Parties.** The Complainant and the Accused are collectively referred to as the Parties.

4. **Filing a Complaint**

Any student, employee, volunteer, visitor or patient who believes that a Faculty Member has violated the University’s Anti-Discrimination Policies should report the Complaint to the Provost or Provost’s Designee or in the case of allegations of sexual harassment, sexual misconduct or allegations of other forms of sex discrimination as defined in Section 600.020 of the Collected Rules and Regulations, the Title IX Coordinator or Title IX Coordinator’s Designee. Such individuals can also contact campus police if the alleged offense may also constitute a crime.

5. **Interim Remedies**

During the Equity Resolution Process and prior to making a finding whether the alleged violation has occurred, the Provost or Provost’s Designee or in the case

of allegations of sexual harassment, sexual misconduct or allegations of other forms of sex discrimination as defined in Section 600.020 of the Collected Rules and Regulations, the Title IX Coordinator or Title IX Coordinator's Designee, in consultation with the Provost or Provost's Designee when directly impacting a Faculty Member, may provide interim remedies including, but not limited to, one or more of the following:

1. Referral and facilitating contact for the Complainant to on-or off-campus counseling, medical services and/or mental health services.
2. Implementing contact limitations on the Accused or on all Parties.
3. Referral of the Complainant to victim advocacy and support services either on and/or off-campus.
4. Adjusting the work schedules, work assignments, supervisory responsibilities, supervisor reporting responsibilities or work arrangements of the Complainant and/or the Accused.
5. If the Complainant is a student:
 1. Referral of the Complainant to academic support services and any other services that may be beneficial to the Complainant.
 2. Adjusting the courses, assignments, exam schedules of the Complainant.
 3. Altering the on-campus housing assignments, dining arrangements, or other campus services for the Complainant.
6. Informing the Complainant of the right to notify law enforcement authorities of the alleged incident and offering to help facilitate such a report.
7. Implementing leave from work with pay for the Complainant and/or Accused.
8. Implementing suspension from campus with pay for the Accused.

6. Employees and Students Participating in the Equity Resolution Process

All University employees and students must be truthful when making any statement or providing any information or evidence to the University throughout the process, including to the Investigator, the Provost (or Provost's Designee), the Title IX Coordinator (or Title IX Coordinator's Designee), the Hearing Panel and/or the Chancellor (or Chancellor's Designee), and all documentary evidence must be genuine and accurate. False statements, fraudulent evidence or refusal to cooperate with the Investigator, the Provost (or Provost's Designee), the Title IX Coordinator (or Title IX Coordinator's Designee), the Hearing Panel and/or the Chancellor (Chancellor's Designee) by an employee may be the basis for personnel action or by a student may be the basis for student conduct action pursuant to Section 200.010(B)(14) or other provisions of Section 200.010. Nothing in this provision is intended to require a Complainant to participate in the process.

7. Rights of the Complainant in the Equity Resolution Process

1. To be treated with respect by University officials.
2. To be free from retaliation.
3. To have access to campus support resources (such as counseling and mental health services and University health services).
4. To have an Advisor of the Complainant's choice accompany the Complainant to all interviews, meetings and proceedings throughout the Equity Resolution Process.
5. To refuse to have an allegation resolved through Conflict Resolution or Administrative Resolution Processes.
6. To have an opportunity to present a list of potential witnesses and provide evidence to the Investigator.
7. To have Complaints heard in substantial accordance with these procedures.
8. When the Complainant is not the reporting party, the Complainant has full rights to participate in any Equity Resolution Process.
9. To be informed in writing of the finding, rationale and sanctions.
10. To report the matter to law enforcement (if applicable) and to have assistance in making that report.
11. To have an opportunity to appeal the findings and sanctions.
12. Additional Rights for Hearing Panel Resolution:
 1. To receive notice of a hearing.
 2. To have the names of witnesses that may participate in the hearing at least two (2) business days prior to the hearing.
 3. To have copies of all pertinent documentary evidence and any investigative report at least two (2) business days prior to the hearing.
 4. To be present at the hearing, which right may be waived by either written notification to the Hearing Panel Chair or by failure to appear.
 5. To request alternative attendance or questioning mechanisms for the hearing (e.g.: screens, Skype, questions directed through the Chair, etc.).
 6. To have present an Advisor during the hearing and to consult with such Advisor during the hearing.
 7. To testify at the hearing or refuse to testify at the hearing.
 8. To present witnesses and documents deemed relevant by the Chair.
 9. To question witnesses present and testifying at the hearing. See Section 600.040.M.6 below for limitations on directly questioning the Accused.

8. Rights of the Accused in the Equity Resolution Process

1. To be treated with respect by University officials.

2. To have access to campus support resources (such as counseling and mental health services and University health services), unless suspended from campus pending the completion of the process.
3. To have an Advisor of the Accused's choice accompany the Accused to all meetings and proceedings throughout the Equity Resolution Process.
4. To refuse to have an allegation resolved through Conflict Resolution or Administrative Resolution Processes.
5. To have an opportunity to present a list of potential witnesses and provide evidence to the Investigator.
6. To receive notice of the policies alleged to have been violated.
7. To have complaints heard in substantial accordance with these procedures.
8. To be informed in writing of the finding, rationale and sanctions.
9. To have an opportunity to appeal the findings and sanctions.
10. Additional Rights for Hearing Panel Resolution:
 1. To receive notice of the hearing.
 2. To have the names of witnesses that may participate in the hearing at least two (2) business days prior to the hearing.
 3. To have copies of all pertinent documentary evidence and any investigative report at least two (2) business days prior to the hearing.
 4. To be present at the hearing, which right may be waived by either written notification to the Hearing Panel Chair or by failure to appear.
 5. To request alternative attendance or questioning mechanisms for the hearing (e.g.: screens, Skype, questions directed through the Chair, etc.)
 6. To have present an Advisor during the hearing and to consult with such Advisor during the hearing.
 7. To testify at the hearing or refuse to testify at the hearing.
 8. To present witnesses and documents deemed relevant by the Chair.
 9. To question witnesses present and testifying at the hearing. See Section 600.040.M.6 below for limitations on directly questioning the Complainant.

9. **Role of Advisors**

Each Complainant and Accused is allowed to have one Advisor of their choice present with them for all Equity Resolution Process interviews, meetings and proceedings. The Parties may select whomever they wish to serve as their Advisor, including an attorney. An Advisor is not required and any party may elect to proceed without an Advisor.

If the Complainant is a student, the student Complainant may request that the

Provost (or Provost's Designee) or Title IX Coordinator (or Title IX Coordinator's Designee) assign a trained Advisor to provide support throughout the Equity Resolution Process. University trained Advisors are administrators or staff at the University trained on the Equity Resolution Process.

The Advisor may not make a presentation or represent the Complainant or the Accused during any meeting or proceeding. The Parties are expected to ask and respond to questions on their own behalf, without representation by their Advisor. The Advisor may consult with the advisee quietly or in writing, or outside the meeting or proceeding during breaks, but may not speak on behalf of the advisee at any point throughout the process. Advisors who do not follow these guidelines will be warned or dismissed from the meeting or proceeding at the discretion of the Investigator(s) during the investigation, the Provost or Provost's Designee during the Administrative Resolution process, or the Chair of the Hearing Panel during the Hearing Panel process.

10. Investigation

If a Complainant wants to pursue an investigation or if the University wants to pursue an investigation, then the Provost or Provost's Designee promptly appoints a trained investigator or a team of trained investigators to investigate. Within seven (7) business days after the commencement of the investigation, the Investigator(s) will provide the Parties with written notice that an investigation has commenced, either:

1. In person, or
2. Mailed to the mailing address of the respective party as indicated in the official University records and emailed to the Party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

The Parties are allowed to have an Advisor of their choice present with them for all Equity Resolution Process interviews, meetings and proceedings in which they participate. All investigations will be thorough, reliable and impartial. The Investigator(s) will make reasonable efforts to include interviews with the Parties and relevant witnesses, obtain available evidence and identify sources of expert information, if necessary. The Investigator(s) will provide an investigation report to the Provost or Provost's Designee.

Investigation of reported misconduct brought directly by a Complainant should be completed expeditiously, normally within thirty (30) business days of notice to the University. Investigation of a Complaint may take longer based on the nature or

circumstances of the Complaint, such as lack of cooperation by the Complainant, when initial reports fail to provide direct first-hand information or in complex cases. The University may also undertake a short delay (several days to weeks, to allow evidence collection by the law enforcement agency) when criminal charges on the basis of the same behaviors that invoke the process are being investigated.

11. Summary Resolution

During or upon the completion of the investigation, the Provost or Provost's Designee will review the investigation, which may include meeting with the investigator(s). Based on that review, the Provost or Provost's Designee will make a summary determination whether a reasonable person could, based on the evidence gathered, find the Accused responsible for violating the University's Anti-Discrimination Policies.

If the Provost or Provost's Designee decides a reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, then the Provost or Provost's Designee will direct the process to continue. The Complaint will then be resolved through one of three processes: Conflict Resolution, Administrative Resolution or Hearing Panel Resolution. There is no right to reconsider or appeal the summary determination to continue the process.

If the Provost or Provost's Designee decides that no reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, then the process will end and the Complainant and the Accused will be sent written notification of the determination. The Provost or Provost's Designee may counsel and suggest training opportunities to correct for inappropriate behavior that does not rise to the level of a violation.

The Complainant may request the Chancellor or Chancellor's Designee to reconsider the summary determination ending the process. If the Chancellor or Chancellor's Designee decides a reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, the Chancellor or Chancellor's Designee will reverse the determination ending the process and direct the process to continue. The Complaint will then be resolved through one of three processes: Conflict Resolution, Administrative Resolution or Hearing Panel Resolution. This determination to continue the process lies in the sole discretion of the Chancellor or Chancellor's Designee and such determination is final. Further appeals or grievances are not permitted.

If the Chancellor or Chancellor's Designee agrees with the summary determination ending the process by the Provost or Provost's Designee and that no reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, then the process will end and the Complainant and the Accused will be sent written notification of the determination. This determination to end the process lies in the sole discretion of

Chancellor or Chancellor's Designee and such determination is final. Further appeals or grievances are not permitted.

12. Conflict Resolution

The Investigator(s) will determine if Conflict Resolution is appropriate, based on the willingness of the Parties, the nature of the conduct at issue and the susceptibility of the conduct to Conflict Resolution. Conflict Resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative and Hearing Panel Resolution processes to resolve conflicts. Mediation is never utilized in cases involving allegations of nonconsensual sexual intercourse or nonconsensual sexual contact. It is not necessary to pursue Conflict Resolution prior to pursuing either the Administrative or Hearing Panel Resolution Process and either party can stop the Conflict Resolution process at any time and request either the Administrative or Hearing Panel Resolution Process. In a Conflict Resolution meeting, a neutral, University-assigned facilitator will foster a dialogue with the Parties to an effective resolution, if possible. The Provost or Provost's Designee will keep records of any resolution that is reached, and failure to abide by the agreed upon resolution can result in appropriate responsive actions.

13. Procedural Details for Administrative Resolution and Hearing Panel Resolution

For both the Administrative Resolution and Hearing Panel Resolution, the following will apply:

1. The standard of proof will be "preponderance of the evidence," defined as determining whether evidence shows it is more likely than not that a policy violation occurred.
2. Questioning or evidence about the Complainant's prior sexual conduct is not permitted, though the Investigator, Provost (or Provost's Designee), Title IX Coordinator (or Title IX Coordinator's Designee) or Hearing Panel Chair may grant a limited exception in regards to the sexual history between the Parties, if deemed relevant.
3. Unless deemed relevant by the decision maker, character evidence of either the Complainant or the Accused will not be considered.
4. Incidents or behavior of the Accused not directly related to the possible violation(s) will not be considered unless they show a pattern of related misconduct. History of related misconduct by the Accused that shows a pattern may be considered, if deemed relevant by the decision maker.
5. The Administrative Resolution or Hearing Panel Resolution process will normally be completed within sixty (60) business days from the notice of the Complaint. Deviations from this timeframe will be promptly communicated to both parties.

6. The Accused may not directly question the Complainant and the Complainant may not directly question the Accused. However, if both the Complainant and the Accused request the opportunity, direct questioning between the Parties will be permitted in the Hearing Panel Resolution Process. Otherwise written questions will be directed to the Chair in the Hearing Panel Resolution Process, and those questions deemed appropriate and relevant will be asked on behalf of the requesting party.
7. In the Administrative Resolution Process, the Accused and the Complainant may provide a list of questions for the Investigator(s), Provost or Provost's Designee to ask the other party. If those questions are deemed appropriate and relevant, they may be asked on behalf of the requesting party.
8. The Administrative Resolution process may be used when both Parties elect to resolve the Complaint using the Administrative Resolution Process.
9. At any time prior to the finding on disputed policy violations, the Complainant and/or the Accused may request that the Complaint shift from the Administrative Resolution Process to the Hearing Panel Resolution process. Upon receipt of such a request from either or both Parties, the Complaint will shift to the Hearing Panel Resolution Process.
10. The Resolution Processes will proceed regardless of whether the Accused chooses to participate in the investigation, the finding or the hearing.
11. For good cause, the Provost or Provost's Designee in the Administrative Resolution Process and the Chair of the Hearing Panel in the Hearing Panel Resolution may, in their discretion, grant reasonable extensions to the time frames and limits provided.

14. Administrative Resolution

Administrative Resolution by the Provost or Provost's Designee can be pursued for any behavior that falls within the University's Anti-Discrimination Policies. Administrative Resolution may be used when both Parties elect to resolve the Complaint using the Administrative Resolution Process.

The Administrative Resolution process consists of:

1. A prompt, thorough and impartial investigation by the Investigator;
2. A finding by the Provost or Provost's Designee on each of the alleged policy violations; and
3. A finding by the Provost on sanctions for findings of responsibility.

The Investigator(s) will provide an investigation report to the Provost or Provost's Designee. The Provost or Provost's Designee can, but is not required to, meet with and question the Investigator and any identified witnesses. The Provost or Provost's Designee may request that the Investigator conduct additional interviews and/or gather additional information. The Provost or Provost's

Designee will offer to meet with the Complainant and will meet with the Complainant if the Complainant agrees to meet. The Provost or Provost's Designee will attempt to meet with the Accused to review the alleged policy violations and the investigation report. The Accused may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If the Accused admits responsibility, in whole or in part, the Provost or Provost's Designee will render a finding that the individual is in violation of University policy for the admitted conduct. For any disputed violations, the Provost or Provost's Designee will render a finding utilizing the preponderance of the evidence standard. The Provost's Designee may recommend appropriate sanctions but only the Provost will find sanctions or remedial actions. The findings and sanctions are subject to appeal.

At any point during the Investigation and Administrative Resolution process and prior to the finding on disputed policy violations, either party may request that the matter be referred to the Hearing Panel Resolution process.

At least three (3) business days prior to rendering a finding on disputed policy violations, the Provost or Provost's Designee will provide the Parties with written notice of intent to render a finding using the Administrative Resolution process, either:

4. In person, or
5. Mailed to their mailing address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

If, after the three (3) business days described above, the Provost or Provost's Designee has not received a request in writing from either party that the matter be referred to the Hearing Panel Resolution process, the Provost or Provost's Designee may render a finding on the disputed violations. Once the finding has been made, the right to the Hearing Panel Resolution process is waived and the Administrative Resolution process is complete. The finding of the Administrative Resolution process remains subject to appeal.

When a Provost's Designee makes the finding on each of the alleged policy violations, the Provost's Designee will recommend sanctions, but the Provost will make the finding on sanctions and remedial actions.

The Provost or Provost's Designee will inform the Accused and the Complainant of the finding on each of the alleged policy violations and the finding on sanctions, if applicable, in writing within five (5) business days of the findings,

without significant time delay between notifications. Notification will be made in writing and will be delivered either:

6. In person, or
7. Mailed to the mailing address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

15. Hearing Panel Resolution

1. Equity Resolution Hearing Panelist Pool

The University will create and annually train a pool of not less than ten (10) faculty and ten (10) administrators and/or staff as hearing panelists to serve as hearing panel members in the Hearing Panel Resolution Process. Panelists are selected by the Chancellor or Chancellor's Designee and serve a renewable, one-year term. Panelist selections should be made with attention to representation of groups protected by the University's Anti-Discrimination Policies. The Chancellor or Chancellor's Designee will select a **Hearing Panelist Pool Chair ("Pool Chair")**. The Pool Chair assigns and coordinates the hearing panel members to serve on the Hearing Panel for a specific Complaint and designates the Chair of the Hearing Panel for a specific Complaint. The Pool Chair may serve as a panel member or the Chair of the Hearing Panel for a specific Complaint.

2. Equity Resolution Hearing Panel ("Hearing Panel")

When a Complaint is not resolved through the Administrative Resolution Process, the Hearing Panelist Pool Chair will assign three members from the Hearing Panelist pool to serve on the specific Hearing Panel and will also designate the **Chair of the Hearing Panel**. The Hearing Panel will include at least one faculty member and one administrator or staff member. Up to two alternates may be designated to sit in throughout the process as needed. The Chair of the Hearing Panel helps ensure that the process adheres materially to the procedural elements of the Hearing Panel Resolution process.

3. Notice of Hearing

1. At least seven (7) business days prior to the hearing, or as far in advance as is reasonably possible if an accelerated resolution process is scheduled with the consent of the Parties, the Provost or

Provost's Designee will send a letter to the Parties with the following information:

- 1) A description of the alleged violation(s) and applicable policy or policies that are alleged to have been violated.
 - 2) Reference to or attachment of the applicable procedures.
 - 3) An indication that the Parties may have the assistance of an Advisor of their choosing, at the hearing, though the Advisor's attendance at the hearing is the responsibility of the respective Parties.
 - 4) The time, date and location of the hearing.
 - 5) A list of the names of each of the Hearing Panel members and alternates.
 - 6) A copy of the preliminary investigative report or summary.
2. This Notice of Hearing letter will be made in writing and will be delivered either:
- 1) In person, or
 - 2) Mailed to the mailing address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

4. Pre-Hearing Witness Lists, Documentary Evidence and Objection to Hearing Panel Member(s)

At least four (4) business days prior to the hearing, the Complainant and the Accused will provide to the Investigator a list of the names of the proposed witnesses and copies of all proposed documentary evidence and may also object in writing to any hearing panel member or alternate. At least two (2) business days prior to the hearing, the Investigator will have the names of proposed witnesses, copies of all pertinent documentary evidence and a copy of the investigative report available for the Complainant and the Accused, and a copy of the same will be sent to the Hearing Panel Chair.

5. Objection to or Recusal of Hearing Panel Member

Upon receipt, the Investigator will forward to the Hearing Panelist Pool Chair any written objection by the Complainant or the Accused to any hearing panel member. Hearing Panel members will only be unseated and replaced if the Hearing Panelist Pool Chair concludes that the panel member's bias precludes an impartial hearing of the Complaint.

Additionally, any panel member or Chair of the Hearing Panel who feels they cannot make an objective determination must recuse himself or herself from the proceedings in advance of the hearing.

6. Request for Alternative Attendance or Questioning Mechanisms

The Complainant and the Accused should request alternative attendance or questioning mechanisms (screens, Skype, questions directed through the Chair, etc.) at least two (2) business days prior to the hearing. The request should be made to the Chair of the Hearing Panel. The University will make reasonable accommodations for both the Complainant and the Accused in keeping with the principles of equity and fairness.

7. Requests to Reschedule the Hearing Date

For good cause, the Chair of the Hearing Panel may grant requests to reschedule the hearing date.

8. Conduct of Hearing

The Chair of the Hearing Panel ("Chair" in this subsection) shall preside at the hearing, call the hearing to order, call the roll of the Hearing Panel and alternates in attendance, ascertain the presence or absence of the Investigator, the Complainant and the Accused, confirm receipt of notice of hearing, report any extensions requested or granted and establish the presence of any Advisors. Formal rules of evidence shall not apply.

1. Investigator's Report and Testimony

The Investigator(s) will first present the written investigative report and may give a narrative report of the investigation, and then be subject to questioning by the Complainant, the Accused and the Hearing Panel. The Investigator(s) may also call witnesses who will be subject to questioning by the Investigator, the Complainant, the Accused and the Hearing Panel. The Investigator may also submit documentary evidence. The Investigator(s) will remain present during the entire hearing process.

2. Complainant's Evidence

The Complainant may give testimony and be subject to questioning by the Investigator, the Accused (through the Chair as discussed in Section 600.040.M.6 above) and the Hearing Panel. The Complainant may also call and question witnesses who may also then be questioned by the Accused, the Investigator and the Hearing Panel. The Complainant may also submit documentary evidence.

3. Accused's Evidence

The Accused may give testimony and be subject to questioning by the Investigator, the Complainant (through the Chair as discussed in Section 600.040.M.6 above) and the Hearing Panel. The Accused may also call and question witnesses who may also then be questioned by the Complainant, the Investigator and the Hearing Panel. The Accused may also submit documentary evidence.

9. Rights of the Hearing Panel

1. The relevancy and admissibility of any evidence offered at the hearing shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the Hearing Panel at the request of a member of the Hearing Panel, in which event, the ruling of the Hearing Panel by majority vote shall be final.
2. To question witnesses or evidence introduced by the Investigator, the Complainant or the Accused at any time during the hearing process.
3. To call additional witnesses and submit documentary evidence.
4. To exclude a witness proposed by the Investigator, the Complainant or the Accused if it is determined his or her testimony would be redundant or not relevant.
5. To dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Hearing Panel ("Chair" in this subsection).
6. To have present a legal advisor to the Hearing Panel, who shall be designated by the General Counsel of the Board of Curators.
7. To have the names of witnesses that may be called by the Investigator, the Complainant and the Accused at least two (2) business days prior to the hearing.

8. To have copies of all pertinent documentary evidence and the investigative report at least two (2) business days prior to the hearing.
9. Procedural questions which arise during the hearing and which are not covered by these general rules shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the Hearing Panel at the request of a member of the Hearing Panel, in which event, the ruling of the Hearing Panel by majority vote shall be final.

10. Findings

The Hearing Panel will deliberate with no others present, except any legal advisor to the Hearing Panel, to find whether the Accused is responsible or not responsible for the policy violation(s) in question. The panel will base its finding on a preponderance of the evidence (i.e., whether it is more likely than not that the Accused committed each alleged violation). If an Accused is found responsible by a majority of the panel, the panel will recommend appropriate sanctions. The Chair of the Hearing Panel will prepare a written panel report and deliver it to the Provost or Provost's Designee detailing the finding, how each member voted, the information cited by the panel in support of its finding and any information the Hearing Panel excluded from its consideration and why. If the Accused is found responsible, the report should conclude with recommended sanctions. This report is typically submitted to the Provost or Provost's Designee within two (2) business days of the end of deliberations. Deviation from the 2-day period will be communicated to the Parties, along with an expected time for completion.

The Provost or Provost's Designee will inform the Accused and the Complainant of the hearing panel report and the Provost's finding of sanctions, if applicable, within five (5) business days of receipt of the panel report, without significant time delay between notifications.

Notification will be made in writing and will be delivered either:

1. In person, or
2. Mailed to the mailing address of the respective party as indicated in official University records and emailed to the respective party's University- issued email accounts. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

16. Sanctions

If the Accused is found responsible for a violation of the University's Anti-Discrimination Policies, the Hearing Panel or Provost's Designee (when a Provost's Designee is used in the Administrative Resolution Process) will recommend sanctions but the Provost will make the finding of sanctions and remedial actions.

1. Factors Considered when Finding Sanctions/Remedial Actions

include but are not limited to:

1. The nature, severity of, and circumstances surrounding the violation.
2. The disciplinary history of the Accused.
3. The need for sanctions/remedial actions to bring an end to the discrimination, harassment and/or retaliation.
4. The need for sanctions/remedial actions to prevent the future recurrence of discrimination, harassment and/or retaliation.
5. The need to remedy the effects of the discrimination, harassment and/or retaliation on the Complainant and the University community.

2. Types of Sanctions

The following sanctions may be imposed upon any Faculty Member found to have violated the University's Anti-Discrimination Policies. Multiple sanctions may be imposed for any single violation. Sanctions include but are not limited to:

1. Warning – Verbal or Written
2. Performance Improvement Plan
3. Required Counseling
4. Required Training or Education
5. Loss of Annual Pay Increase
6. Loss of Supervisory Responsibility
7. Recommendation of discipline in a training program, including recommendation of termination, suspension or other corrective or remedial actions
8. For Non-Regular Faculty, immediate termination of term contract and employment
9. For Regular, Untenured Faculty, immediate termination of term contract and employment. Notice of not reappointing would not be required.
10. Suspension without pay (while the appeal is pending this is a suspension with pay)
11. Non-renewal of appointment
12. For Regular, Tenured Faculty, suspension without pay (while the appeal is pending, but not for the duration of the dismissal for cause proceedings, this is a suspension with pay), removal from

campus and referral to the Chancellor to initiate dismissal for cause as detailed in Section 310.060 of the Collected Rules and Regulations.

3. When Implemented

Sanctions are implemented immediately by the Provost or Provost's Designee unless the Chancellor or Chancellor's Designee stays their implementation pending the outcome of the appeal. Suspension without pay is automatically a suspension with pay during the appeal but immediately converts to a suspension without pay upon the conclusion of an appeal upholding the sanction.

17. Appeal

1. Grounds for Appeal

Both the Complainant and the Accused are allowed to appeal the findings in the Administrative Resolution Process or the finding in the Hearing Panel Resolution Process. Appeals are limited to the following:

1. A procedural error occurred that significantly impacted the outcome of the Administrative or Hearing Panel Resolution Process (e.g. substantiated bias, material deviation from established procedures, etc.).
2. To consider new evidence, unavailable during the original resolution process or investigation that could substantially impact the original finding or sanction.
3. The sanctions fall outside the range typically imposed for this offense, or for the cumulative disciplinary record of the Accused.

2. Requests for Appeal

Both the Complainant and the Accused may submit a request for appeal to the Chancellor or Chancellor's Designee. All requests for appeal must be submitted in writing to the Chancellor or Chancellor's Designee within three (3) business days of the delivery of the findings. When any party requests an appeal, the other party (parties) will be notified and receive a copy of the request for appeal.

3. Response to Request for Appeal

Within three (3) business days of the delivery of the notice and copy of the request for appeal, the other party (parties) may file a response to the

request for appeal. The response can address that sufficient grounds for appeal have not been met and/or the merits of the appeal.

4. Review of the Request to Appeal

The Chancellor or Chancellor's Designee will make an initial review of the appeal request(s). The Chancellor or Chancellor's Designee will review the request for appeal to determine whether:

1. The request is timely, and
2. The appeal is on the basis of any of the three grounds listed above, and
3. When viewed in the light most favorable to the appealing party, the appeal states grounds that could result in an adjusted finding or sanction.

The Chancellor or Chancellor's Designee will reject the request for appeal if all three of the above requirements are not met. The decision to reject the request for appeal is final and further appeals and grievances are not permitted. The Chancellor or Chancellor's Designee will normally render a written decision whether the request for appeal is accepted or rejected within seven (7) business days from receipt of the request for appeal.

5. Review of the Appeal

If all three requirements for appeal listed above are met, the Chancellor or Chancellor's Designee will accept the request for appeal and proceed with rendering a decision on the appeal applying the following additional principles:

1. Appeals are not intended to be full re-hearings of the Complaint and are therefore deferential to the original findings. In most cases, appeals are confined to a review of the written documentation and record of the Administrative Resolution or Hearing Panel Resolution, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the original decision maker (Hearing Panel, Provost or Title IX Coordinator) for reconsideration.
2. Sanctions are implemented immediately unless the Chancellor or Chancellor's Designee stays their implementation pending the outcome of the appeal. Suspension without pay is automatically a suspension with pay during the appeal but immediately converts to a suspension without pay upon the conclusion of an unfavorable appeal.

3. The Chancellor or Chancellor's Designee will normally render a written decision on the appeal to all Parties within seven (7) business days from accepting the request for appeal.
4. Once an appeal is decided, the outcome is final. Further appeals and grievances are not permitted.
6. **Extensions of Time**
For good cause, the Chancellor or Chancellor's Designee may grant reasonable extensions of time (e.g.: 7-10 business days) to the deadlines in the appeal process

18. Records

In implementing this policy, records of all Complaints, resolutions, and hearings will be kept by the Provost or Provost's Designee. An audio, video, digital, or stenographic record of the hearings will be maintained and will be filed in the office of the Provost or Provost's Designee and, for the purpose of review or appeal, be accessible at reasonable times and places to the Accused and the Complainant. The "Record of the Case in the Section 600.040 Process" includes, when applicable: letter(s) of notice, exhibits, hearing record (an audio, video, digital or stenographic record of the hearing); the finding on each of the alleged policy violations by either the Hearing Panel, the Provost or the Provost's Designee; the recommendation of sanctions by the Hearing Panel or Provost's Designee; the finding of sanctions by the Provost; and the decision on the appeal, if applicable. The Record of the Case in the Section 600.040 Process will be kept for a minimum of seven (7) years following final resolution.

19. Dismissal for Cause Referral

If the recommended sanction for a Regular, Tenured Faculty member is referral to the Chancellor to initiate Dismissal for Cause, the Record of the Case will be forwarded to the appropriate Faculty Committee on Tenure. Because the Dismissal for Cause proceeding is not a re-hearing of the Complaint, the Record of the Case will be included as evidence and the findings will be adopted for proceeding as detailed in Section 310.060: Procedures in Case of Dismissal for Cause in the Collected Rules and Regulations.

20. Amendments

The President of the University is authorized to amend this Board Rule by Executive Order on or before February 6, 2017.

Procedures for when the accused is a Staff Member (600.050)

1. General

The University will act on any formal or informal complaint or notice of violation of the University's anti-discrimination policies. The procedures described below apply to all such complaints or notice when the Accused is a Staff Member.

2. Jurisdiction

Jurisdiction of the University of Missouri generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, the University may take appropriate action, including, but not limited to, the imposition of sanctions under Section 600.050 of the Collected Rules and Regulations against Staff Members for conduct occurring in other settings, including off-campus, (1) in order to protect the physical safety of students, employees, visitors, patients or other members of the University community, (2) if there are effects of the conduct that interfere with or limit any person's ability to participate in or benefit from the University's educational programs, activities or employment or (3) if the conduct occurs when the Staff Member is serving in the role of a University employee.

3. At-Will Employment Status

Nothing contained in this policy is intended and no language contained herein shall be construed as establishing a "just cause" standard for imposing discipline, including but not limited to, termination of employment. Further, nothing contained in this policy is intended and no language contained herein shall be construed to alter in any manner whatsoever the at-will employment status of any at-will University employee.

4. Definitions:

1. **University's Anti-Discrimination Policies.** The University's Anti-Discrimination Policies include the Equal Employment/Education Opportunity Policy located at Section 320.010 of the Collected Rules and Regulations and the Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy located at Section 600.020 of the Collected Rules and Regulations.

2. **Complainant.** Complainant refers to the alleged victim of discrimination under the University's Anti-Discrimination Policies. The University may also serve as the Complainant when the alleged victim does not wish to participate in the resolution process.
3. **Accused.** The Staff Member or Members alleged to have violated the University's Anti-Discrimination Policies.
4. **Staff Members.** Staff Members include all Administrative, Service and Support Staff, which includes all regular employees, variable hour employees, nonregular employees, per diem employees as defined in Section 320.050.II of the Collected Rules and Regulations, and Subsidiary Employees as defined in Section 320.050.III.
5. **Complaint.** Any verbal or written communication or notice of an alleged violation of the University's Anti-Discrimination Policies.
6. **Advisors.** The individuals selected by the Complainant and the Accused to provide support and guidance throughout the Equity Resolution Process. Each party is allowed one advisor.
7. **Investigators.** Investigators are trained individuals appointed by the Equity Human Resources Officer ("Equity HR Officer") or Equity HR Officer's Designee to conduct investigations of the alleged violations of the University's Anti-Discrimination Policies.

8. **Equity Human Resources Officers (“Equity HR Officers”).** The Equity Human Resources Officers (“Equity HR Officers”) are trained human resources and/or equity administrators designated by:
 1. the Chancellor or Chancellor’s Designee for campus Staff Members;
 2. the Chancellor or Chancellor’s Designee for MU Health System Staff Members; and
 3. the President or President’s Designee for System Staff Members.
9. **Supervisor.** The individual or individuals who have authority to terminate the Accused’s employment. If a supervisor has a conflict as determined by the Equity HR Officer, the Equity HR Officer will determine the appropriate manager to act as the Supervisor for purposes of this rule.
10. **Equity Resolution Appellate Officers.** Equity Resolution Appellate Officers are trained, senior-level administrators who hear all appeals stemming from the Equity Resolution Process and are designated by:
 1. the Chancellor or Chancellor’s Designee for campus Staff Members;
 2. the Chancellor or Chancellor’s Designee for Health System Staff Members; and
 3. the President or President’s Designee for System Staff Members.
11. **Summary Resolution.** Resolution of the Complaint upon the determination by the Equity HR Officer or Equity HR Officer’s Designee that no reasonable person could find the Accused responsible for violating the University’s Anti-Discrimination Policies.
12. **Conflict Resolution.** Resolution using alternative dispute resolution mechanisms such as mediation, facilitated dialogue or restorative justice.
13. **Administrative Resolution.** Resolution of a Complaint by the Equity HR Officer and the Accused’s Supervisor.

14. **Parties.** The Complainant and the Accused are collectively referred to as the Parties.

5. **Filing a Complaint**

Any student, employee, volunteer, visitor or patient who believes that a Staff Member has violated the University's Anti-Discrimination Policies should contact the Equity HR Officer or Equity HR Officer's Designee and in the case of allegations of sexual harassment, sexual misconduct or allegations of other forms of sex discrimination as defined in Section 600.020 of the Collected Rules and Regulations, the Title IX Coordinator or Title IX Coordinator's Designee. Such individuals can also contact campus police if the alleged offense may also constitute a crime.

6. **Interim Remedies**

During the Equity Resolution Process and prior to a finding whether an alleged violation has occurred, the Equity HR Officer or Equity HR Officer's Designee or in the case of allegations of sexual harassment, sexual misconduct or allegations of other forms of sex discrimination as defined in Section 600.020 of the Collected Rules and Regulations, the Title IX Coordinator or Title IX Coordinator's Designee may provide interim remedies including, but not limited to, one or more of the following:

1. Referral and facilitating contact for the Complainant to on- or off-campus counseling, medical services and/or mental health services.
2. Implementing contact limitations on the Accused or on all Parties.
3. Referral of the Complainant to victim advocacy and support services either on and/or off-campus.
4. Adjusting the work schedules, work assignments, supervisory responsibilities, supervisor reporting responsibilities or work arrangements of the Complainant and/or the Accused.
5. If the Complainant is a student:
 1. Referral of Complainant to academic support services and any other services that may be beneficial to the Complainant.
 2. Adjusting the courses, assignments, exam schedules, etc. of the Complainant.
 3. Altering the on-campus housing assignments, dining arrangements, or other campus services for the Complainant.
6. Informing the Complainant of the right to notify law enforcement authorities of the alleged incident and offering to help facilitate such a report.
7. Implementing leave from work with or without pay for the Complainant and/or Accused.

8. Implementing suspension from campus with or without pay for the Accused.

7. Employees and Students Participating in the Equity Resolution Process

All University employees and students must be truthful when making any statement or providing any information or evidence to the University throughout the process, including to the Investigator, the Equity HR Officer (or Equity HR Officer's Designee), the Title IX Coordinator (or Title IX Coordinator's Designee) and/or the Equity Resolution Appellate Officer, and all documentary evidence must be genuine and accurate. False statements, fraudulent evidence or refusal to cooperate with the Investigator, the Equity HR Officer (or Equity HR Officer's Designee), the Title IX Coordinator (or Title IX Coordinator's Designee) and/or the Equity Resolution Appellate Officer by an employee may be the basis for personnel action or by a student may be the basis for student conduct action pursuant to Section 200.010(B)(14) or other provisions of Section 200.010. Nothing in this provision is intended to require a Complainant to participate in the process.

8. Rights of the Complainant in the Equity Resolution Process

1. To be treated with respect by University officials.
2. To be free from retaliation.
3. To have access to campus support resources (such as counseling and mental health services and University health services).
4. To have an Advisor of the Complainant's choice accompany the Complainant to all interviews, meetings and proceedings throughout the Equity Resolution Process.
5. To refuse to have an allegation resolved through the Conflict Resolution process.
6. To have an opportunity to present a list of potential witnesses and provide evidence to the Investigator.
7. To have Complaints heard in substantial accordance with these procedures.
8. When the Complainant is not the reporting party, the Complainant has full rights to participate in any Equity Resolution Process.
9. To be informed in writing of the finding, rationale and sanctions.
10. To report the matter to law enforcement (if applicable) and to have assistance in making that report.
11. To have an opportunity to appeal the findings and sanction.

9. Rights of the Accused in the Equity Resolution Process

1. To be treated with respect by University officials.
2. To have access to campus support resources (such as counseling and mental health services and University health services), unless removed from campus pending the completion of the process.
3. To have an Advisor of the Accused's choice accompany the Accused to all meetings and proceedings throughout the Equity Resolution Process.
4. To refuse to have an allegation resolved through the Conflict Resolution process.
5. To have an opportunity to present a list of potential witnesses and provide evidence to the Investigator.
6. To receive notice of the policies alleged to have been violated.
7. To have Complaints heard in substantial accordance with these procedures.
8. To be informed in writing of the finding, rationale and sanction.
9. To have an opportunity to appeal the findings and sanction.

10. Role of Advisors

Each Complainant and Accused is allowed to have one Advisor of their choice present with them for all Equity Resolution process interviews, meeting and proceedings. The Parties may select whomever they wish to serve as their Advisor, including an attorney. An advisor is not required and any party may elect to proceed without an Advisor.

If Complainant is a student, the student Complainant may request that the Equity HR Officer (or Equity HR Officer's Designee) or Title IX Coordinator (or Title IX Coordinator's Designee) assign a trained Advisor to provide support throughout the Equity Resolution Process. University trained Advisors are administrators or staff at the University trained on the Equity Resolution Process.

The Advisor may not make a presentation or represent the Complainant or the Accused during any meeting or proceeding. The Parties are expected to ask and respond to question on their own behalf, without representation by their Advisor. The Advisor may consult with the advisee quietly or in writing, or outside the meeting or proceeding during breaks, but may not speak on behalf of the advisee at any point throughout the process. Advisors who do not follow these guidelines will be warned or dismissed from the meeting or proceeding at the discretion of the Investigator(s) during the investigation and the Equity HR Officer or Equity HR Officer's Designee during the Administrative Resolution Process.

11. Investigation

If a Complainant wants to pursue an investigation or if the University wants to pursue an investigation, then the Equity HR Officer or Equity HR Officer's Designee promptly appoints a trained investigator or a team of trained investigators to investigate. Within seven (7) business days after the commencement of the investigation, the Investigator(s) will provide the Parties with written notice that an investigation has commenced, either:

- In person, or
- Mailed to the mailing address of the respective party as indicated in the official University records and emailed to the Party's University-issued e-mail account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and e-mailed, notice will be presumptively delivered.

The Parties are allowed to have an Advisor of their choice present with them for all Equity Resolution Process interviews, meetings and proceedings in which they participate. All investigations will be thorough, reliable and impartial. The Investigator(s) will make reasonable efforts to include interviews with the Parties and relevant witnesses, obtain available evidence and identify sources of expert information, if necessary. The Investigator(s) will provide an investigation report to the Equity HR Officer and Supervisor.

Investigation of reported misconduct brought directly by Complainant should be completed expeditiously, normally within thirty (30) business days of notice to the University. Investigation of a Complaint may take longer based on the nature or circumstances of the Complaint, such as lack of cooperation by the Complainant, when initial reports fail to provide direct first-hand information or in complex cases. The University may also undertake a short delay (several days to weeks, to allow evidence collection by the law enforcement agency) when criminal charges on the basis of the same behaviors that invoke the process are being investigated.

12. Summary Resolution

During or upon the completion of the investigation, the Equity HR Officer or Equity HR Officer's Designee will review the investigation, which may include meeting with the investigator(s). Based on that review, the Equity HR Officer or Equity HR Officer's Designee will make a summary determination whether a reasonable person could, based on the evidence gathered, find the Accused responsible for violating the University's Anti-Discrimination Policies.

If the Equity HR Officer or Equity HR Officer's Designee determines that a reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, then the Equity HR Officer or Equity HR

Officer's Designee will direct the process to continue. The Complaint will then be resolved through either: Conflict Resolution or Administrative Resolution. There is no right to reconsider or appeal the summary determination to continue the process.

If the Equity HR Officer or Equity HR Officer's Designee determines that no reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, then the process will end and the Complainant and the Accused will be sent written notification of the determination. The Equity HR Officer or Equity HR Officer's Designee may counsel and suggest training opportunities to correct for inappropriate behavior that does not rise to the level of a violation.

The Complainant may request the Equity Resolution Appellate Officer to reconsider the summary determination ending the process. If the Equity Resolution Appellate Officer decides a reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, the Equity Resolution Appellate Officer will reverse the determination ending the process and direct the process to continue. The Complaint will then be resolved through either: Conflict Resolution or Administrative Resolution.

If the Equity Resolution Appellate Officer agrees with the summary determination ending the process by the Equity HR Officer or Equity HR Officer's Designee and that no reasonable person could find the Accused responsible for violating the University's Anti-Discrimination Policies, then the process will end and the Complainant and the Accused will be sent written notification of the determination. This determination to end the process lies in the sole discretion of the Equity Resolution Appellate Officer and such determination is final. Further appeals or grievances are not permitted.

13. Conflict Resolution

The Investigator(s) will determine if Conflict Resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to Conflict Resolution. Conflict Resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution processes to resolve conflicts. Mediation is never utilized in cases involving allegations of nonconsensual sexual intercourse or nonconsensual sexual contact. It is not necessary to pursue Conflict Resolution prior to pursuing the Administrative Resolution Process and either party can stop the Conflict Resolution process at any time and request the Administrative Resolution Process. In a Conflict Resolution meeting, a neutral, University-assigned facilitator will foster dialogue with the parties to an effective resolution, if possible. The Equity HR Officer or Equity HR Officer's Designee will

keep records of any resolution that is reached, and failure to abide by the agreed upon resolution can result in appropriate responsive actions.

14. Administrative Resolution

0. Procedural Details for Administrative Resolution.

For the Administrative Resolution Processes, the following will apply:

1. The standard of proof will be “preponderance of the evidence,” defined as determining whether evidence shows it is more likely than not that a policy violation occurred.
2. Questioning or evidence about the Complainant’s prior sexual conduct is not permitted, though the Investigator, Equity HR Officer (or Equity HR Officer’s Designee) or Title IX Coordinator (or Title IX Coordinator’s Designee) may grant a limited exception in regards to the sexual history between the parties, if deemed relevant.
3. Unless deemed relevant by the decision maker, character evidence of either the Complainant or the Accused will not be considered.
4. Incidents or behavior of the Accused not directly related to the possible violation(s) will not be considered unless they show a pattern of related misconduct. History of related misconduct by the Accused that shows a pattern may be considered, if deemed relevant by the Equity HR Officer or Equity HR Officer’s Designee.
5. The Administrative Resolution Process will normally be completed within sixty (60) business days from the notice of the Complaint. Deviations from this timeframe will be promptly communicated to both parties.
6. The Accused and the Complainant may provide a list of questions for the Investigator(s), Equity HR Officer or Equity HR Officer’s Designee to ask the other party. If those questions are deemed appropriate and relevant, they may be asked on behalf of the requesting party.
7. The Equity HR Officer or Equity HR Officer’s Designee may, in their discretion, grant reasonable extensions to the timeframes and limits provided.
8. The Administrative Resolution Process will proceed regardless of whether the Accused chooses to participate in the investigation or the finding.

1. Administrative Resolution: Resolution by the Equity HR Officer and Supervisor

Administrative Resolution by the Equity HR Officer and Supervisor can be pursued for any behavior that falls within the University’s Anti-Discrimination Policies.

The Administrative Resolution process consists of

1. A prompt, thorough and impartial investigation by the Investigator;
2. A joint finding by the Equity HR Officer and Supervisor on each of the alleged policy violations; and
3. A joint finding by the Equity HR Officer and Supervisor on sanctions for findings of responsibility.

The Investigator(s) will provide an investigation report to the Equity HR Officer and Supervisor. The Equity HR Officer and Supervisor can, but are not required to, meet with and question the Investigator and any identified witnesses. The Equity HR Officer or Supervisor may request that the Investigator conduct additional interviews and/or gather additional information. The Equity HR Officer and Supervisor will offer to meet with the Complainant and will meet with the Complainant if the Complainant agrees to meet. The Equity HR Officer and Supervisor will meet with the Accused to review the alleged policy violations and the investigation report. The Accused may choose to admit responsibility for all or part of the alleged policy violations at any point in the process. If the Accused admits responsibility, in whole or in part, the Equity HR Officer and Supervisor will render a finding that the individual is in violation of University policy for the admitted conduct. For any disputed violations, the Equity HR Officer and Supervisor will render a joint finding utilizing the preponderance of the evidence standard. The Equity HR Officer and Supervisor will also render a finding on appropriate sanctions or remedial actions, if applicable. The findings are subject to appeal.

The Equity HR Officer will inform the Accused and the Complainant of the joint finding on each of the alleged policy violations and the joint finding on sanctions for findings of responsibility, if applicable, within five (5) business days of the findings, without significant time delay between notifications. Notification will be made in writing and will be delivered either:

- In person, or
- Mailed to the mailing address of the respective party as indicated in official University records and emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address.

Once received in person or mailed and emailed, notice will be presumptively delivered.

15. Sanctions

0. Factors Considered When Finding Sanctions/Remedial Actions

If the Accused is found responsible for a violation of the University's Anti-

Discrimination Policies, the Equity HR Officer and Supervisor will find sanctions and remedial actions. Factors considered when finding a sanction/remedial action may include:

0. The nature, severity of, and circumstances surrounding the violation.
1. The disciplinary history of the Accused.
2. Any other information deemed relevant by the Equity HR Officer and Supervisor.
3. The need for sanctions/remedial actions to bring an end to the discrimination, harassment and/or retaliation.
4. The need for sanctions/remedial actions to prevent the future recurrence of discrimination, harassment and/or retaliation.
5. The need to remedy the effects of the discrimination, harassment and/or retaliation on the Complainant and the University community.

1. Types of Sanctions

The following sanctions may be imposed upon any Staff Member found to have violated a University's Anti-Discrimination Policy. Multiple sanctions may be imposed for any single violation. Sanctions include but are not limited to:

0. Warning – Verbal or Written
1. Performance Improvement Plan
2. Required Counseling
3. Required Training or Education
4. Loss of Annual Pay Increase
5. Loss of Supervisory Responsibility
6. Demotion
7. Suspension without Pay
8. Termination
9. Recommendation of discipline in a training program, including recommendation of termination, suspension or other corrective or remedial actions

16. Appeal

0. Grounds for Appeal

Both the Complainant and the Accused are allowed to appeal the findings in the Administrative Resolution Process. Appeals are limited to the following:

0. A procedural error occurred that significantly impacted the outcome of the Administrative Resolution Process (e.g. substantiated bias, material deviation from established procedures, etc.).

1. To consider new evidence, unavailable during the original Administrative Resolution Process or investigation that could substantially impact the original finding or sanction.
2. The sanctions fall outside the range typically imposed for this offense, or for the cumulative disciplinary record of the Accused.

1. Requests for Appeal

Both the Complainant and the Accused may submit a request for appeal to the Equity Resolution Appellate Officer. All requests for appeal must be submitted in writing to the Equity Resolution Appellate Officer within three (3) business days of the delivery of the findings. When any party requests an appeal, the other party (parties) will be notified and receive a copy of the request for appeal.

2. Response to Request for Appeal

Within three (3) business days of the delivery of the notice and copy of the request for appeal, the other party (parties) may file a response to the request for appeal. The response can address that sufficient grounds for appeal have not been met and/or the merits of the appeal.

3. Review of the Request to Appeal

The Equity Resolution Appellate Officer will make an initial review of the appeal request(s). The Equity Resolution Appellate Officer will review the request for appeal to determine whether:

0. The request is timely, and
1. The appeal is on the basis of any of the three grounds listed above, and
2. When viewed in the light most favorable to the appealing party, the appeal states grounds that could result in an adjusted finding or sanction.

The Equity Resolution Appellate Officer will reject the request for appeal if all three of the above requirements are not met. The decision to reject the request for appeal is final and further appeals and grievances are not permitted. The Equity Resolution Appellate Officer will normally render a written decision whether the request for appeal is accepted or rejected within seven (7) business days from receipt of the request for appeal.

4. Review of the Appeal

If all three requirements for appeal listed above are met, the Equity Resolution Appellate Officer will accept the request for appeal and proceed with rendering a decision on the appeal applying the following additional principles:

0. Appeals are not intended to be full re-hearings of the Complaint and are therefore deferential to the original findings. In most cases, appeals are confined to a review of the written documentation and record of the Administrative Resolution Process, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the original Equity HR Officer and Supervisor for reconsideration.
1. Sanctions imposed are implemented immediately unless the Equity Resolution Appellate Officer stays their implementation pending the outcome of the appeal.
2. The Equity Resolution Appellate Officer will normally render a written decision on the appeal to all parties within seven (7) business days from accepting the request for appeal.
3. Once an appeal is decided, the outcome is final. Further appeals and grievances are not permitted.

5. Extensions of Time

For good cause, the Equity Resolution Appellate Officer may grant reasonable extensions of time (e.g.: 5-7 business days) to the deadlines in the appeal process.

17. Records

In implementing this policy, records of all Complaints and resolutions will be kept by the Equity HR Officer or Equity HR Officer's Designee. The "Record of the Case in the Section 600.050 Process" will include, if applicable, letters of notice, exhibits, the findings of the Equity HR Officer and Supervisor and the decision on appeal. The Record of the Case in the Section 600.050 Process will be kept for a minimum of seven (7) years following final resolution.

18. Amendments

The President of the University is authorized to amend this Board Rule by Executive Order on or before February 6, 2017.

Request assistance in changing your academic, living, transportation, and working situation regardless if a police report is initiated by contacting:

- Dean of Students office
107 Norwood Hall
320 W. 12th Street
Rolla, MO 65409
(573) 341-4292
dos@mst.edu
- Human Resources office
Title IX Coordinator, Shenethia Manuel, J.D.
Vice Chancellor, Human Resources, Equity and Inclusion
113 Centennial Hall
300 W. 12th Street
Rolla, MO 65409
(573) 341-4920
manuel@mst.edu

Educational Programs

Missouri S&T offers several programs to educate the campus community about relationship and sexual assault offenses. Each year there is a sexual assault awareness month with a variety of programs and activities offered during that month. The programs and activities vary from year to year. The Missouri S&T Police Department also offers Rape Aggression Defense (R.A.D) periodically during the calendar year and upon request of an organization or group. Certified instructors teach the class. In September the 'Walk a Mile in Her Shoes' rally occurs. This program is to rally the community to take action to prevent sexual violence. Bystander Intervention Training is also presented upon request. This training encourages attendees to intervene when someone is engaging in high risk behavior. High risk behavior can lead to a person becoming a victim of a sexual assault.

NEW STUDENT PROGRAMS

During opening week new students, transfer students, and upper classmen leaders are involved in sessions regarding Title IX information, sexual assault/violence/harassment awareness and prevention. Sessions include: Sex, Alcohol and Clicker (SAC), Mentor Training, Volunteer Training, bystander intervention, and suicide prevention.

Building a Foundation: Discrimination Prevention and Title IX

Employees, student hires, and other workers within the University of Missouri System are required to successfully complete an online compliance training

Upon completion of this training module, you will be able to:

- Identify who is protected against discrimination and understand intent.
- Recognize harassment in the workplace.
- Recall who is protected against retaliation and tips to avoid retaliation.
- Know special rules for sex-based discrimination.
- Understand the university's reporting of sex/gender-based discrimination.
- Understand the university's reporting of non-sex/gender-based discrimination.
- Locate and follow the process for resolving complaints.
- Know what to do and understand your rights if accused.

Title IX Training

This training will include the process of filing a report, provide definitions and terms, and provide a greater understanding of consent. Points of this training can be adapted for different audiences to include; residence life, Greek life, athletics, new student programs and other areas of campus. This training may be modified to include case studies and scenario practice that includes intervention models from the bystander intervention program Step Up!

Title IX First Responder Training

This training is geared towards faculty and staff members in the Missouri S&T community who work closely with students and focuses on how to work with students/individuals who disclose that they have experienced a form of sexualized discrimination/harassment/assault. Definitions, responsibilities, best practices and case studies are covered.

Mandated Reporter Training

A Mandated Reporter is any employee of the University who becomes aware of an act of sexual harassment (including sexual misconduct) or behavior which could be characterized as sexual harassment when perpetrated against a faculty, staff, student, or visitor of the University.

Employees with a legal obligation or privilege of confidentiality (including health care

providers, counselors, lawyers, and their associated staff) are not considered mandated reporters and are not required to report when the information is learned in the course of a confidential communication.

Diversity & Inclusion at Missouri S&T Training

An introduction to diversity and inclusion at Missouri S&T - this training is provided during monthly new employee orientation for staff. This training attempts to build a greater understanding of our own community and how we can work together to fulfill our mission. Outcomes for this training are as follows:

- Develop the ability to express the importance of diversity and inclusion in the Missouri S&T community.
- Be able to articulate definitions of diversity and inclusion.
- Discover tools to help understand, prevent and/or challenge micro-aggressions/bias behavior.
- Be able to identify personal diverse traits.
- Be able to identify available resources to further professional development and training on diversity and inclusion.

Not Anymore training from Student Success

S&T Requires that all new students view and complete the *Not Anymore* training from Student Success™. This video-based, online module will assist in helping students develop strategies to prevent and protect themselves and others from sexual violence and harassment. Through interactive videos and activities, the program covers such topics as: **Consent and sexual assault, bystander intervention, dating and domestic violence, and stalking.**

STEP UP!

STEP UP! is founded on the principles that most problems happen in group settings, most people will be a situation in which they can help in the future, and peers are usually in the best position to help. STEP UP!

MinersThink

Missouri S&T New Student Programs host MinersThink on opening week every year for new freshman. : This program addresses topics concerning social issues, ie. Alcohol, sexual assault (Title IX), safety, Facebook, drugs, sex, intervention, and responsibility/choices.

TAKE BACK THE NIGHT

Missouri S&T hosts a 'Take Back the Night' candlelight march annually. Take Back the Night is a national organization which helps promote awareness of sexual violence. Both men and women are welcome to attend the march. Students, faculty, and staff are encouraged to anonymously share their survivor stories through the Counseling, Disability Support and Student Wellness office.

DENIM DAY

Missouri S&T hosts 'Denim Day' annually as a rape prevention education campaign and asks community members, elected officials, businesses and students to make a social statement with their fashion by wearing jeans on this day as a visible means of protest against the misconceptions that surround sexual assault.

Victim's Rights

For information on victim's rights pertaining to the criminal process contact the [Missouri Attorney General's Office](#).

Missouri S&T Title IX Coordinator

Shenethia Manuel, J.D.
Vice Chancellor, Human Resources, Equity and Inclusion
113 Centennial Hall
300 W. 12th Street
Rolla, MO 65409
(573) 341-4920
manuel@mst.edu

Information on Registered Sex Offenders in Missouri

The Campus Sex Crimes Prevention Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act require institutions of higher education to advise the campus community where law enforcement information concerning registered sex offenders may be obtained. In Missouri, convicted sex offenders must register with state law enforcement. You may receive a copy of the registered sex offenders list for Missouri from the [Missouri State Highway Patrol](#).

You can obtain a copy of the Guidelines for the Campus Sex Crimes Prevention Act Amendment to the [Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act](#) go to their web site.

Clery Annual Report Data Table

Missouri University of Science and Technology: Annual Crime Report Statistics

Crimes Reported To	On Campus			Residential			Non-Campus			Public			Total		
MST-PD	(includes Column 2)			Facilities			Property			Property					
(by type-includes attempts)	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Homicide															
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses															
Forcible (combined offenses)	2	1	*	0	1	*	2	2	*	0	0	*	*	*	*
Rape (seperated in 2014)	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0
Fondling (seperated in 2014)	n/a	n/a	1	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	1
Non-Forcible	0	0	*	0	0	*	0	0	*	0	0	*	*	*	*
Incest (Seperated in 2014)	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0
Statutory Rape (seperated in 2014)	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0
Robbery	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Aggravated Assault	0	2	3	0	1	1	0	2	2	1	0	1	1	5	7
Burglary	8	12	3	3	6	1	6	4	2	0	0	0	17	22	6
Motor Vehicle Theft	1	1	1	0	0	0	1	0	0	0	0	0	2	1	1
Arson	1	0	0	0	0	0	1	0	0	0	0	0	2	0	0
Dating Violence	0	1	0	0	1	0	0	0	0	0	0	0	0	2	0
Docestic Violence	6	2	4	5	1	2	0	1	0	0	2	1	11	6	7
Stalking	3	3	2	0	0	1	0	0	0	0	0	0	3	3	3
Total	19	14	15	11	12	15	0	0	4	0	3	6	30	29	40

Arrests and Referrals

	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Liquor Law Violations															
Arrest	1	11	6	0	3	5	0	3	0	1	9	0	0	2	0
Referral†	122	108	58	0	95	53	1	0	22	2	11	1	1	1	10
Drug Law Violations															
Arrest	2	5	7	2	4	5	0	1	1	5	2	4	2	4	8
Referral†	4	3	2	4	2	2	0	4	1	0	0	0	4	6	5
Weapon Law Violations															
Arrest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referral†	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0
Total	130	128	73	6	105	65	1	8	24	8	22	5	7	13	23
	<div style="display: flex; justify-content: space-between;"> *arrests from incidents ocuring in another jurisdiction Referral †Referred for Non-Criminal Administrative Review </div>														

All Hate Crimes

The Missouri University of Science and Technology had no reported hate crimes for the 2013 calendar year.

Hate Crimes (By Prejudice)

Crimes Reported To	On Campus			Residential			Non-Campus			Public			Total		
MST-PD	(includes Column 2)			Facilities			Property			Property					
(by type)	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Vandalism Destruction of Property	0	3	3	0	0	2	0	1	0	0	1	0	0	5	5

Clery Annual Report Data Table

Missouri University of Science and Technology S&T Global - St. Louis Campus: Annual Crime Report Statistics

Crimes Reported To	On Campus												Total		
MST-PD and Town & Country PD	(includes Column 2)														
(by type-includes attempts)	2013	2014	2015										2013	2014	2015
Homicide															
Murder	0	0	0										0	0	0
Negligent Manslaughter	0	0	0										0	0	0
Sex Offenses															
Forcible (combined offenses)	0	0	*										*	*	*
Rape (seperated in 2014)	n/a	n/a	0										n/a	n/a	0
Fondling (seperated in 2014)	n/a	n/a	0										n/a	n/a	0
Non-Forcible	0	0	*										*	*	*
Incest (Seperated in 2014)	n/a	n/a	0										n/a	n/a	0
Statutory Rape (seperated in 2014)	n/a	n/a	0										n/a	n/a	0
Robbery	0	0	0										0	0	0
Aggravated Assault	0	0	0										0	0	0
Burglary	0	0	0										0	0	0
Motor Vehicle Theft	0	0	0										0	0	0
Arson	0	0	0										0	0	0
Dating Violence	0	0	0										0	0	0
Docestic Violence	0	0	0										0	0	0
Stalking	0	0	0										0	0	0
Total	0	0	0										0	0	0
*This location became a separate campus in 2012. It was not reported as a separate campus previously because of a misclassification of the property. Zero crimes have been reported at this location since 2012.															
Arrests and Referrals															
Liquor Law Violations	2013	2014	2015										2013	2014	2015
Arrest	0	0	0										0	0	0
Referral†	0	0	0										0	0	0
Drug Law Violations															
Arrest	0	0	0										0	0	0
Referral†	0	0	0										0	0	0
Weapon Law Violations															
Arrest	0	0	0										0	0	0
Referral†	0	0	0										0	0	0
Total	0	0	0										0	0	0
*arrests from incidents ocuring in another jurisdiction on Referral †Referred for Non-Criminal Administrative Review															
All Hate Crimes The Missouri University of Science and Technology had no reported hate crimes for the 2013 calendar year.															
Hate Crimes (By Prejudice)															
Crimes Reported To	On Campus												Total		
MST-PD and Town & Country PD	(includes Column 2)														
(by type)	2013	2014	2015										2013	2014	2015
Vandalism Destruction of Property	0	0	0										0	0	0

Definitions

The following definitions were used in determining the crime statistics.

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 of another, etc.

Criminal Homicide: Manslaughter by Negligence: The killing of another person through gross negligence. Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

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 or violence and/or by putting the victim in fear.

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 by the use of 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 and probably would result in serious personal injury if the crime were successfully completed.)

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 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.

Weapons: Carrying Possession, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

2013 Statistical Definitions:

Sexual Assault: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. *OR* Unlawful, non-forcible sexual intercourse.

A. **Forcible Rape-**The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. **Forcible Sodomy-**Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. **Sexual Assault With An Object-**The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. **Forcible Fondling-**The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

E. **Incest-Non-Forcible** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

F. **Statutory Rape-Non-Forcible** sexual intercourse with a person who is under the statutory age of consent.

G. **Consent – Voluntary,** positive agreement between the participants to engage in specific sexual activity.

Domestic Violence: A felony or misdemeanor crime of violence committed by a family or household member which includes spouses, former spouses, any person related by

blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

Dating Violence: Sexual or physical abuse *or the threat of such abuse* committed by any person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others OR suffer substantial emotional distress.

2014 Legal Definitions

Rape is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.¹

Missouri Revised Statutes TITLE XXXVIII

<http://www.moga.mo.gov/mostatutes/statutesAna.html>

Sexual Assault- Rape/Statutory Rape/Sodomy statutes:

<http://www.moga.mo.gov/mostatutes/ChaptersIndex/chaptIndex566.html>

566.030, Rape in the first degree, 1. A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

566.031 Rape in the second degree 1. A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.

566.032 Statutory rape and attempt to commit, 1. A person commits the crime of statutory rape in the first degree if he/she has sexual intercourse with another person who is less than fourteen years old.

566.034 Statutory rape, second degree, 1. A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has

¹ As Recommended by The NCHERM Group, LLC, Sample Clery Act ASR Template Language to Comply with VAWA Section 304

sexual intercourse with another person who is less than seventeen years of age.

566.060, Sodomy in the first degree,1. A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

566.061, Sodomy in the second degree,1. A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.

566.062, Statutory Sodomy, first degree,1. A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.

566.064, Statutory sodomy, second degree, 1. A person commits the offense of statutory sodomy in the second degree if being twenty-one years of age or older, he or she has deviate sexual intercourse with another person who is less than seventeen years of age.

Sexual Misconduct/Sexual Abuse statutes:

566.093, Sexual misconduct, first degree,1. A person commits the offense of sexual misconduct in the first degree if such person: (1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm; (2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or (3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

566.095, Sexual misconduct, second degree 1. A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.

566.100, Sexual abuse in the first degree 1. A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.

566.10, Sexual abuse, second degree 1. A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.

Domestic Violence statutes:

565.072, Domestic assault, first degree 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member, including any child who is a member of the family or household, as defined in section 455.010.

565.073, Domestic assault, second degree 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member, including any child who is a member of the family or household, as defined in section 455.010, and he or she: (1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or (2) Recklessly causes serious physical injury to such family or household member; or (3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

565.074, Domestic assault, third degree 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member, including any child who is a member of the family or household, as defined in section 455.010 and: (1) The person attempts to cause or recklessly causes physical injury to such family or household member; or (2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or (3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or (4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or (5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or (6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

Stalking statute:

565.225 A person commits the crime of stalking if he or she purposely, through his or her course of conduct, harasses or follows with the intent of harassing another person.
3. A person commits the crime of aggravated stalking if he or she purposely, through his or her course of conduct, harasses or follows with the intent of harassing another

person, and: 1) Makes a credible threat; or (2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person harassing the other person is twenty-one years of age or older; or (5) He or she has previously pleaded guilty to or been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim.

There is currently no Missouri Statue governing Dating Violence

Post VAWA(2014) Definition Revisions

Sex Offenses—Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. *Forcible Rape*—The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. *Forcible Sodomy*—Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. *Sexual Assault With An Object*—The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. *Forcible Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses—Nonforcible

Unlawful, nonforcible sexual intercourse.

A. *Incest*—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. *Statutory Rape*—Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence: A felony or misdemeanor crime of violence committed by a family or household member which includes spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

Dating Violence: Sexual or physical abuse *or the threat of such abuse* committed by any person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others OR suffer substantial emotional distress.

Code of Federal Regulations

Dating Violence Definitions

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

(i) The existence of such a relationship shall be determined based on the reporting party'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.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

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

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

Domestic Violence Definitions

Domestic violence. (i) A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

Stalking Definitions

Stalking. (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

(A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker 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.

(B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

(C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

Clery Act Hate Crime Definitions

Hate crimes must also be reported under the Clery Act such as those motivated by race, religion, ethnicity, gender, sexual orientation, disability, gender identification, or national origin. The below crimes are reportable in addition to the above crimes.

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

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

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

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

FIRE SAFETY REPORT

Fire Safety and Related Residential Life Policies

The full text of Residential Life policies as well as other important information is available in the [Student Guide](#).

In the residence halls residents' use or possession of appliances and electronics is restricted by the type, size and number permitted. Permitted appliances and electronics include one compact (2.0 cubic feet or smaller) refrigerator in each bedroom, one microwave (under 1000 watts or .8 cubic feet) in each bedroom, and halogen lamps 22 (bulbs of 300 watts or less and protective wire or glass cover – see below for more information). Coffee makers, popcorn poppers, and hot pots are permitted provided that they operate with an enclosed element.

Student rooms are not equipped to accommodate the electrical and sanitary demands of other forms of cooking, such as George Foreman grills, toasters, or toaster ovens – thus they are prohibited. Other prohibited items include any items with exposed flames

or embers, exposed heating elements or present other fire hazards. These prohibited items include but are not limited to space heaters, and multi-headed, plastic-shaded lamps. In the university student apartments and some other university operated apartments additional appliances are permitted.

One of the most common causes of fire in residence halls is from the use of candles and incense. Because of the threat this poses to persons and property we do not allow any possession of any fire or incendiary materials in the residence halls except for smoking materials.

Residents who choose to smoke must smoke outside, at least 15 feet from any door or window, or may use the provided smoking shelter. Smoking is prohibited inside all residential life owned or operated buildings.

Due to implications with and associations of “hookahs” to drug paraphernalia, “hookahs” are not allowed to be used or stored on residential life property.

The use, possession, display or ignition of fireworks or any type of explosive device is prohibited on university property.

Halogen lamps pose a threat to the safety of the residence halls when cloth, paper, or other flammable items are placed in contact with the halogen bulb. It has been shown that such contact can result in rapid ignition and combustion. Only halogen lamps of 300 watts or less are permitted in Missouri S&T’s campus-approved housing. All Torchiere-style halogen lamps are required to be fitted with a protective wire or glass shield. Lamps with multiple opposable arms and plastic light covers are not permitted.

Students are expected to take the following precautions when using lamps:

- Never place lamps near combustible items (e.g. curtains, bed linen, window treatments)
- Never drape combustible items over the lamp
- Never leave the lamp on when leaving the room for more than 30 minutes
- Ensure that the lamp will not tip over

Fire Safety Training Programs

Information regarding fire reporting and prevention is reviewed with University Staff and Resident Assistants annually. For the training the Rolla Fire Department trains the Resident Assistants in the proper use of a fire extinguisher. The Resident Director then

then reviews with each Resident Assistant, building specific information for buildings they will be overseeing sections of. The Resident Assistants then disseminate this information to the tenants of their section during the first meeting of each semester.

Fire Safety Equipment

All residential life facilities are equipped with notification systems that can be initiated by the presence of smoke, heat or via a manual pull station. The initiation of the alarm notifies residents audibly and visually and initiates dispatching of the Missouri S&T Police Department and/or emergency responders if needed. All facilities are equipped with sprinklers in the hallways. Seventy-eight percent (78%) of the facilities are equipped with sprinkler systems and all facilities will be equipped by 2020. All residential life facilities have fire extinguishers in compliance with the applicable code

In most cases, residents should not attempt to use the fire safety equipment to extinguish fires. The hoses and extinguishers are designed to be used to either put out very small fires or to clear an exit through a fire. Any person who is found to be tampering with any residence hall fire safety equipment will be considered to be in violation of the residence hall misconduct policy.

Example of tampering with fire safety equipment would include but not be limited to the following:

- Activating a fire alarm when no fire emergency actually exists.
- Using fire hoses or extinguishers at any time other than during a fire emergency.
- Opening a fire extinguisher cabinet at any time other than during a fire emergency.
- Vandalizing any fire safety related equipment.
- Tampering or rendering ineffective any smoke detector or fire alarm equipment.
- Knowingly acting as an accomplice with any person involved in the above mentioned activities.

More specific information about the equipment in each property is enumerated in the following table.

Campus Fire Safety System Report

Name	Address	Status	Monitored	Detectors	Sprinklers	Extinguishers	Evacuation Plans Posted	Fire Drills Per Year
State Street	805 N. State St.	Leased	No	Battery Smoke		Yes	Yes	1
Sally North	604 N Elm St.	Leased	No	Hard Wired	No	Yes	Yes	1
Sally South	600 N Elm St.	Leased	No	Hard Wired	No	Yes	Yes	1
Buehler Bldg	207 W 9 th St.	Leased	yes	Smoke/Heat/ Pull stations	Yes	Yes	Yes	1
Keller Bldg	807-811 N. Rolla	Leased	Yes		Yes	Yes	Yes	1
Altman Hall	905 N. State St.	Owned	Yes	Smoke/Heat/ Pull stations	No	Yes	Yes	10
Farrar Hall	620 W. 9 th St	Owned	Yes	Smoke/Heat/ Pull stations	No	Yes	Yes	10
Rescollege 1	700 University Dr.	Owned	Yes	Smoke/Heat/ Pull stations	Yes	Yes	Yes	1
Res college 2	1575 Watts Dr.	Owned	Yes	Smoke/Heat/ Pull stations	Yes	Yes	Yes	1
University Commons	800 University Dr.	Owned	Yes	CO/Smoke/ Heat/ Pull stations	Yes	Yes	Yes	1
Rolla Suites	1102 & 1104 N. Rolla St.	Owned	No	Smoke/Heat/ Pull stations	Yes	Yes	Yes	1
Solar Houses	800 W. 10 th St.	Owned	No		Yes	Yes	Yes	
TJ Hall	202 W. 18 th St.	Owned	Yes	Smoke/Heat/ Pull stations	Yes	Yes	Yes	10
Miner Village	900 Collegiate Blvd.	Owned	Yes	Battery Detectors/ Fire system Pull stations	Yes	Yes	Yes	10

Fire Alarm Procedures

Any time a fire alarm is activated all residents are expected to immediately leave the building. The following are some procedures to follow during fire alarms:

1. Once you hear an alarm, immediately prepare to leave the building. If possible first put on a pair of shoes, and if the weather is cold, take along a coat or a blanket.
2. Before opening any doors first use the backside of your hand to feel them for heat. Never open a door that is hot to touch.
3. If a hallway or corridor is partially filled with smoke, crawl with your head about three feet above the floor. Never proceed into a hallway that is entirely filled with smoke.
4. Never attempt to use the elevators. Always exit through the stairs. While using stairs, always stay next to the interior stairwell wall.
5. After you are out of the building, stay clear of all exits and stay at least 50 feet away from the building. If you are aware of any persons who were unable to get out of the building, report this to a residence hall or university staff member.
6. If you cannot leave the building because you are trapped by smoke or fire, you should then enter a resident room, stuff a towel or cloth under the bottom of the door to prevent smoke from entering. You should then drape a sheet or towel from the window as a signal, and close the window.

Fire Reporting

Any time a fire occurs on campus it should be reported to the appropriate parties. This includes the University Police Department as well as the the party that oversees the location that the fire occurred. In addition, all fires must be reported to the following parties:

- Tom French-Manager for Physical Facilities
- Dorie Piane-Residential Life Director
- Joni Burch-Residential Life Associate Director
- Sarah Perry-Residential Life Area Coordinator
- Jacob Sherry-Residential Life Area Coordinator

2013-2015 Fire Safety Report

2015 Annual Fire Safety Report						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Buehler Hall 207 West 9th St	0	0	0	0	0	0
Farrar Hall 620 West 9th St	0	0	0	0	0	0
Keller Building 1 807 North Rolla Street	0	0	0	0	0	0
Keller Building 2 811 North Rolla Street	0	0	0	0	0	0
Miner Village 900 Collegiate Blvd	0	0	0	0	0	0
Murry Townhouses 1303 North Elm St	0	0	0	0	0	0
North Pine Apartments 1701 N. Pine St	0	0	0	0	0	0
O' Doggys 1005 N. Rolla Street	0	0	0	0	0	0
Residential College #1 700 University Dr	0	0	0	0	0	0
Residential College #2 1575 Watts Dr	0	0	0	0	0	0
RollaMo Building 1204 North Pine St	0	0	0	0	0	0
Sally Building 600 N. Elm Street	0	0	0	0	0	0
Sands Hall 107 East 6 th Street	0	0	0	0	0	0
Solar Houses 800 West 10th St	0	0	0	0	0	0
State Street Hall 805 N. State Street	0	0	0	0	0	0
Thomas Jefferson Hall 202 West 18th St	0	0	0	0	0	0

2014 Annual Fire Safety Report

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Altman Hall 905 North State St	0	0	0	0	0	0
Buehler Hall 207 West 9th St	0	0	0	0	0	0
Farrar Hall 620 West 9th St	0	0	0	0	0	0
McAnerney Hall 635 West 10th St	0	0	0	0	0	0
Murry Townhouses 1303 North Elm St	0	0	0	0	0	0
Nagagomi #2 810 University Dr	0	0	0	0	0	0
Nagagomi #3 820 University Dr	0	0	0	0	0	0
Nagagomi #4 830 University Dr	0	0	0	0	0	0
Residential College #1 700 University Dr	0	0	0	0	0	0
Residential College #2 1575 Watts Dr	0	0	0	0	0	0
RollaMo Building 1204 North Pine St	1	1	Towels under oven	0	0	0
Solar Houses 800 West 10th St	0	0	0	0	0	0
Thomas Jefferson Hall 202 West 18th St	0	0	0	0	0	0

2013 Annual Fire Safety Report

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Altman Hall 905 North State St	0	0	0	0	0	0
Farrar Hall 620 West 9th St	0	0	0	0	0	0
Holtman Hall 680 West 8th St	0	0	0	0	0	0
Kelly Hall 655 West 10th St	0	0	0	0	0	0
Lovett House 1606 North Rolla St	0	0	0	0	0	0
McAnerney Hall 635 West 10th St	0	0	0	0	0	0
Nagagomi #2 810 University Dr	0	0	0	0	0	0
Nagagomi #3 820 University Dr	0	0	0	0	0	0
Nagagomi #4 830 University Dr	0	0	0	0	0	0
Residential College #1 700 University Dr	0	0	0	0	0	0
Residential College #2 1575 Watts Dr	0	0	0	0	0	0
Solar Houses 800 West 10th St	0	0	0	0	0	0
Thomas Jefferson Hall 202 West 18th St	0	0	0	0	0	0