



**Biennial Review of
Alcohol and Other Drug Abuse Prevention Programming
2020-2021, 2021-2022**

Approved:

September 12, 2022

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Introduction

Missouri Southern State University is deeply committed to supporting the safety and health of its students and employees in furtherance of its mission to provide education in preparation for career success and lifelong learning. As part of that commitment, the University has implemented comprehensive alcohol and drug abuse prevention programming. This programming incorporates a series of strategies including but not limited to:

- University policies prohibiting the unlawful manufacture, distribution, dispensing, possession or use of illegal drugs and alcohol by students and employees in the workplace, on University property, or as part of any University activity.
- Sanctions for violating university policies, which include – for students; possible arrest and disciplinary sanctions up to suspension and possible expulsion and - for employees; possible arrest, disciplinary action up to and including termination of employment.
- Formal notification of both employees and students with policies concerning Alcohol and other Drug violations (AOD).
- Education of employees and students of policies and violations of AOD.
- The collaboration of many departments on campus to educate and support employees and students about AOD. Cross collaboration between faculty, staff and student groups, and departments for educational purposes.
- University intervention programs to help those suffering from abuse or addiction – this includes counseling and amnesty programs and policies created to help those seeking help.
- University social opportunities created to provide a drug and alcohol-free college experience.

The University monitors the effectiveness of this programming. This report is the result of a biennial review of Missouri Southern State University's alcohol and drug prevention programming, in compliance with Federal Drug Free Schools and Campuses Regulations (34 C.F.R. Part 86).

Biennial Review Process

In support of the safety and health of its students and employees, and pursuant to its obligation to conduct a biennial review of its drug and alcohol abuse prevention programs, Missouri Southern State University has authorized an administrative review of those programs that is completed every other year. The purpose of this review is (1) to consider whether the University is meeting its obligations under the Federal Drug Free Schools and Campuses Regulations and (2) to summarize the programs, as well as related policies and procedures, and to recommend any appropriate enhancements to those programs, policies and procedures.

The University formed a Task Force to conduct the 2020-2021, 2021-2022 biennial review.

- Heather Bullock- Counseling Services

- Becca Diskin – Financial Aid
- Ryan Orcutt –Global Leaders/Student Engagement
- Tamika Harrel – Dean of Students/Title IX
- James Swift – University Police Department
- Samantha Quackenbush- Student Conduct & Residence Life
- Amanda Schmelzer – Athletics
- Julie Stamps – Health Center
- Cindy Webb – Recreation Services
- Julie Wengert –Student Success
- Samantha Sweet- Engage Program
- Debra Schow-Smith- Human Resources

The following offices provided information considered in the biennial review:

- Advising, Counseling, and Testing Offices
- Financial Aid Office
- Health Center
- Human Resources
- Residence Life
- Sexual Violence Prevention
- Student Affairs
- Student Life
- Title IX
- University Athletics
- University Police Department
- Wellness

The following materials and programs were examined as part of this biennial review:

- U.S. Department of Education, *Complying with the Drug-Free Schools and Campuses Regulations*,
<https://safesupportivelearning.ed.gov/sites/default/files/hec/product/dfscr.pdf>
- The Network Addressing Collegiate Alcohol and Other Drug Issues,
http://thenetwork.ws/?page_id=44

- National Institute on Alcohol Abuse and Alcoholism, *College Drinking – Changing the Culture*, <http://www.collegedrinkingprevention.gov/>
- <http://www.mssu.edu/offices/police/index.php> - University Police
- <http://www.mssu.edu/student-affairs/advising-counseling-testing-services/prevention-welcome.php> - ACTS office Prevention/Outreach
- <http://www.mssu.edu/student-services/wellness/prevention-index.php> - Wellness Office - Awareness/Prevention
- <http://mssulions.com/sports/2015/8/28/compliance.aspx> - Athletics Compliance
- Missouri Southern State University Student Handbook
- Missouri Southern State University Employee Handbook
- Missouri Southern State University Faculty Handbook
- University Police arrest reports
- University Annual Security report
- Director of Student Conduct and Residence Life reports
- Partners in Prevention quarterly and final year ending MSSU student AOD survey results and quarterly reports
 - Partners in Prevention is a Missouri Southern State University coalition representing segments of the University and Joplin community who are focused on preventing high-risk drinking among our students. We belong to a statewide coalition comprised of nineteen of Missouri's colleges and universities that is underwritten by grants from the Missouri Division of Alcohol and Other Drug Abuse and the US Department of Education. Missouri Southern State University Partners in Prevention Coalition has as its mission to create a campus and city environment that supports responsible decision making in regard to alcohol by Missouri Southern State University students. Missouri Southern State University Partners in Prevention Coalition meets on a monthly basis to plan an annual survey of student alcohol and drug use and its consequences, events that highlight responsible decision making, and materials that educate University students about our community social norms, acute alcohol poisoning, blood alcohol content, safe transportation, and other relevant issues.

The University's procedure calling for a biennial review in compliance with statutory requirements is attached at Appendix G and can be found and is maintained in the Dean of Students Office.

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, Missouri Southern State University is required to establish a drug and alcohol prevention program for its students and employees. A biennial review of this program will be done to determine its effectiveness, to implement changes to the program if they are needed and to ensure that the university's disciplinary sanctions are consistently enforced.

Line of Authority:

Drug and Alcohol Prevention Program: Heather Bullock, Lead Mental Health Counselor and Chair of Partners in Prevention Coalition

Responsible administrators and Contacts:

Samantha Quackenbush, Director of Student Conduct and Residence Life

Tamika Harrel, Dean of Students/ TIX Coordinator

Presidential Approval: Dr. Dean Van Galen

Annual Notification Process

Missouri Southern State University issues a notice in writing to every student and every employee annually and to every new student and employee at the start of his or her enrollment or employment. That notice includes the following:

- Standards of conduct prohibiting unlawful possession, use or distribution of illicit drugs and alcohol on the institution's property or as part of its activities
- A description of the health and safety risks associated with the use of illicit drugs and abuse of alcohol
- A description of applicable legal sanctions under local, state and federal law
- A description of counseling or treatment programs
- A clear statement and description of the disciplinary sanctions the institution will impose on students and employees.

The most recent iterations of the notifications can be found in Appendix H and Appendix I. Additionally, each new hire is required to sign a copy of the Alcohol and Drug Free Policy (see Appendix J).

The University has measures in place to ensure that each student and each employee receives the above notice in an appropriate manner:

- In the Fall semester of each year the Student Affairs Office/University Police send an all school email notifying the campus of the AOD policies that pertain to employees and students.
- Missouri Southern State University distributes the Annual Security Report and the University Student Handbook detailing all Title IX and all Alcohol and other Drug procedures and guidelines each Fall semester. The Annual Security Report and Student Handbook are made available to all students and Faculty on the MSSU website. The report is distributed each semester (Fall, Spring, and Summer) annually.
 - Each New employee in the new employee orientation process is given an information handout that includes a link to their respective employee handbook – both the Staff and Faculty handbook include the procedures for reporting, receiving help, and the consequences for any alcohol, drug, and sexual misconduct that may happen in the workplace. Also included in these respective handbooks are the disciplinary procedures
 - The University's notice and process for distributing that notice meets the requirements of the Drug-Free Schools and Campus Regulations.

The University's notice and process for distributing that notice meets the requirements of the Drug-Free Schools and Campus Regulations.

Policy Inventory

The following policies and procedures were examined as part of this biennial review. The policies and procedures can be found in their entirety in Appendices J through U.

Policy Distribution

All Missouri Southern Students receive a series of emails that include the University Annual Security Report, a copy of the MSSU Student Handbook, Title IX information, bystander information, voting rights information, a copy of the University sexual harassment policy, and a copy of the student's rights and options. Students receive the above information every Fall before the beginning of November.

All Missouri Southern Employees receive a series of emails that include the University Annual Security Report, Title IX information, bystander information, voting rights information, a copy of the University sexual assault policy, and a copy of the employee's rights and options. Employee handbooks are available via MSSU's intranet. This information is primarily distributed through email but is also available through the Lionet portal as well as MSSU's employee intranet. Content of policy/ Copy of policy (may be noted with a reference to see appendices).

University Policies and Procedures

The following is a list of policies and procedures, which touch on alcohol/drug use:

- Alcohol and Drug-Free Workplace Policy (see Appendix J)
- Substance Abuse Policy (see Appendix K)
- University Housing Alcohol and Drug Conduct Policy (see Appendix L)
- Mission/Vision/Philosophy of Missouri Southern State University Code of Conduct (see Appendix M)
- Smoke/Tobacco Free Campus (see Appendix N)
- Amnesty/Responsible Action Protocol Policies (see Appendix O)
- Athletic Department Alcohol and Other Drug Use Policy (see Appendix P)
- Athletic Department Alcohol and Other Drug Testing Policy (see Appendix Q)
- Other Athletic Department Drug Policies (see Appendix R)
- Employee Assistance Program Referral Policy (see Appendix S)
- Student Alcohol Addiction Safe Harbor Policy (see Appendix T)
- Sexual Discrimination & Sexual Harassment Policy (See Appendix U)
- Substance Abuse Policy (see Appendix V)

- Financial Aid “AskRegs” Guidance (see Appendix W)
- Alcoholic Beverages – Payment from University Accounts Procedure (see Appendix X)

In addition to the policies provided in Appendix J through Appendix X, here is some additional information regarding general oversight of each policy, as well as the University’s policy enforcement:

- General oversight of each policy:
 - Description of who oversees administration of policy
 - Policies from Employee Handbook- Human Resources
 - Policies from Student Handbook- Student Conduct Office
 - Policies from Student Housing- Director of Residence Life, Residence Directors, and Resident Assistants
 - Description of who oversees monitoring of policy
 - Policies from Employee Handbook- Human Resources
 - Policies from Student Handbook- Student Conduct Office
 - Policies from Student Housing- Director of Student Conduct, Director of Residence Life, Residence Directors, and Resident Assistants
 - Description of who oversees discipline/sanctioning/adjudication of policy
 - Violation of Policies from Employee Handbook- Chief Human Resources Officer
 - Violation of Policies from Student Handbook- Student Conduct Office
 - Violation of Policies from Student Housing- Director of Student Conduct, Director of Residence Life, Residence Directors, and Resident Assistants
- Methods used for general enforcement:
 - Description of law enforcement/security forces and authority/jurisdiction
 - MSSU has a staffed police department that answers call for service, compiles reports for incidents and accidents, enforces all traffic and parking regulations on campus, provides security for sporting events, concerts, etc. on campus, checking security of buildings, monitoring activities in the dorms, provides courtesy services for students, fire safety and hazardous materials, provide timely warnings, student training, as well as provide safety information to students.
 - Description of relationships with off-campus law enforcement/security forces and jurisdiction:

- As of January 4, 2017 MSSU has contracted with the Joplin Police Department (JPD) to provide dispatching services for the University Police Department

The following is a list of websites from which policies and procedures, which touch on alcohol/drug use may be found:

- Advising, Counseling, and Testing Services
<http://www.mssu.edu/student-affairs/advising-counseling-testing-services/>
- Financial Aid - Consumer Information
<https://www.mssu.edu/student-affairs/financial-aid/consumer-information.php>
- Safe Zone Committee
<http://www.mssu.edu/student-affairs/safe-zone/>
- Student Life & Conduct
<http://www.mssu.edu/student-affairs/dean-of-students/>
- Tobacco Free Zone
<http://www.mssu.edu/student-affairs/smoke-free/>
- Willcoxon Health Center
<http://www.mssu.edu/student-affairs/willcoxon-health-center/>

Information regarding policies can be found in:

- Employee Handbook
<http://policy.mssu.edu/handbooks/Employee%20Handbook%202020.pdf>
- Faculty Handbook
<https://policy.mssu.edu/handbooks/Faculty%20Handbook%20September%202021rev.pdf>
[Residence Life Check-In Booklet](#)
- Student Handbook
https://www.mssu.edu/student-affairs/dean-of-students/Student%20Handbook%202020-2021_FINAL.pdf
- Student Athlete Handbook
https://mssulions.com/documents/2018/8/2/2018_19_sa_handbook.pdf?id=1863

Programs and Prevention Strategies

Missouri Southern State University has instituted a number of programs and prevention strategies geared toward students and employees. The following provides an overview of those programs and prevention strategies.

Comprehensive Program and Prevention Strategy Goals and Objectives for 2020-2022 Biennium Period

- To determine the attitudes, knowledge, and usage patterns of students in the areas of alcohol, drugs, tobacco, sexual encounters, and mental health to better meet their needs.
- Allow funding opportunities for Missouri Southern employees, students, and community liaisons to attend/participate in PIP funded or PIP provided conferences, workshops, and trainings and bringing speakers/trainings to campus, and other conferences or trainings that are relevant to help educate members of our campus and community. This will increase the number of empowered professional and student leaders on campus and in our community.
- To create, develop and promote alternative activities that are fun (with a small educational component) and show Missouri Southern students that fun can be had by all without influences or possessing a negative connotation or [potentially] harmful outcome, by work closely with campus departments and community organizations on disseminating healthy choices material, resources, and policy information
- Continue usage of online training, informational, educational, and referral programs, and increase certificate completion in programs with that possibility, (i.e. ALR, eCHECKUP assessments- e-chug, and e-toke) as well as decreasing alcohol violations through education and policy/enforcement.
- Develop comfort between resident students and Residence Life staff and improve safety for residence students.
- Develop a more comprehensive means of educating students to the prevention efforts at Missouri Southern. Ensure students are aware of the Partners in Prevention program.
- Foster a collaborative effort between campus departments/organizations and community members toward the common goal of keeping our campus community safe, well, educated, and empowered to make informed decisions regarding their health, wellbeing, and life choices.
- Creating a welcoming and inclusive environment that will help students foster a sense of belonging and persist to graduation.
- Counseling Services along with other key offices on campus will collaborate to co-program with the intent of increasing faculty, staff, and student's awareness of mental health, resources, and the promotion of gatekeeper training Ask, Listen, Refer.

Program and Prevention Strategies Conducted for 2020-2022 Biennium Period

Missouri Southern State University includes a number of evidence-based strategies designed to limit alcohol and drug abuse in its community and activities. These include the following:

- Individual Based Programs/Interventions that you may be offering on campus which may be considered:

A.L.I.C.E. Training

- About the program:
 - Crime prevention programs are presented each semester to the Campus Activities Board, Student Services and the Residence Halls Association. Pamphlets regarding crime prevention are distributed to all resident students and are made available at the Student Center. The University Police Department uses the A.L.I.C.E. (Alert/Lockdown/Inform/Counter/Evacuate) training to teach students how to survive if they were to be confronted by a violent person with a weapon in a group setting. The “swarm” method (a technique for distracting and securing an attacker) is only used as a last resort when students are trapped, and escape is not possible.

Alternative Programs

- About the program:
 - Missouri Southern State University offers a vast array of alternative programming options to students. These programs are sponsored by a variety of departments including Athletics, International Events, Theater, Music, First Year Experience, Residence Life, Student Activities, Recreation Services, and others. Among these events include specific programs, which have been developed and implemented to target high-risk evenings such as the last day of classes (Finals Madness), or the last day of the first week of school (Survivor Night).
- Outcomes measured at the program level:
 - Student participation in alternative programs is tracked through card swipe data. This data is analyzed to determine the effectiveness of programs.

Brief Assessment and Screening for College Students (BASICS)

- About the program:
 - BASICS is offered year-round to Missouri Southern student athletes and residence hall students following a drug violation or second alcohol violation. In 2020-2021, 4 students were referred to and completed the BASICS program. In 2021-2022, 3 students were referred to and completed the BASICS program. There is no satisfaction survey administered following completion of the assessment. However, according

to the clinicians who completed the assessments, each participant reported that it was a beneficial consultation. A reflection of Missouri Southern staff indicated that the program normally solicits more open and honest feedback from student athlete referrals than residence life referrals.

- Outcomes measured at the program level:
 - Learning outcomes assessed-students perspective on relationship with alcohol/drug, their personal values, goals, stressors, concerns
 - Changes in knowledge gained from program/intervention- learn the reality vs. perception of alcohol/drug usage among college students, learn protective factors, learn drinking/drug usage risks, as well as address concerns the student has about their drinking
 - Changes in attitudes gained from program/intervention- increased awareness about being irresponsible when drinking/drug usage
 - Changes in beliefs gained from program/intervention-knowledge on how alcohol/drugs can alter the student's belief system
 - Changes in behaviors gained from program/intervention-knowledge on how to be safe when drinking/drug usage if the student chooses, for example having a designated driver
 - Changes in environment/trend data that can be directly attributed to program/intervention-evaluation of peer group as well as how behavior might affect the student's degree plan

CHEERS Program

- About the Program:
 - CHEERS was designed to increase the number of designated drivers throughout the state of Missouri. Bars, restaurants, and nightclubs participating in CHEERS provide FREE non-alcoholic beverages to the acknowledged designated driver in a group of two or more. Establishment owners all across the state have been invited to join CHEERS and to play an active role in ensuring the health and safety of their patrons. Missouri Southern has worked with ten local establishments to participate in the CHEERS program. For the institution, the program serves as both a social norming and designated driver program. The program also works to enhance responsible beverage service in the Joplin, Missouri area.
- Outcomes measured at the program level:
 - The program is measured through data, which is gathered via the Missouri Assessment of College Health Behaviors.

Counseling Services

- About the Program:

- Counseling Services provides free, individualized, confidential, brief, time-limited counseling sessions for currently enrolled MSSU students. These sessions are geared toward helping students meet the challenges that stand in the way of success. Successful relationships and personal satisfaction frequently result from the solutions to life problems addressed in college. Members of the counseling staff are available for consultation to students who may have concerns about another student or friend, or about a particular situation. Counseling Services staff are also available to consult with faculty and staff regarding such issues. We can also assist in making referrals to off-campus professionals when specialized or intense long-term services are needed.

Electronic Check-Up to Go (E-CHUG)

- About the program:
 - The E-CHUG electronic check-up assessment is available to students, faculty, and staff year around. The assessment is assigned to first-year students during the UE 100 course. This course is a requirement for all incoming first-year students, as well as transfer students with less than 30 transferable hours. In 2020-2021, 772 students completed the electronic check-up assessment. In 2021-2022, 597 students completed the electronic check-up assessment. No users left comments on the E-CHUG platform. There are currently no satisfaction/reflections of the staff/faculty administering the assessment.
- Outcomes measured at the program level:
 - Learning outcomes assessed- reduce levels of hazardous use of alcohol and the tragic consequences that might also occur
 - Changes in knowledge gained from program/intervention-how the students drinking compares to others, relationship and health consequences, the student's personal risk, amount of money spent on alcohol, and any family risk factors
 - Changes in attitudes gained from program/intervention-- increased awareness about being irresponsible when drinking
 - Changes in beliefs gained from program/intervention- knowledge on how alcohol/drugs can alter the student's belief system
 - Changes in behaviors gained from program/intervention- knowledge on how to be safe when drinking/drug usage if the student chooses, for example having a designated driver, budgeting knowledge based on the amount of money they spend each month on alcohol
 - Changes in environment/trend data that can be directly attributed to program/intervention- evaluation of peer group as well as how behavior might affect the student's degree plan

Electronic THC Online Knowledge Experience (E-TOKE)

- About the program:
 - The E-TOKE electronic check-up assessment is available to students, faculty, and staff year around. The assessment is assigned to first-year students during the UE 100 course. This course is a requirement for all incoming first-year students, as well as transfer students with less than 30 transferable hours. In 2020-2021, 717 students completed the electronic check-up assessment. In 2021-2022 540 students completed the electronic check-up assessment. No users left comments on the E-TOKE platform. There are currently no satisfaction/reflections of the staff/faculty administering the assessment.
- Outcomes measured at the program level:
 - Learning outcomes assessed- reduce levels of hazardous use of drugs and the tragic consequences that might also occur
 - Changes in knowledge gained from program/intervention-how the students drug usage compares to others, relationship and health consequences, the student's personal risk, amount of money spent on drugs, and any family risk factors
 - Changes in attitudes gained from program/intervention-- increased awareness about being irresponsible when using drugs
 - Changes in beliefs gained from program/intervention- knowledge on how drugs can alter the student's belief system
 - Changes in behaviors gained from program/intervention- knowledge on how to be safe when drug usage if the student chooses, for example having a designated driver, budgeting knowledge based on the amount of money they spend each month on drugs
 - Changes in environment/trend data that can be directly attributed to program/intervention- evaluation of peer group as well as how behavior might affect the student's degree plan.

Employee Assistance Program

- About the Program:
 - The Employee Assistance Program is offered free of charge to all employees full time and part time. When individual interventions are required for staff or faculty, these individuals would be referred to the Employee Assistance Program.

Green Dot Program

- About the program:

- All first-year students get an overview of the program in their UE class. We also offer a “bystander training session” for students who want extensive training (4-8 hours) about how to prevent dating/domestic violence through three methods (direct/distract/delegate).

Motivational Interviewing

- About the program:
 - Motivational Interviewing is offered year-round to Missouri Southern student athletes and residence hall students following a drug violation or second alcohol violation. In 2020-2021, 4 students were referred to and completed the BASICS program. In 2021-2022, 3 students were referred to and completed the BASICS program. There is no satisfaction survey administered following completion of the assessment. However, according to the clinicians who completed the assessments, each participant reported that it was a beneficial consultation. A reflection of Missouri Southern staff indicated that the program normally solicits more open and honest feedback from student athlete referrals than residence life referrals.
- Outcomes measured at the program level:
 - Learning outcomes assessed-students perspective on relationship with alcohol/drug, their personal values, goals, stressors, concerns
 - Changes in knowledge gained from program/intervention- learn the reality vs. perception of alcohol/drug usage among college students, learn protective factors, learn drinking/drug usage risks, as well as address concerns the student has about their drinking
 - Changes in attitudes gained from program/intervention- increased awareness about being irresponsible when drinking/drug usage
 - Changes in beliefs gained from program/intervention-knowledge on how alcohol/drugs can alter the student’s belief system
 - Changes in behaviors gained from program/intervention-knowledge on how to be safe when drinking/drug usage if the student chooses, for example having a designated driver
 - Changes in environment/trend data that can be directly attributed to program/intervention-evaluation of peer group as well as how behavior might affect the student’s degree plan.

National Drug Take Back Program

- About the Program:
 - In both years of the Biennium Period, the MSSU Police Department partnered with the U.S. Drug Enforcement Administration (DEA), to be a host site for the “National Prescription Drug Take-Back Program.” The

National Prescription Drug Take-Back addresses a vital public safety and public health issue. Many Americans are not aware that medicines that languish in home cabinets are highly susceptible to diversion, misuse, and abuse. Rates of prescription drug abuse in the U.S. are at alarming rates, as are the number of accidental poisonings and overdoses due to these drugs. Studies show that many abused prescription drugs are obtained from family and friends, including from the home medicine cabinet. In addition, many Americans do not know how to properly dispose of their unused medicine, often flushing them down the toilet or throwing them away – both potential safety and health hazards. Because prescription drug abuse is a serious problem nationally on college campuses, MSSU wants to assist our students, faculty, and staff in properly disposing of old or unwanted medications.

- For more information go to https://www.deadiversion.usdoj.gov/drug_disposal/takeback/index.html
- Outcomes measured at the program level:
 - During the previous Take-Back in October of 2020 985,392 pounds of drugs were collected at 4,587 sites nationwide. In October of 2021, 744,082 pounds of drugs were collected at 4,982 sites nationwide.

New Directions

- About the Program:
 - Students who require off-campus treatment referral are sent to New Directions. No students were referred in 2020-2021 or 2021, 2022. Ozark Center provides substance use services, treatment and support networks for the community through its New Directions program. Comprehensive services are offered by New Directions through an umbrella of separate but interrelated components, including substance use, recovery support and anger management programs.

Willcoxon Health Center

- About the Program:
 - The Willcoxon Health Center is here to support the health and wellness of our student body. We are an acute care clinic located in Billingsly Student Center. Some of our services include: care for acute illness, tuberculosis (TB) testing, women's health, sexually transmitted infection (STI) screening, physicals, vaccinations, and blood tests.

Enforcement Analysis

Enforcement of Missouri Southern State University policies and procedures concerning alcohol and drug use rests largely with the Division of Student Affairs, Residence Life, Human Resources, University Police, and Counseling Services. The University's enforcement process includes the following:

- Steps taken:
 - Distribution/publication of policies and annual notification distribution
 - Alcohol and Drug Free Campus Policy – dispersed annually to all-employee listserv, as well as the all-student listserv
 - Student and Employee Handbooks
 - Updated annually and posted on the University website.

		2020-2021	Range of discipline	2021-2022	Range of discipline
Possession in Violation of Policy	Alcohol	24	Administrative	58	Administrative
	Illegal drugs	9	Administrative	1	Administrative
Public disturbance	Alcohol	2	N/A	1	N/A
	Illegal drugs	0	N/A	0	N/A
Property damage	Alcohol	0	Administrative	0	N/A
	Illegal drugs	0	N/A	0	N/A
Physical altercations (including sexual violence)	Alcohol	0	Administrative	2	Administrative/Criminal
	Illegal drugs	0	N/A	0	N/A
Driving violations/ accidents	Alcohol	0	N/A	1	Administrative
	Illegal drugs	0	N/A	0	N/A
Illegal manufacture, sale, or distribution	Alcohol	0		0	N/A
	Illegal drugs	2	Criminal	0	N/A
Fatalities	Alcohol	0	N/A	0	N/A
	Illegal drugs	0	N/A	0	N/A

Enforcement Consistency Analysis

The Task Force has assessed the consistency of imposed sanctions for violations of disciplinary standards and codes of conduct and finds sanctions imposed to be consistent in light of the circumstances surrounding each incident.

Student Conduct Process

Students at Missouri Southern are afforded fair and equitable due process for any violation of the student code of conduct. The follow is taken from the 2020 –Mission/Vision/Philosophy of Missouri Southern State University Code of Conduct (see Appendix M):

“Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process

afforded by the courts. Due process, as defined within these procedures, assures notice and a hearing before an objective decision-maker. No student will be found in violation of Missouri Southern State University policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.”

Assessment

At the close of the Biennial Review process, the Task Force met to discuss the report. (The agenda and minutes for the meeting can be found in Appendix Y and Appendix Z.) Included within the discussion was a SWOT/C (Strengths, Weakness, Opportunities, Threats/Challenges) Analysis, as well as overall discussion of the institution’s assessment practices, and recommendations for policy and program revisions.

The Task Force’s assessment began with a discussion regarding program level policies.

Overall discussion of institutional, divisional/office and program level policies

Strengths

- Annual review of policies
- Alcohol and drug policies
- Policies are easily accessible
- Educational components are offered to students to help correct the behavior
- We include resource information in the policies

Weaknesses

- Healthcare budget: great availability and opportunity for assessment, but very little to no resources for follow-up
- Staffing is minimal-everyone has primary jobs and participates in prevention efforts as they are available.

Opportunities

- Evaluate other programs, see how we can combine our efforts to further spread prevention efforts.
- Opportunity to look into grants associated with the individual departments dedicated to these efforts.

Threats/Challenges

- Proper implementation of the University’s new tailgating policy

Overall discussion of institutional, divisional/office and program level programs and interventions

The Task Force continued with discussion regarding program level policies and interventions.

Strengths

- Assessment
- EAP program availability
- Collaboration between departments
- Each semester a litany of alternative activities are provided to Missouri Southern students via events sponsored by the Campus Activities Board, Athletics, International department, Residence Hall Association, Theater and Music programs, among others
- E-Checkups – The University observes a high number of participants for these assessments. The collaboration with University Experience is extremely effective.
- Ask, Listen, Refer – The University observes a high number of participants for these assessments. UE collaboration has been critically helpful.
- Wellness Incentive Program – In 2018, the Wellness Committee, Insurance Committee, and several other key areas on campus successfully launched a Wellness Incentive Program for employees. The Wellness Incentive Program (WIP) is designed to reward MSSU employees for taking advantage of Wellness related programming and education at MSSU. Each month the Wellness Committee will select programs or events that fall under one of the six aspects of wellness which are: Career, Emotional, Physical, Community, Social, Financial. Each highlighted program will have a reward tied to it, depending on the program it can be something that every WIP member in attendance gets or they are entered into a drawing for a designated prize. Participating in the Wellness Incentive Program allows University personnel to receive a discount on their monthly health insurance premium and contribution to the employee's HSA accounts the following year. The discount is funded by Missouri Southern State University.
- Health Center – There is a Health Center on-campus at Missouri Southern. Faculty and staff can make appointments and receive a prescription from this facility without leaving campus.
- Data from the Missouri Assessment of College Health Behaviors survey were shared through the Student Affairs Newsletter and with campus administrators.
- The Partners in Prevention Program went through the Council for the Advancement in Higher Education (CAS) process in the 2020-2021 academic year.

Weaknesses

- The Partners in Prevention Coalition needs to increase visibility and awareness with stakeholders including students, faculty, staff, administration, and the community.
- Without a grant writer, we are missing a lot of opportunities to expand our prevention services
- Lack of dedicated centralized department devoted to Alcohol and Drug Prevention
- The Missouri Southern Partners in Prevention Coalition does not feature any members from the area community beyond Missouri Southern personnel.

- Need to develop more campus buy-in for prevention programs and efforts.

Opportunities

- The implementation of data procured from the Missouri Assessment of College Health Behaviors across campus could better disseminate information to all interested parties on prevention efforts.
- Collaborative efforts with departments and programs across campus through the utilization of the Partners in Prevention data and strategic plan.
- First-year students are required to attend an orientation event called Southern Welcome. Typically, members of a student's family are also in attendance at these events. There exists an opportunity to integrate prevention efforts and data into the program.
- A vast number of departments on campus are providing programming for students. There is an enormous opportunity to identify synergies and through collaborative efforts accomplish multiple objectives through program. A small example could be including social norming messages on an event program.
- Expansion of the Willcoxon Health Center's resources, and services available to students, faculty, and staff could bring opportunities to improve the health and wellness of the campus community through prevention efforts. This would require additional staffing and resources. While collaborative opportunities with Freeman Hospital have been explored to expand the Health Center's offerings to faculty and staff, they have not yet been identified and pursued. Efforts should continue to identify and implement these collaborative strategies.
- Each year, new Faculty and Staff complete a new employee orientation, which is sponsored by the Human Resources department. There is an opportunity to improve prevention efforts at this event, through the use of data or program awareness strategies.
- Evaluate other programs, see how we can combine our efforts to further spread prevention efforts
- Potential opportunity to look into grants associated with the individual departments dedicated to these efforts

Threats/Challenges

- Resources – While financial resources are challenging, it is not as big of a challenge as staffing resources. MSSU has no prevention office and instead the Partners in Prevention coalition is comprised by individuals who devote a fraction of their job to prevention efforts. The team seems to be motivated to do good work, but there are also only so many hours in the day and everyone is busy.
- Staffing – Similar to the previous discussion regarding resources, units like Counseling Services, Wellness, and the Willcoxon Health Center have staffing limitations which stem from a lack of resources. This presents a challenge of expanding on wellness efforts or implementing strategies, which could target the opportunities listed in this report.

- Continued lasting effects of COVID-19 repercussions-loss of sports seasons, loss of personal connections, increase in free-time, alternative programming is limited, etc.
- Finding a balance in programming, want to do few enough that it makes each one seem like an event to attend, but also wanting enough so that students have outlets
- Lack of staffing-this challenge is primarily due to not having someone who is full-time dedicated to prevention efforts and follow-up

Missouri Assessment of College Health Behaviors

Each Spring, Missouri Southern State University distributes the Missouri Assessment of College Health Behaviors. The survey is distributed across the state to the 24 institutions, which take part in the state Partners in Prevention coalition. In February 2021, Missouri Southern received feedback from 282 students. These results were able to be compared to a statewide survey sample of 10,154 survey participants. In February 2022, Missouri Southern received feedback from 195 students. These results were able to be compared to a statewide survey sample of 6,705 survey participants. Survey topics include questions pertaining to university prevention policy and programs, alcohol, drug, and tobacco usage, as well as sexual health, well-being, interpersonal violence, gambling, and drunk driving climate assessments. Each time Missouri Southern distributes the survey to campus, Partners in Prevention offers the opportunity to include up to ten additional questions. The questions can cover any topic chosen by the institution. One opportunity is to utilize the Missouri Assessment of College Health Behaviors to include questions regarding items in which there is an assessment gap.

Summary of Program Strengths and Weaknesses

Leadership Involvement

Discussion from the Biennial Review Task Force indicates that both the Task Force and Partners in Prevention could improve leadership involvement through better awareness of prevention strategies and programs. Additionally, assessment information could be better communicated in both written and verbal form to administration and campus leadership; completing the CAS review did help make leadership more aware of the data related to the program. Both the Biennial Review Task Force and the Partners in Prevention Program should work to better educate the Missouri Southern campus on student data concerning alcohol and drug abuse. This would equip campus leadership the ability to speak more accurately about our student population in relation to prevention and wellness topics.

Adequacy of Budget for Intended Efforts

The following provides a brief summary of budgeted resources for prevention and wellness efforts at Missouri Southern State University. The Partners in Prevention Coalition receives \$10,000 in grant money annually. The Employee Wellness Program receives \$50,000 annually for wellness initiatives including prizes and programming. The University will also cover the added cost of the premium discounts achieved through the newly implemented Wellness Incentive Program. Alternative programming options are providing to Missouri Southern students through the operation budgets of the Student Life units, Residence Life program, and other areas which develop student programming. Additionally, fine money collected through the Missouri Southern conduct system is devoted to prevention efforts through the funding of the

Counseling Services software, and additional funds available to the Behavior Intervention Team, Partners in Prevention, and the Safe Zone Committee.

As with any program, additional resources could improve the prevention efforts at Missouri Southern State University. Specific opportunities discussed by the Biennial Review Task Force included discussions on additional support for the following areas: Faculty/Staff training; Support and enhancement of Counseling Services.

Availability of Data

Data provided within this report and other reports (Clery, Annual Security Report, etc.) are publicly available on the Missouri Southern website in a variety of locations. The Biennial Review Task Force discussion on this subject revolved around how to better share prevention data with the campus community at large. Ideas included working data snippets into other communication platforms. For instance, a prevention statistic incorporated into a newsletter, or in an activity program – in fact, the Student Affairs newsletter featured some key data from the MO behaviors assessment in the 2021-2022 academic year. The group can continue to look for other opportunities for sharing these data such as the MOSO Minute, or the redeveloped landing page of the student portal, LionNet.

Other Identified Gaps and Overlap

The Biennial Review Task Force discussed the continual overlap found between several federal reports, which must be published on an annual or biennial basis. These reports include the Clery Act, Annual Security Report, and Biennial Review. There are additional reporting mechanisms for Title IX. The Partners in Prevention program is also involved in compiled quarterly reports for the grant, which includes much of the same information within the Biennial Review. The CAS review brought to light some of this overlap as well, but also demonstrates opportunities of more awareness with the overlap. There is a huge amount of overlap between these areas and there is the opportunity to develop synergies as a result of improved communication and reporting strategies. Missouri Southern State University will attempt to capture these opportunities through Pharos, our comprehensive Student Support technology.

Regarding the gaps on campus, the Biennial Review Task Force discussion centered on the small number of staff working on the aforementioned issues. Unlike most Universities, most of the efforts included within this report and being conducted by committees or coalitions, rather than an office or department. One point of discussion of the group was to better advocate for a student fee model again in hopes a fee could help fund some staffing or more programming.

Recommended Policy and Programming Revisions

Goals and Objectives for next Biennium

Goals and objectives for the subsequent biennial period are outlined within this section. The basis of many of the objectives included within this section can be found in the Partners in Prevention Strategic Plan (see Appendix AA).

Goal 1 – To increase the response rate of the Missouri Assessment of College Health Behaviors Survey (MACHB) by 3%

Goal

To determine the attitudes, knowledge, and usage patterns of students in the areas of alcohol, drugs, tobacco, sexual encounters, and mental health to better meet their needs.

Discussion

The Missouri Assessment of College Health Behaviors Survey (MACHB) will be sent out every Spring to a random sample of students. Information from this survey is and will be used to assess the attitudes, knowledge, and usage patterns of Missouri Southern students in a variety of areas. The areas include alcohol, drugs, tobacco, sexual health, and mental health. The results of this assessment provide the basis for identifying prevention objectives geared toward the student population. Giving the MACHB each year provides longitudinal data that can be used in prevention efforts, including but not limited to: planning, programming, education, support offerings, and policy implementation/enforcement.

Key Areas

Director of Student Conduct and Lead Mental Health Counselor, University PIP Coalition, Office of Institutional Effectiveness.

Assessment

The MACHB

Goal 2 – To increase the attendance at the alternative activities by 3%

Goal

To create, develop and promote alternative activities, which are fun (with a small educational component) and show Missouri Southern students that fun can be had without the influence of substances. These opportunities should not possess any negative connotations. By working closely with campus departments and community organizations healthy choices material, resources, and policy information can be better disseminated.

Discussion

Continuation of positive, healthy, alcohol/drug free, and affordable late-night programming events that start at 7 PM or later. Ideas include, but are not limited to Movie Nights, Concerts, Foam Parties, Casino Nights, Guest Speakers, ThinkFast Game Show, Finals Madness, Game Nights, Craft Nights, Skate Nights, Rec Nights, Mix-n-Mingles, Dance Parties, etc. Throughout the year, departments team up to plan and implement programming that is working toward the common goal of preventing risky behavior. Collaboration also exists with instructors who often welcome class presentations that focus on related programming and the topics of the awareness weeks. By offering programming, electronic and hardcopy information, signage, Welcome Back kits, the Relaxation Room, and classroom presentations, the campus can show a solidified effort to educate and promote healthy choices.

Key Areas

Recreational Services and Wellness, Student Activities, and Residence Life (with assistance of the University PIP Coalition, Student Success Center, Athletics, food services, and community partners).

Assessment

ID card scans from attendance at activities, Presence software

Goal 3 – Maintain the participation on the eCHECKUP assessments (e-chug and e-toke)

Goal

Continue usage of online training; informational, educational, and referral programs; and increase certificate completion in programs with that possibility (i.e. eCHECKUP assessments-e-chug, and e-toke,).

Discussion

Provide educational opportunities for students with regard to alcohol and marijuana usage through the eCHECKUP assessments. University Experience classes will be used as a platform for education. These tools are available to students through the Awareness/Prevention, Counseling Services, and Other Resources webpages. The eCHECKUP assessments are available through the UE 100 class, which is required for all incoming freshmen. They are advertised on social norming campaign posters, social media, and any other method as deemed necessary/appropriate.

Key Areas

Director of Student Success (curriculum) (with assistance of University PIP Coalition, UPD, Residence Life, Athletics, Recreational Service and Wellness, and Counseling Services.)

Assessment

eCHECKUP assessments (e-chug and e-toke)

Goal 4 – Provide Prevention Related Professional Development to University Personnel

Goal

Allow funding opportunities for Missouri Southern employees, students, and community liaisons to attend/participate in PIP funded or PIP provided conferences, workshops, and trainings and bringing speakers/trainings to campus, and other conferences or trainings that are relevant to help educate members of our campus and community. This will increase the number of empowered professional and student leaders on campus and in our community, build our team and increase communication with the community that relates to keeping our students safe through implementing programs, networking, teamwork, and relationship building.

Discussion

Continue offering opportunities to participate in educational programming offered by PIP, NASPA, Higher Education conferences, law enforcement training, and other relevant or accredited sources. These opportunities have allowed our institution to educate members of our campus and community, continue addressing issues that affect our campus, be on the forefront of setting standards, and implement and maintain proper policies, enforcement, and procedures. Foster a collaborative effort between campus departments/organizations and community

members toward the common goal of keeping our campus community safe, well, empowered, and educated to make informed decisions regarding their health, well-being, and life choices.

Key Areas

Student Success Center, Counseling Services. Residence Life, Athletics, and UPD

Assessment

At least 90% of Coalition members will attend at least one PIP sponsored event – for example: University monthly Coalition meeting, PIP monthly meeting, PIP data call, Meeting of the Minds Conference. Will also utilize assessment information from MACHB for increased frequency and visibility of awareness/social norming campaigns, maintained/increased program participation numbers, decreased policy violations.

The PIP Coalition members include:

Student Conduct Office – Samantha Quackenbush

Recreation Services/Wellness– Cindy Webb

Student Activities/Registered Student Organizations/Greek Life – TBD

Counseling Services/PIP contact – Heather Bullock

Residence Life – TBD

Athletics – Amanda Schmelzer

UPD – TBD

Engage Coordinator- Samantha Sweet

Student Rep – Varies

Biennial Review Task Force members, who do not serve on Partners in Prevention Coalition:

Financial Aid – Becca Diskin

Human Resources – TBD

Health Center-Julie Stamps

Student Affairs/Administrator – Tamika Harrel

Goal 5 – Foster a sense of belonging among Missouri Southern State University students. Increase the number of people who answered “Agree” or “Strongly Agree” to the statement “I feel a sense of belonging to the campus community” of the MACHB by 3%

Goal

Creating a welcoming and inclusive environment that will help students foster a sense of belonging and persist to graduation.

Discussion

University PIP coalition members and the offices of Student Life and Conduct Office, Recreation Services, Student Activities/Wellness, Registered Student Organizations/Greek Life, Counseling Services, Residence Life, Athletics, UPD, and Student Reps will work to create programming and provide a welcoming and inclusive environment to help students foster a sense of belonging at Missouri Southern State University.

Key Areas

Entire campus and community (as requested, needed, appropriate)

Assessment

MACHB

Goal 6 – Increase help-seeking behaviors for suicidal ideation/attempts among students by 3%.

Goal

Increase help-seeking behaviors for suicidal ideation/attempts among students by 3%. Students who sought help for suicidal ideation/attempts by answering “Yes” to the question, “Have you sought assistance for your suicide attempt/thought in the past year” Promote to students both campus and community resources focused on helping with suicidal ideation and over all mental well-being.

Discussion

Counseling Services along with other key offices on campus will collaborate to co-program with the intent of increasing faculty, staff, and student’s awareness of mental health, resources, and the promotion of gatekeeper training Ask, Listen, Refer and to promote the overall mental well-being of students especially special populations like student-athletes, LGBTQ+, and First-Generation students.

Key Areas

Counseling Services, Recreational Services and Wellness, Student Success Center, UPD, Residence Life, Student Activities (with assistance of University PIP Coalition, Willcoxon Health Center, Athletics, Academics, Director of Student Conduct, Registered Student Organizations, Student/Staff/Faculty Senates, University Council/Administration/BOG, community partners, and other areas or entities as opportunity presents)

Assessment

MACHB

Approval

This report was presented to the President on September 8, 2022. The President approved the report for issuance on September 12, 2022.

Appendix A: 2020 Annual Security Report

MISSOURI SOUTHERN STATE UNIVERSITY

2020 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT

Introduction

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

Policy for Preparing the Annual Report

This report is prepared by The Chief of Campus Police and Emergency Management and Environmental Safety Director in cooperation with local law enforcement authorities and includes information provided by them as well as by the University’s campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students that provides the website link to access this report. Prospective students, faculty and staff are also notified of the report’s availability. Hard copies of the report may also be obtained at no cost by contacting the University Police Department at 507 N. Mission Hills Drive. The crime statistics published later in the report were compiled from reports submitted by various campus security authorities and also received from local law enforcement agencies.

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

Policies Concerning The Law Enforcement Authority and Jurisdiction of Campus Security Personnel

The MSSU Police Department (UPD) is responsible for campus safety at the University. Its jurisdiction covers all campus property. Its personnel have arrest authority. The UPD has a close working relationship with local law enforcement agencies, including the Joplin Police Department and Jasper County Sheriff’s Office, which assist the UPD when necessary. The UPD has written mutual aid agreements with the Joplin

Police Department, the Jasper County Sheriff’s Office and other small city agencies (Duquesne, Webb City, & Carterville) that allows them to help out in emergency situations. The UPD is a member of the Tri-State Major Case Squad and may call for investigators to assist with investigations of serious crimes.

Other Officials to Whom Crimes May Be Reported (Campus Security Authorities)

MSSU also has designated other officials to serve as additional campus security authorities. Reports of criminal activity can also be made to these officials. They in turn will ensure that they are reported to the MSSU Police for collection as part of the University's annual report of crime statistics. These additional campus security authorities are: Vice President for Student Affairs (Darren Fullerton, 417-625-3135), Associate Vice President for Student Affairs (Julie Wengert, 417-625-9532), Director of Student Conduct (Samantha Quackenbush, 417-625-9531), Title IX Coordinator (Tamika Harrel, 417-625-3022), and the Director of Residence Life (Josh Doak, 659-4460).

Policies on Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies to the MSSU Police and appropriate police agencies even when the victim of a crime **elects** not to do so or is unable to make such a report. Such reports should be made as follows:

1. Situations that pose imminent danger or while a crime is in progress should be reported to the University Police Department by dialing **911** (MSSU contracts with JPD for dispatching services) from any campus phone or cell phone. With situations that require a police officer, but are not an emergency, a UPD officer can be contacted by calling the JPD non-emergency number, **417-623-3131**. Although the UPD officers have primary jurisdiction, it does not preclude calling the Joplin Police Department (**911 or 417-623-3131**) or the Jasper County Sheriff's Office (**417-624-1600**) in crisis situations. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred. After making the call to the police, we also recommend making a report to one of the campus security authorities identified above.
2. Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of the University staff will assist a student in making the report to the police.
3. For service calls (jump starts, unlocks, etc.) anyone may call **417-626-2222** and speak to a MSSU police officer without being routed to JPD first.
4. Anonymous incident reports can also be made by contacting a UPD officer and requesting to remain anonymous, or by sending an email to UPD@mssu.edu.

Confidential Reporting

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

Pursuant to the University's Sexual Harassment Policy, when an employee, who is a reporting official but not a confidential resource, becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties, if known,

to the Title IX Coordinator. A victim of other types of crimes who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing and alert the community as to any potential danger.

These confidential reports are counted and disclosed in the annual crime statistics for the University.

Counselors with the ACTS Office and staff within the Willcoxon Health Center are encouraged, if they deem it appropriate, to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual report. Information will not be reported by counselors in the ACTS Office to anyone at the University without the consent of the person being counseled. The University does not have pastoral counselors.

Monitoring Off-Campus Locations of Recognized Student Organizations.

MSSU does not have off-campus student organizations that are recognized by the institution, and thus does not track or record criminal activity at such locations.

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

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

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

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

MSSU seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

1. MSSU adopted the **Green Dot Program** as a way to be proactive in reducing "power based personal violence" on campus. All first-year students get an overview of the program in their University Experience class, plus each semester a "bystander training session" is offered for students who want extensive training (4 hours) about how to prevent dating/domestic violence through three methods (direct/distract/delegate).

2. Crime prevention programs are presented each semester by the Campus Activities Board, Student Affairs and the Residence Halls Association. The University Police Department uses the **A.L.I.C.E.** (Alert/Lockdown/Inform/Counter/Evacuate) training to teach students how to survive if they were to be confronted by a violent person with a weapon in a group setting. The “swarm” method (a technique for distracting and securing an attacker) is only used as a last resort when students are trapped and escape isn’t possible.
3. Employees and students are informed about the prevention of crimes through written communication from school management, via campus postings, email distribution, or internet posting. In addition, students and faculty/staff members receive flyers regarding the prevention of sexual assault, bystander intervention, sexual assault policies, services of the University Police Department, substance abuse policy, and the Campus Security Act Procedures.
4. Members of the campus community may access information about “campus security” practices and procedures by going to the University Police web site (www.mssu/police). This document (Annual Security Report) is published to all students and faculty/staff members each semester. First year students in the University Experience classes are given details about how to more effectively be the “eyes and ears” of the UPD. They are informed about how to interact with police officers if they have any type of problem on campus. They are educated about police procedures and practices.
5. Title IX training sessions are provided for all students and employees annually. Incoming freshmen students and transfer students with under 30 credit hours complete a Title IX training session during the required UE 100 University Experience course. All students are provided the training module through their student email.

Building Security

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members. The three largest residence halls are locked at midnight each night by Residence Hall staff members. Students are issued keys to access only their specific building and living quarters. Police officers secure the dorm buildings around midnight as well, performing random “walk-throughs” and vehicle patrols around the residence halls from 11:30 p.m. until 7:30 a.m. each night.

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

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

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

Employees must adhere to policies regarding unauthorized access to school facilities, theft of, or damage to, school property, or other criminal activity. In particular, rendering inoperable or abusing any fire prevention or detection equipment is prohibited. Violation

of these policies may lead to disciplinary action, up to and including termination and the filing of charges with law enforcement authorities.

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

Safety Considerations in Maintenance of Campus Facilities

Security also is a consideration in maintaining campus facilities. For example, maintenance personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells. Grounds crew also trim shrubs to make it more difficult for someone to hide in them.

Timely Warnings

In the event of criminal activity occurring either on campus or off-campus that in the judgment of the MSSU Police Chief constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community. This warning will be communicated to students and employees via email and the campus website. Updates to the warnings will be provided as appropriate.

The University has communicated with local law enforcement agencies requesting their cooperation in providing information about any crimes reported to them that may warrant a timely warning. Anyone else with information warranting a timely warning should immediately report the circumstances to the UPD by dialing 417-623-3131 or 417-626-2222.

Emergency Response and Evacuation Procedures

MSSU has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The MSSU Police Department has communicated with the Joplin Police Department requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response. Students, staff and visitors are encouraged to notify the UPD (417-623-3131) of any situation that poses such a threat.

The on-scene Incident Commander (Ken Kennedy, 417-625-9751) or (Chris Houk, 417-625-5490), in conjunction with the Emergency Management Director (Darren Fullerton, 417-625-3135), will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the University’s response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process. With a major crisis, the command team will work closely with the Joplin Police Department and Jasper County Sheriff’s Office in a unified command structure.

Once the emergency is confirmed, the University community, or appropriate segments of it, will be notified. The Incident Command Team, in collaboration with other appropriate personnel, will determine the appropriate segments of the community to be notified and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The MSSU Police Chief will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened. Students and faculty/staff members do not need to sign-up to be included in any of the emergency notification systems below.

1. Text messages (through the Rave system)
2. “Big Voice” broadcasting speaker system
3. Emails
4. University web site
5. Posted notices
6. Local media sources

The Director of University Relations and Marketing (417-625-9365/9617) or designee will disseminate emergency information to the larger community; that is those outside of the campus community. Other local law enforcement agencies will be contacted if appropriate, depending on the type of emergency. The University tests various emergency response and evacuation procedures each year. Also, at various times, the Emergency Management Team will meet to train and test and evaluate the University’s emergency response plan. The Police Chief, the Director of Residence Life and the Fire Safety Officer maintain records of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University’s emergency response and evacuation procedures.

Missing Person Procedures

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Director of Residence Life (417-659-4460), the Vice-President of Student Affairs (417-625-9392), the Associate Vice President of Student Affairs (417-625-9532), or the Director of Student Conduct (417-625-9531). The UPD will be immediately notified, and an investigation initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student

is determined to be missing. A student who wishes to designate a confidential contact may do so by confiding in a trusted MSSU faculty/ staff member, who will notify their supervisor and/or the Vice President for Student Affairs (417-625-9392). A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, MSSU will notify local police authorities (if they were not the entity that made the determination that the student is missing) and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student's parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Sex Offender Registration Program Policy, Procedures and Programs Related to Sexual Assault, Domestic and Dating Violence and Stalking

Consistent with the requirements of Title IX of the Education Amendments of 1972 and the Clery Act as amended by the Violence Against Women Act (VAWA), MSSU prohibits discrimination based on sex in its educational programs and activities, including sexual harassment and also acts of domestic violence, dating violence, sexual assault and stalking. The University also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to this policy or pursuant to laws or institutional policy. A full statement of the University's Sexual Harassment Policy and the procedures for filing, investigating and resolving complaints for violations of that policy may be found at [http://policy.mssu.edu/all_university_employee/](http://policy.mssu.edu/all_university_employee/Policy%20Final%20Draft%208.13.2020.docx%20without%20Husch%20stamp.pdf)

[Policy%20Final%20Draft%208.13.2020.docx%20without%20Husch%20stamp.pdf](http://policy.mssu.edu/all_university_employee/Policy%20Final%20Draft%208.13.2020.docx%20without%20Husch%20stamp.pdf).

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

Primary Prevention and Awareness Programs

MSSU has a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees that is intended to help stop dating and domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors fostering healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention and seek to change behavior and social norms in healthy and safe directions.

The PPAP includes a statement that MSSU prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. In that regard, the following definitions apply within the state of Missouri and are used in this PPAP training:

Crime Type (Missouri Revised Statutes)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Missouri law does not define the term dating violence.

Domestic Violence	<p>Missouri's protective order statutes provide the following definitions (Mo. Rev. Stat. § 455.010):</p> <ol style="list-style-type: none"> 1. "Domestic violence" is abuse or stalking committed by a family or household member. 2. "Family" or "household member", [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
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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.

In addition, Missouri criminal statutes include various degrees of the crime “Domestic Assault,” as follows:

1. Domestic Assault, First Degree (Mo. Rev. Stat. § 565.072): A person commits the offense 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 domestic victim, as the term "domestic victim" is defined under section 565.002.

♣ Mo Rev. Stat. § 565.002(6) indicates that a “domestic victim” is a household or family member as the term “family” or “household member” is defined in 455.010, including any child who is a member of the household or family.

2. Domestic Assault in the Second Degree (Mo. Rev. Stat. § 565.073): A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she:

(1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or (2) Recklessly causes serious physical injury to such domestic victim; or (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.

3. Domestic Assault, Third Degree (Mo. Rev. Stat. § 565.074): A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term "domestic victim" is defined under section 565.002.
4. Domestic Assault in the Fourth Degree (Mo. Rev. Stat. § 565.076): A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and: (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim; (2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument; (3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means; (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim; (5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or (6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

Stalking	<ul style="list-style-type: none"> • Stalking, First Degree (Mo. Rev. Stat. § 565.225): A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and: (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against
	<p>the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; 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 disturbing the other person is twenty-one years of age or older; or (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or (6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.</p> <ul style="list-style-type: none"> • Stalking, Second Degree (Mo. Rev. Stat. § 565.227.1): A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person. • As used in the definitions of stalking above, the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.
Sexual Assault	<p>The institution has determined, based on good-faith research, that Missouri's criminal statutes do not define the term sexual assault.</p> <p>However, Missouri's protective order statutes indicate that "sexual assault" means causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent. (Mo. Rev. Stat. § 455.010(1)(e)).</p>
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Missouri law are as follows:</p> <ul style="list-style-type: none"> • Rape in the First Degree (Mo. Rev. Stat. § 566.030.1): 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

	<p>mentally impaired so as to be incapable of making an informed consent to sexual intercourse.</p> <ol style="list-style-type: none"> 1. Rape in the Second Degree (Mo. Rev. Stat. § 566.030.1): 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. 2. Fondling: The institution has determined, based on good-faith research, that Missouri law does not define the term fondling. 3. Incest (Mo. Rev. Stat. § 568.020.1): A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her: (1) Ancestor or descendant by blood or adoption; or (2) Stepchild, while the marriage creating that relationship exists; or (3) Brother or sister of the whole or half-blood; or (4) Uncle, aunt, nephew or niece of the whole blood. 4. Statutory Rape, First Degree (Mo. Rev. Stat. § 566.032.1): A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age. 5. Statutory Rape, Second Degree (Mo. Rev. Stat. § 566.034.1): 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 sexual intercourse with another person who is less than seventeen years of age.
Other “sexual assault” crimes	<p>Other crimes under Missouri law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> • Sodomy in the First Degree (Mo. Rev. Stat. § 566.060.1): 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. <ol style="list-style-type: none"> 1. Sodomy in the Second Degree (Mo. Rev. Stat. § 566.061.1): 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. 2. Statutory Sodomy, First Degree (Mo. Rev. Stat. § 566.062.1): 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. 3. Statutory Sodomy, Second Degree (Mo. Rev. Stat. § 566.064.1): 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. 4. Child Molestation, First Degree (Mo. Rev. Stat. § 566.067.1): A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense. 5. Child Molestation, Second Degree (Mo. Rev. Stat. § 566.068.1): A person commits the offense of child molestation in the second degree if he or she: (1)

	<p>Subjects a child who is less than twelve years of age to sexual contact; or (2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.</p> <p>6. Child Molestation, Third Degree (Mo. Rev. Stat. § 566.069.1): A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.</p> <p>7. Child Molestation, Fourth Degree (Mo. Rev. Stat. § 566.071.1): A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.</p> <p>Sexual Misconduct Involving a Child (Mo. Rev. Stat. § 566.083.1): A person commits the offense of sexual misconduct involving a child if such person: (1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child; (2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; (3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; or (4) Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.</p>
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Consent (as it relates to sexual activity) (Mo. Rev. Stat. § 556.061(14))	Consent or lack of consent may be expressed or implied. Assent does not constitute consent if: (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or (b) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or (c) It is induced by force, duress or deception.
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In addition to the definition of consent under Missouri law, the University uses the following definition of consent for the purpose of determining whether a violation of its Sexual Harassment Policy has occurred:

Consent refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is Incapacitated is not capable of giving consent.

Lack of consent is often the critical factor in determining whether Sexual Violence/Assault has occurred. As defined above, consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation or coercion – or any kind of physical force or weapon – and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/temporary psychological or physical disability, and being below the age of consent are factors which detract from or make consent impossible.

In Missouri, the minimum age of consent for purposes of statutory rape is 17 years of age, and no one under 14 years of age is considered capable of consent.

In addition to Missouri law, the following are essential to understanding what constitutes effective consent under the policy:

1. If coercion, intimidation, threats, and/or physical force are used, there is no consent.
2. If a person's physical or mental disability renders them incapable of understanding the fact, nature, or extent of the sexual situation, there is no consent.
3. If a person is incapacitated by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent even if the person self-administered the alcohol or drugs.
4. If a person is asleep or unconscious, there is no consent.
5. Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
6. Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent. Consent can be withdrawn by verbal or physical conduct that a reasonable person would understand to indicate a desire to stop or not engage in the sexual conduct at issue.
7. While consent can be withdrawn, a withdrawal of consent operates going-forward. It does not change the consensual nature of sexual activity that has already occurred.
8. Being in a romantic relationship with someone does not imply consent to any form of sexual activity.
9. Consent may be deemed invalid when it is obtained in circumstances where one party exercised a position of direct authority or control over another. Effective consent may not exist when there is a disparity in power between the parties; an example of which is when one is in a supervisory or evaluative role over the other, such as a faculty member who is teaching a student or a director who supervises an employee.
10. A victim is not required to affirmatively/physically resist or say "stop" in order for there to be Sexual Violence/Assault. The PPAP encourages positive and healthy behaviors by noting that the majority of sexual offenses that occur in campus communities are committed by people known by their victims. Often, these types of assaults are not reported to police or campus authorities because people do not think this unwanted sexual contact constitutes sexual assault since they know the assailant. These assailants, however, are able to continue to exploit people by manipulating that trust. By reporting these incidents, you will significantly decrease the likelihood that this individual can subject another person to this type of victimization.
The PPAP includes instructions on risk reduction, including how to avoid becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization, or bystander inaction. Specifically, they are advised:
11. If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- o Make your limits known before going too far.
 - o You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
 - o Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
 - o Grab someone nearby and ask them for help. o Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
 - o Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
 - o Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.
12. If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:
- o Remember that you owe sexual respect to the other person. o Don’t make assumptions about the other person’s consent or about how far they are willing to go.
 - o Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
 - o If your partner expresses a withdrawal of consent, stop immediately. o Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
 - o Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
 - o Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
 - o Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include:

- o Past abuse
- o Threats of violence or abuse
- o Breaking objects
- o Using force during an argument
- o Jealousy
- o Controlling behavior
- o Quick involvement
- o Unrealistic expectations
- o Isolation
- o Blames others for problems
- o Hypersensitivity

- o Cruelty to animals or children
- o “Playful” use of force during sex
- o Jekyll-and-Hyde personality

Bystander Intervention is another topic of the PPAP. Often people don’t intervene because they may assume a situation isn’t a problem, or feel it is none of their business. They may assume that someone else will do something or believe that other people were not bothered by the problem. In some cases, a person might feel their personal safety is at risk.

When people do intervene in a situation, they often say that it was the right thing to do, and that they’d want someone to intervene if the roles were reversed. MSSU encourages students and faculty staff members to take action if they have an opportunity to prevent or intervene in an incident. They should also constantly be aware of events occurring around them and (if possible) create solutions.

Individuals on campus are even asked to intervene in situations as soon as it is possible to do so safely, at least speaking up so that others know what is going on. Of course, students and others should think about their response to ensure that their actions don’t actually escalate the situation. Generally, telling friends that behavior is not acceptable is appropriate. Notifying the UPD or others in authority is also always appropriate.

Individuals are encouraged to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

1. Look out for those around you.
2. Realize that it is important to intervene to help others.
3. Treat everyone respectfully. Do not be hostile or antagonistic.
4. Be confident when intervening.
5. Recruit help from others if necessary.
6. Be honest and direct.
7. Keep yourself safe.
8. If things get out of hand, don’t hesitate to contact the police.

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

Ongoing Prevention and Awareness Campaign

The University also has an Ongoing Prevention and Awareness Campaign (OPAC) for all students and faculty. This OPAC includes activities and materials that are presented over time to increase understanding of the issues related to sexual assault, domestic and dating violence and stalking. They cover essentially the same topics as the PPAP but are intended to reinforce that training and thus make it more effective in preventing these offenses.

PPAP and OPAC Programming Methods

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Past programming and currently planned programming at MSSU include the following:

1. Faculty, and staff receive yearly sexual misconduct prevention training on Title IX and VAWA. Faculty and staff are required to complete online mandatory training that address all aspects of Title IX and VAWA including; definitions of sexual misconduct, discrimination, harassment, stalking, domestic abuse, dating violence, consent, and retaliation; responsibilities as an employee of the university (mandatory reporting), to whom to report the incident (Title IX Coordinator), and scope of geography.
2. Students also receive yearly training on Title IX and VAWA in the form of an online class. The training for students includes all the same aspects as faculty/staff training with the added area of bystander information.
3. Healthy Relationships week
4. Sexual Assault Awareness Week (Assisting Alpha Sigma Alpha students, Take Back the Night)
5. A women's self-defense class Rape Aggression Defense (RAD) is now being offered at MSSU through the Kinesiology Department. In this class, students are not only taught how to avoid risky behaviors, but they also learn basic and advanced skills for resisting a sexual attack.

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

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place, and call the UPD at 911 or 417-623-3131. At the earliest opportunity, you should also contact the University's Title IX Coordinator at 417-625-3022. Other resources include Student Conduct at 625-9531, or Assistant Vice President of Student Affairs at 625-9532 [BSC 347]. Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported:
 - a. In addition to filing a report with the UPD or the University's Title IX Coordinator (417-625-3022), a report may also be made to another campus security authority listed on page 2 of this report.
1. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. To that end, victims will be advised of the following:
 - a. You should not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
 - b. Don't bathe or wash, or otherwise clean the environment in which the assault occurred.
 - c. You can obtain a forensic examination at Freeman Hospital at 1102 West 32nd Street, Joplin, Missouri. The SANE nurses are trained to interview victims, collect

evidence and prescribe medications as needed. For more information about the SANE program go to saneinfo@freemanhealth.com . Their number is 417-347-SANE (7263).

- d. Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a policy report.
 - e. Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.).
 - f. Victims of stalking should also preserve evidence of the crime to the extent possible.
2. The victim's options regarding notification to law enforcement:
- a. The option to notify either on-campus or local police (contact information is listed in the opening paragraphs of this section).
 1. If the option to report to police, a UPD officer will contact the victim (preferably on campus) and begin an investigation. The officer will ask for specific details regarding times, dates, and places in which the suspect contacted the victim after being told he/she no longer wanted to be contacted. UPD officers will then interview the suspect and submit the case to the Jasper County Prosecutor's Office for the filing of criminal charges. Everything possible will be done to ensure the safety of the victim.
 2. The Joplin Police Department is located at 303 E. 3rd Street in Joplin, Missouri. You may walk into the front entrance and talk to a clerk at the desk, or simply call 417-623-3131 and have an officer dispatched to your location within the city limits. In addition to details about a crime, victims should be prepared to provide their address, phone number, date of birth, etc.
 - a. The option to be assisted by campus security authorities (UPD) in notifying law enforcement if the victim so chooses (the University will comply with such a request if it is made).
 - b. The option to decline to notify such authorities.
3. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- a. In Missouri, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Adult Orders of Protection may be found at: <http://www.courts.mo.gov/page.jsp?id=533>.
 - b. A protection order may be obtained by filing a petition with the court. Courts can issue two types of orders: (1) Ex Parte Orders, which act as a temporary emergency order to protect a victim, for up to 15 days, until a court hearing; and (2) Full Orders of

Protection, which may be issued for up to one year. Additional information about the orders may be found at: <http://www.courts.mo.gov/file.jsp?id=69655>.

1. A Petition for Order of Protection should be filed at the Jasper County Court House. The address is: 601 South Pearl Avenue, Room 300, Joplin, MO 64801. The phone number is 417-625-4310. More information is available here: <http://jaspercounty.org/courts/exparte.html>.
2. The circuit court clerk's office can provide the necessary forms and may assist in completing the forms. Forms may also be found online at: <http://www.courts.mo.gov/file.jsp?id=537>. A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection.
3. Victims may also contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order.
 - a. When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.
 - b. Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by a court against another individual (whether or not that individual is also a student or employee of the University) is highly encouraged to notify the MSSU Police Department or a campus security authority of the threat and to provide a copy of the restraining order so that it is kept on file with the MSSU Police and can be enforced, if necessary. The UPD will honor the order and do everything possible to ensure the safety of the victim.
 - c. The University does not issue legal orders of protection. As a matter of institutional policy, however, the University may also issue a "no trespass warning" if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services:

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

University Support Services

1. Willcoxon University Health Center – Billingsly Student Center 242, Tel: 417-625-9323 (Hours 8:00-5:00 M-F)
2. Counseling Department – Hearn Hall 314, Tel.: 417-625-9559 (Hours 8:00-5:00 M-F)
3. Financial Aid -Hearn Hall Room 109, Tel: 417-625-9325 (Hours 8:00-5:00 M-F)

Third Party Support Services

2. Lafayette House (Battered Women) – Tel: 417-782-1772
3. Ozark Center Crisis Services – Tel: 417-347-7720 or 800-247-0661
4. National Sexual Assault Hotline – Tel: 800-656-4673
5. SANE (Sexual Assault Nurse Practitioner) – 417-347-7263
6. Missouri Coalition Against Domestic & Sexual Violence – <http://mocadsv.org/>
7. National Domestic Violence Hotline – 1-800-799-7233

Legal Aid, Visa and Immigration Assistance

8. Legal Services of Missouri: <http://www.lsmo.org/>
9. Immigration Advocates Network:
<http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
10. U.S. Citizenship and Immigration Services: https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=ASC&OfficeLocator.statecode=MO

Accommodations and Protective Measures

MSSU will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available, the University is obligated to provide them regardless of whether the victim chooses to report the crime to the University Police Department or local police. Requests of this nature should be made to the Title IX Coordinator, 417-625-3022. This individual, in consultation with other appropriate University officials responsible for determining what, if any, accommodations or protective measures will be implemented. When considering the reasonableness of such a request, the following factors, and potentially others, may be considered:

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

The University will maintain as confidential any accommodations or protective measures

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

Procedures for Disciplinary Action:

Sexual Harassment Policy

Allegations of domestic violence, dating violence, sexual assault or stalking may be processed through the University's Title IX Sexual Harassment Policy.

The Title IX Sexual Harassment applies to all University employees, including administrators, faculty, and staff; students; applicants for employment; customers; third-party contractors; and all other persons who participate in the University's Education Programs or Activities, including third-party visitors on campus. This policy prohibits Sexual Harassment regardless of the gender, gender identity, or sexual orientation of the alleged victim and the alleged perpetrator. This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs or Activities; such Sexual Harassment may be prohibited by the Student Code of Conduct if committed by a student, or the Employee Handbook if committed by a faculty member or other University employee. This policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the University's Education Programs or Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or the Employee Handbook if committed by a faculty member or other University employee.

Any person may report sexual harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report:

Title IX Coordinator

Tamika Harrel

417-625-3022

347 Billingsly Student Center

harrel-t@mssu.edu Once a report is received, and a preliminary assessment determines that the complaint will go forward under the Sexual Harassment Policy, the complainant may file a formal complaint requesting investigation and adjudication. If the complainant elects not to file a formal complaint, the Title IX Coordinator may do so on behalf of the University if doing so is not clearly

unreasonable. Within five (5) days of receipt of the formal complaint, the Title IX Coordinator or other individual(s) designated by the Title IX Coordinator transmit written notice of the complaint to the parties. An investigator selected by the Title IX Coordinator will investigate the claims, culminating in a written investigation report. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within thirty (30) to forty-five (45) days of the transmittal of the written notice of formal complaint. At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each party and their advisor all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. The parties will have ten (10) days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each party a notice advising the party of the two different adjudication processes. The notice will explain that the hearing process is the default process for adjudicating all formal complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as a form of informal resolution.

Each party will have three (3) days from transmittal of the notice to return the signed written consent form to the Title IX Coordinator. If either party does not timely return the signed written consent, that party will be deemed not to have consented to administrative adjudication and the formal complaint will be adjudicated pursuant to the hearing process.

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the formal complaint, at the conclusion of the hearing process.

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the University's Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) days from the date of transmittal of the written notice.

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the University's Hearing Procedures.

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation. In the event the hearing officer determines that the respondent is responsible for violating this policy, the hearing officer will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the respondent and such official will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the complainant.

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required by “Discipline and Remedies,” the hearing officer will prepare a written decision. The hearing officer’s written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in “Appeal.” Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing officer’s written determination within fourteen (14) days of the conclusion of the hearing. Administrative Adjudication

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer. The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator. The administrative officer will promptly send written notice to the parties notifying the parties of the administrative officer’s appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer’s meetings with the parties will not be held any earlier than ten (10) days from the date of transmittal of the written notice.

After reviewing the parties’ written responses, the administrative officer will meet separately with each party. After meeting with each party, the administrative officer will evaluate all relevant evidence and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the formal complaint. Thereafter, the administrative officer will consult with any University official and the Title IX Coordinator and will prepare and transmit a written decision. Transmittal of the administrative officer’s written determination concludes the administrative adjudication, subject to any right of appeal as specified in “Appeal.” Although the length of each administrative adjudication will vary depending on the totality of the circumstances, the University strives to issue the administrative officer’s written determination within twenty-one (21) days of the transmittal of the initiating written notice. Informal resolution will not be permitted if the respondent is a non-student employee accused of committing Sexual Harassment against a student

Informal Resolution

At any time after the parties are provided written notice of the formal complaint and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator’s approval, to engage in mediation, facilitated resolution, or other form of dispute resolution by agreement of the parties. The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

1. Describes the parameters and requirements of the informal resolution process to be utilized;
2. Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-party);
3. Explains the effect participating in informal resolution and/or reaching a final resolution will have on a party, a party’s ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and

4. Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the University.

Notwithstanding the forgoing if the form of informal resolution is Administrative Adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. All other forms of informal resolution are not subject to appeal.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty-one (21) days. If an informal resolution process does not result in a resolution within twenty-one (21) days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the formal complaint will be resolved pursuant to the investigation and adjudication procedures.

Informal resolution will not be permitted if the respondent is a non-student employee accused of committing Sexual Harassment against a student.

Appeals:

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

1. A procedural irregularity affected the outcome;
2. There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
3. The Title IX Coordinator, investigator, hearing officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

A party must file an appeal within seven (7) days of the date they receive notice of

dismissal or

determination appealed from or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must be submitted in writing to the Title IX Coordinator, who will then appoint an appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within (21) days of an appeal being filed.

Prohibited Sexual Misconduct Policy and Complaint Resolution Procedures

Reports of sexual misconduct should be made to the Title IX Coordinator, the Deputy Title IX Coordinator, or the University Policy Department, identified above. Complaints involving employees that do not fall within the scope of the Sexual Harassment Policy may be processed pursuant to the Prohibited Sexual Misconduct Policy. After the University receives a report of sexual misconduct, the Title IX Coordinator or designee will conduct an initial evaluation of the report to determine whether the conduct alleged, if true, could constitute a violation of this Policy.

If so, in the event the alleged victim requests an investigation and wishes to make a complaint under the complaint resolution procedures, the Title IX Coordinator will appoint an investigator. The investigator will promptly notify the respondent and provide the respondent with the opportunity to review a copy of the complaint.

The investigator will communicate with the parties separately to discuss avenues for resolution. The investigator will determine whether the complaint will be resolved through the informal or formal process and then notify the parties regarding which process will be used. Both parties must agree to the informal process being used.

The University will endeavor to conclude its investigation and resolution of the complaint in a timely manner.

Informal Resolution

If the parties reach agreement on an informal resolution, the investigator, in consultation with the Title IX Coordinator and other appropriate University administrators, will review the resolution and may reject it, approve it, or require modifications prior to approval. In the event the investigator approves the resolution, the investigator will prepare a written memorandum setting forth the terms of the resolution. The investigator will present the written memorandum to the parties for their review and signature. The investigator will then provide the parties with simultaneous written notification that the case has been resolved pursuant to informal resolution. The investigator may transmit a copy of the written memorandum to other University administrators or employees whose involvement is necessary to effectuate the resolution and/or for inclusion in appropriate personnel files.

Formal Resolution

The Title IX Coordinator will assign a designee to serve as an investigator. The investigator will conduct an investigation and then prepare a written investigation report. The investigation report will include findings of fact and the basis for those findings, and a determination about whether a Policy violation more likely than not occurred. If necessary, the investigator will attach an addendum with sanctions and remedial measures.

Both the complainant and respondent have the right to appeal the finding as to whether or not sexual misconduct occurred and/or the discipline imposed. Appeal procedures differ depending on the status of the respondent.

Appeals

If the respondent is a student, the aggrieved party must submit a written statement of appeal to the Student Affairs Office within ten (10) business days of receiving the notice of outcome of the investigation. Upon receiving a valid appeal, the Student Affairs Office will prepare the matter for a Student Conduct Review Committee, per the Student Code of Conduct. The Student Conduct Review Committee will review the appeal and the investigation file. The Student Conduct Review Committee may interview the parties in order to obtain additional information, and, if applicable, will meet with the parties on an equal basis. The Student Conduct Review Committee will resolve the appeal and will provide notice of the appeal decision to the parties.

If the respondent is a faculty member, the aggrieved party must submit a detailed written statement of appeal to the Provost/Vice President for Academic Affairs within ten (10) business days of notification of the outcome of the complaint. Upon receiving a valid appeal, the Provost/Vice President for Academic Affairs will, within three (3) business days, provide a copy of the written statement of appeal to the other party. Thereafter, the party so notified will have ten (10) business days to submit a written response to the appeal to the Provost/Vice President for Academic Affairs. The Provost/ Vice President for Academic Affairs will evaluate the written appeal and any written response. Within five (5) business days of receiving the written response (or the time for a written response expiring with no response submitted), the Provost/ Vice President for Academic Affairs will provide simultaneous written notification to the parties of the decision. The Provost/Vice President for Academic Affairs' determination of the appeal is final.

If the respondent is an administrator, non-faculty employee, contractor, or third party, the aggrieved party must submit a detailed written statement of appeal to the Vice President for Business Affairs within ten (10) business days of receiving notification of the outcome of the investigation. Upon receiving a valid appeal, the Vice President for Business Affairs will, within three (3) business days, provide a copy of the written statement of appeal to the other party. Thereafter, the party so notified will have ten (10) business days to submit a written response to the appeal to the Vice President for Business Affairs. The Vice President for Business Affairs will evaluate the written appeal and any written response. Within five (5) business days of receiving the written response (or the time for a written response expiring with no response submitted), the Vice President for Business Affairs will provide simultaneous written notification to the parties of the

Compliance Officer's decision. The Vice President for Business Affairs' determination of the appeal is final.

Student Code of Conduct

Complaints involving students that do not fall within the scope of the Title IX Sexual Harassment Policy may be governed by the Student Code of Conduct. Any member of the Missouri Southern State University community, visitor or guest may allege a policy violation(s) by any student for misconduct under this Code. Notice may also be given to the Director of Student Conduct and/or to the Title IX Coordinator (or their designee), when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party and should be submitted as soon as possible after the offending event occurs. The University has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process. The Director of Student Conduct (or designee) will assume responsibility for the investigation of the alleged violation.

Once a determination is made that reasonable cause exists for the Director of Student Conduct (or designee) to refer a complaint for an investigation, notice will be given to the responding student. The responding student will be informed of the request for a hearing by the Director of Student Conduct office. The notice will be delivered by the Director of Student Conduct office either verbally or in writing. The responding student notice may be delivered by one or more of

the following methods: phone call requesting the hearing by the Director of Student Conduct (or designee), in writing – delivered in person by the Director of Student Conduct (or designee); mailed to the local or permanent address of the student as indicated in official Missouri Southern State University records; or emailed to the student’s Missouri Southern State University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice will: 1. Include notification of an alleged violation and notification of where to locate the Code of Student Conduct and Missouri Southern State University procedures for resolution of the complaint; and 2. Direct the responding student to contact the Director of Student Conduct (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than two days from the date of delivery of the summons letter. A meeting with the Director of Student Conduct (or designee) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Director of Student Conduct (or designee), whether they admit to or deny the allegations of the complaint.

Where the responding student admits to violating the Code of Student Conduct, the Director of Student Conduct (or designee) may invoke administrative procedures to determine and administer appropriate sanctions.

In the alternative, an investigation/conference process is conducted. During the Investigation/Conference: 1. The parties have the right to an advisor/advocate of their own choosing, including attorneys. Typically, advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the chair and suggest questions to their advisee. 2. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Director of Student Conduct. Formal rules of evidence are not observed. The Director of Student Conduct may limit the number of character witnesses presented or may accept written affidavits of character instead. 3. All procedural questions are subject to the final decision of the Director of Student Conduct. 4. Notification of the Conduct Investigator’s decision will be made in writing and may be delivered by one or more of the following methods: in person by the Director of Student Conduct (or designee); mailed to the local or permanent address of the student as indicated in official Missouri Southern State University records; or emailed to the student’s Missouri Southern State University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

Any party may request an appeal of the decision of the Administrative Conference by filing a written request to the Director of Student Conduct. Where the disciplinary action assigned by the Director of Student Conduct or a representative in the administrative proceeding is not accepted by the student, the student shall have the right to appeal the sanction. Appeals must be submitted in writing to the Student Affairs office within 48 hours after the initial disciplinary action. The findings and actions of the Student Conduct Hearing Committee are final. In order to appeal, the

aggrieved party must submit a detailed written statement to the Director of Student Conduct or a representative in the Student Affairs Office within 48 hours after the initial disciplinary action.

Appeals are processed by the Student Conduct Review Committee. In the event that the written statement of appeal fails to state a permissible ground for appeal and/or does not describe the basis for the appeal, the appeal may be summarily dismissed. The Chairman of the Student Conduct Review Committee shall preside at the review, call the meeting to order, call the roll of the committee in attendance, ascertain the presence or absence of the student charged with misconduct, read the notice of review and charges and verify the giving of the required notice, ascertain whether or not the student is represented by an advisor or counselor, and call to the attention of the student charged and the advisor any special or extraordinary procedures to be employed during the review and permit the student to make formal objections thereto.

After the presentation of evidence by the student and the University, the Student Conduct Review Committee shall make its findings and determination in executive session out of the presence of the Director of Student Conduct and the student charged. No discipline shall be assessed against a student except by majority vote of the Committee. The Committee shall transmit in writing its determination and findings to the Director of Student Conduct and the student charged.

Rights of the Parties in an Institutional Proceeding

When the procedures discussed in the previous section are being used, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - o A prompt, fair and impartial process is one that is:
 - a. completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - b. conducted in a manner that:
 - i. is consistent with the institution's policies and transparent to the accuser and the accused.
 - ii. includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - iii. provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - c. conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to investigate and hearing process that protects the safety of victims and promotes accountability.
 - o Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting

a proceeding, and avoiding actual and perceived conflicts of interest. The University Title IX Coordinator and investigators attend annual training provided by the legal firm of Husch Blackwell. The training takes place over two days and includes the topics: advanced consent, reciprocal allegations, third party settings, pregnancy discrimination, proper investigation techniques, reporting, hearing, discipline & remediation, prevention and awareness, sexual violence, and documentation and current OCR investigations.

3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

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

Student Conduct Sanctions

One or more of following sanctions may be imposed upon any student for any single violation of the *Code of Student Conduct*, including dating violence, domestic violence, sexual assault, and stalking:

1. *Warning*: An official written notice that the student has violated Missouri Southern State University policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the Missouri Southern State University.
2. *Restitution*: Compensation for damage caused to the Missouri Southern State University or any person’s property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
3. *Fines*: Reasonable fines may be imposed.
4. *Community/Missouri Southern State University Service Requirements*: For a student or organization to complete a specific supervised Missouri Southern State University service.
5. *Loss of Privileges*: The student will be denied specified privileges for a designated period of time.
6. *Confiscation of Prohibited Property*: Items whose presence is in violation of Missouri Southern State University policy will be confiscated and will become the property of the Missouri Southern State University. Prohibited items may be returned to the owner at the discretion of the Vice President for Student Affairs (or designee) and/or Campus Police.

7. *Behavioral Requirement*: This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
8. *Educational Program*: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
9. *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.

10) *Missouri Southern State University Housing Probation*: Official notice that, should further violations of Residence Life or Missouri Southern State University policies occur during a specified probationary period, the student may immediately be removed from Missouri Southern State University housing. Regular probationary meetings may also be imposed.

11) *Missouri Southern State University Housing Reassignment*: Reassignment to another Missouri Southern State University housing facility. Residential Life personnel will decide on the reassignment details.

12) *Missouri Southern State University Housing Suspension*: Removal from Missouri Southern State University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to Missouri Southern State University housing may be specified, such as: reapplying for housing, living in University selected housing, reentering housing under probation. Under this sanction, a student is required to vacate Missouri Southern State University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Student Conduct. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for Missouri Southern State University housing, the student must gain permission from the Director of Student Conduct (or designee). This sanction may include restrictions on visitation to specified buildings or all University housing during the suspension.

13) *Missouri Southern State University Housing Expulsion*: The student's privilege to live in, or visit, any Missouri Southern State University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.

14) *Missouri Southern State University Probation*: The student is put on official notice that, should further violations of Missouri Southern State University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.

15) *Eligibility Restriction*: The student is deemed "not in good standing" with the Missouri Southern State University for a specified period of time. Specific limitations or exceptions may be granted by the Vice President for Student Affairs (or designee) and terms of this conduct sanction may include, but are not limited to, the following:

- a. Ineligibility to hold any office in any student organization recognized by the Missouri

Southern State University or hold an elected or appointed office at the Missouri Southern State University; or

- b. Ineligibility to represent the Missouri Southern State University to anyone outside the Missouri Southern State University community in any way including: participating in the study abroad program, attending conferences, or representing the Missouri Southern State University at an official function, event or intercollegiate competition as a player, manager or student coach, etc.

16) Missouri Southern State University Suspension: Separation from the Missouri Southern State University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, such as: a written letter to the Dean of Admissions seeking permission for readmission to the University, documentation supporting any corrective action taken by the student, understanding that the student may be placed on disciplinary probation upon return to MSSU. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Students (or designee). During the suspension period, the student is banned from university property, functions, events and activities without prior written approval from the Dean of Students. This sanction may be enforced with a trespass action as necessary.

17) Missouri Southern State University Expulsion: Permanent separation from Missouri Southern State University. The student is banned from university property and the student's presence at any Missouri Southern State University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. **[This sanction will be noted as a Conduct Expulsion on the student's official academic transcript].**

Employee Conduct Sanctions

PROGRESSIVE DISCIPLINARY ACTION

Employee discipline is based on a progressive disciplinary system, and the University may impose any of the following disciplinary actions following an incident of dating violence, domestic violence, sexual assault, or stalking:

- a. Verbal Warning

A verbal warning is used when a supervisor wants to bring an issue of concern to the attention of the employee, stress the seriousness of the situation, and present suggestions or instructions to resolve or correct the problem. A written record of the discussion noting the date, event, and recommended action should be made.

- b. Written Warning

A written warning is used for behavior or violations which a supervisor considers serious or where a verbal warning has not helped change unacceptable behavior. A written warning documents the occurrence and the severity of the inappropriate behavior, and usually warns the employee that further violations will result in suspension without pay or termination.

- c. Suspension Without Pay

A suspension without pay may be used to impress upon the employee that a behavior or performance level must be changed or termination will be inevitable. Suspension results in the loss of pay for a specified period of time (usually three days).

d. Disciplinary Suspension

A disciplinary suspension may be used in cases when the infraction is of such seriousness that it may warrant dismissal pending review of the facts. Disciplinary suspension should be followed immediately by a thorough investigation of the situation to determine the appropriate action to be taken.

e. Dismissal

Serious offenses and repeated disciplinary problems will require dismissal. While employment may be terminated at any time without cause, examples of conduct that can result in dismissal for a single incident are dishonesty, insubordination, theft, use of illegal drugs or unauthorized use of alcohol on University premises, or other serious conduct as outlined in the University's disciplinary guidelines.

In addition to the progressive disciplinary system, the following types of sanctions may also be imposed on employees following an incident of dating violence, domestic violence, sexual assault, or stalking:

a. Transfer

An employee who has not satisfactorily performed the duties of his or her job according to established standards may be transferred to another position for which he/she is qualified. (For non-disciplinary transfers, please see the "Promotion & Transfer" policy in this Handbook.)

b. Compensation Reduction

An employee who violates University rules or policies may be subject to disciplinary action in the form of a reduction in compensation.

c. Withholding Wage Increases

If an employee has unsatisfactory behavior or job performance, the supervisor may withhold an across-the-board wage increase (including a grade/step increase for a classified employee on the grade & step system) resulting in a wage freeze. As a follow up to this action, the supervisor may inform the employee that a special performance evaluation will be conducted at a later date to review his or her behavior and/or performance. The evaluation will assist the supervisor in reaching a determination as to whether substantial improvement has been made or further disciplinary action is warranted.

d. Probation

At any time during employment, an employee may be placed on probation up to a maximum of 60 days for unsatisfactory conduct or service, upon the recommendation of the employee's supervisor. An employee who has been placed on probation will not be eligible for any wage increases until the probationary period has been satisfactorily completed.

e. Demotion

An employee who is involved in several minor violations of University regulations, such as loitering, tardiness, smoking where/when prohibited, etc., may be demoted to a lower salaried position or wage classification.

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

Possible protective measures that to be implemented may include:

- i. Separation of alleged victim and respondent on campus; including but not limited to shared classes, residence halls, dining facilities, and public meeting areas.
- ii. No-Contact order – given as an interim/permanent measure to separate alleged victim and respondent.
- iii. Forbidding the accused from communicating with the victim.
- iv. Security escorts around campus.

Publicly Available Recordkeeping

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

Victims to Receive Written Notification of Rights:

When a student or employee reports to the University that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the University Police Chief (417-625-9741). The Missouri State Highway Patrol maintains a general registry of sex offender information, which may be accessed at the following link: <http://www.mshp.dps.mo.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html>.

Drug and Alcohol Policy

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

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities.

Violators of the University's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Federal Drug Laws

Denial of Federal Benefits (21 U.S.C. 862) A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

Forfeiture of Personal Property and Real Estate (21 U.S.C. 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. 841) Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

Federal Drug Possession Penalties (21 U.S.C. 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than \$1,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

Drug and Alcohol State Laws

Category	Summary (Missouri Revised Statues)
Possession of Marijuana	The use of recreational marijuana is illegal, and possession for personal use of less than 10 grams for a first offense is a misdemeanor with a maximum fine of \$500 and no jail time. For a second offense, the maximum fine is \$2,000 and up to one year in jail. Possessing more than 35 grams is a felony with a maximum fine of \$10,000 and up to 7 years in jail. <i>See</i> MO. REV. STAT. § 579.015 (2019). Medical marijuana for certain conditions is allowed, and up to four ounces may be purchased every 30 days. Mo. Code Regs. Ann. tit. 19, § 30-95.030 (2020).

Controlled Substances	<p>Missouri statutes cover a wide range of offenses related to the possession and delivery of controlled substances. <i>See</i> MO. REV. STAT. §§ 579.015 – 579.040 (2019). Possession of a controlled substance, except thirty-five grams or less of marijuana, is a Class D felony, with a term of up to seven years and a fine up to \$10,000. <i>See</i> MO. REV. STAT. § 579.015 (2019). Delivery of a controlled substance other than 35 grams or less of marijuana is a Class C felony, resulting in a prison term of not less than 3 years and not more than 10 years, and a fine up to \$10,000. MO. REV. STAT. §§ 558.002, 558.011 (2019).</p> <p>As an example, someone possessing methamphetamine faces a prison term of 7 years and a fine up to \$10,000.</p>
Alcohol and Minors	<p>In Missouri, it is illegal for anyone under the age of 21 to possess, purchase, or attempt to purchase any intoxicating liquor, subject to a fine not to exceed \$500. <i>See</i> MO. REV. STAT. § 311.325 (2019). A subsequent violation is a Class A misdemeanor, subject to a term of up to one year in jail and a fine not to exceed \$2,000. <i>Id.</i> Anyone between 17–21 who represents that she/he is 21 for the purpose of obtaining intoxicating liquor is guilty of a misdemeanor. MO. REV. STAT. § 311.320 (2019). The use of a fake identification is subject to a \$500 fine. <i>Id.</i> An attempt to purchase, or possession of alcohol, may also result in license suspension.</p>
Driving Under the Influence (DUI)	<p>A person is guilty of a DUI if the person has a blood alcohol concentration of 0.08 percent. A first offense results in a suspended license for 30 days and then a restricted license for 60 days, and may require a certified ignition interlock device. MO. REV. STAT. § 302.525 (2019). A second offense within five years results in a one-year restricted license and additional penalties.</p>

Drug and Alcohol Abuse Prevention Program:

Missouri Southern State University prohibits the unlawful manufacture, distribution, dispensing, possession, sale or use of illegal drugs by students and employees in the workplace, on University property, or as part of any University activity. The University will enforce federal and state drug laws.

MSSU prohibits the possession, use, and sale of alcoholic beverages in the Residence Life area of campus. Students generally receive an administrative violation for possession of an alcoholic beverage with graduated fines for each subsequent violation. After three violations the student could be suspended from classes at the discretion of the Director of Student Conduct. The University enforces Missouri's underage drinking laws. Students who possess alcohol as a minor or supply intoxicants to minors can be arrested and charged through the Jasper County Prosecutor's Office.

Substance Abuse Policy:

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, and to provide resources and support to its students, the University has established a drug and alcohol

prevention program for its students. The University's program is described below. This Policy applies to all University students.

Students are prohibited from using alcoholic beverages and illegal drugs on University-owned or controlled property and at University-sponsored or supervised activities.

Irresponsible alcohol or other drug usage off campus resulting in disorderly conduct on campus is also prohibited. Any student of the University found to have manufactured, dispensed, possessed or used a controlled substance in violation of the Substance Abuse Policy of this University will be subject to discipline in accordance with University policy and reported to local, state or federal law enforcement authorities for criminal prosecution. Criminal prosecution for these acts could lead to conviction and such a conviction could result in a sentence imposing a monetary fine, imprisonment in a state or federal penitentiary or both.

Health Risks:

Specific serious health risks are associated with the use of illicit drugs and alcohol. Some of the major risks are as follows:

Alcohol and other depressants (barbiturates, sedatives, and tranquilizers):

Addiction, accidents as a result of impaired ability and judgment, overdose when used with other depressants, damage to a developing fetus, heart and liver damage.

Marijuana:

Addiction; panic reaction; impaired short-term memory; increased risk of lung cancer and emphysema, particularly in cigarette smokers; impairment of driving ability.

Cocaine:

Addiction, heart attack, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

Hallucinogens (acid, LSD, PCP, MDMA, etc.):

Loss of consciousness, suffocation, damage to brain and central nervous system, sudden death, nausea and vomiting, nosebleeds, impaired judgment.

Resources:

Varieties of resources exist for drug or alcohol counseling, treatment or rehabilitation programs. For more detailed information concerning these resources and others available from the University and/or community agencies, students may contact the Advising, Counseling & Testing Service (ACTS), 417-625-9324 or the Student Affairs Office (417-625-9392). Such referrals will respect individual confidentiality. A main objective of the University's Drug and Alcohol Prevention Program is to encourage healthy attitudes and behaviors on the part of all students and responsible decisions about alcohol/drug use. A final objective is to provide students with the necessary skills to help them carry out the decisions they have made in regard to their use or nonuse of alcohol/drugs, and how to effectively handle certain "high pressure" situations.

To meet the above objectives, information and assistance is provided to students in several ways. First, alcohol and drug films are shown and programs conducted in all orientation classes, which are required for all new students. Additional alcohol and drug information is presented in other academic classes, including Kinesiology and Lifetime Wellness. Pamphlets about alcohol and drug use are distributed each semester in residence hall rooms and in the Student Center. Special alcohol and drug training is provided annually for residence hall staff and orientation leaders.

The athletic department provides additional programming for varsity athletes. Special alcohol and drug programs are presented throughout the year. Active drug testing is done. A committee of counselors, teachers and clergy are available to assist varsity athletes. The Student Affairs Office and Willcoxon Health Center provide alcohol and drug information throughout the year for all students.

Medical Amnesty:

The health, safety, and welfare of the MSSU community is a primary concern of University officials, even if students are in violation of University alcohol/drug policies. Students should not hesitate to seek medical attention for themselves or others when the health and/or safety of someone is at risk. Students can do this without fear of facing disciplinary action from the University. Student violators may, however, be required to participate in a University alcohol and drug education program. This Medical Amnesty is implemented at the discretion of the Director of Student Conduct (or designee) and applies only to emergencies.

Violations of these prohibitions will be handled in the following manner:

1. For students, serious drug violations will usually result in being arrested by University Police officers and having charges filed through the Jasper County Prosecutor's Office. Other options include receiving disciplinary prohibition, suspension or expulsion as provided in the Student Handbook.
2. For employees, violations could result in disciplinary action, up to and including termination of employment. Violations will usually also involve the involvement of the UPD and filing of charges through the Jasper County Prosecutor's Office.

Below are some of the legal sanctions an individual could face for illegally using alcohol or drugs:

1. Missouri law prohibits the purchase or possession of alcohol by those under 21 years of age. It also prohibits persons from knowingly furnishing alcohol to those under 21 years of age. These offenses are punishable by a fine ranging from \$50 to \$1,000 and up to one year imprisonment.
2. Under Missouri law, it is also illegal to drive while intoxicated, which means that you have a blood alcohol concentration (BAC) of .08 or higher or it is determined that your driving ability is impaired (even if your BAC is below .08). A first offense can result in a \$500 fine and up to 6 months imprisonment. The potential fines and times of imprisonment increase when there are multiple offenses.
3. Missouri law also prohibits the unlawful use, possession, and distribution of controlled substances, including marijuana. Depending on the types and amounts of controlled substances involved and prior drug-related convictions, penalties range from a \$500 fine to life imprisonment.

4. Under federal law, illegal possession of a controlled substance can result in a fine of at least \$1,000 and up to one year imprisonment for a first offense. Penalties increase when an offender has been convicted of prior drug-related offenses. Illegal possession of a controlled substance can also result in the forfeiture of property, civil fines, and the loss of federal benefits. Trafficking controlled substances can also lead to substantial fines and lengthy prison sentences, including life in prison.
5. Conviction of a federal drug law can also result in ineligibility for federal financial aid.

Missouri Southern State University is committed to increasing employee and student awareness of the dangers of substance abuse. For example, marijuana can impair thinking, reading, comprehension and verbal skills; hallucinogens result in loss of control of normal thought processes; phencyclidine can produce violent and bizarre behavior; stimulants (amphetamines) may produce mood swings, panic and cardiac disturbances; cocaine is toxic, and overdoses result in death; narcotics cause dependency and severe symptoms upon withdrawal; inhalants have a high risk of sudden death; and alcohol can dull sensation and impair coordination, memory and judgment. In an effort to maintain a drug- and alcohol- free environment, the University will provide:

1. Awareness programs through our University Wellness Program,
2. Enforcement and awareness programs through the University Police Department,
3. Assistance through the Willcoxon Health Center,
4. Assistance through the University physician,
5. Individual counseling through the ACTS office, and
6. Assistance with making referrals to outside agencies.

Everyone employed by Missouri Southern State University as a condition of employment will:

1. Abide by the terms of the University Substance Abuse Policy,
2. Notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Missouri Southern will notify the proper agency of any convictions reported to them within ten days of the receipt of said notice.

Any employee or student of Missouri Southern State University who violates the University's Substance Abuse Policy will be subject to discipline in accordance with this policy and reported to the University Police Department for criminal prosecution. Criminal prosecution for these acts could lead to a conviction, and such conviction could result in a sentence imposing a monetary fine, imprisonment in a state or federal penitentiary, or both.
<http://www.mssu.edu/offices/police/substance-abuse-policy.php>*

*This policy is distributed annually to all students and employees in compliance with the Drug-Free Workplace Act of 1998 (P.L. 101-690) and the Drug-Free Schools and Communities Act Amendments of 1989 (P.L. 101-226).

This topic is also addressed in the Employee Handbook as follows:

Alcohol and Drug-Free Workplace Policy In keeping with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, the University prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol and/or any illegal substance by employees in the workplace, on University property, or as part of any University - sponsored activity. This includes violation of the Missouri law prohibiting possession or use of

alcohol by persons under 21 years of age and violation of all other state and federal laws regulating use, possession, or distribution of alcohol and other drugs. “University - sponsored activity” includes those activities that are planned, promoted, or sponsored by a University department or other University subdivision. “University property” includes University owned or leased land, facilities, vehicles, and equipment. On limited occasions the President may approve the legal serving of alcoholic beverages at a university event or activity. The University recognizes alcohol and drug abuse as a potential health, safety and security problem. Excessive alcohol consumption or use of illegal drugs impairs the user’s ability to function, changes the user’s behavior, and subjects the user to serious health risks, including disease, addiction, and death. An employee with an alcohol and/or drug-related problem is encouraged to seek help in dealing with such problems. Confidential information regarding different drug and alcohol counseling and rehabilitation is available through the University’s Health Center, Advising, Counseling, & Testing Services (ACTS) or through the University’s Employee Assistance Program.

The University is committed to the safety and well-being of the University community and to the provision of a drug-free workplace. Thus, it is the expectation of the University that all employees abide by the terms of this policy as a condition of employment. If an employee violates this policy, the University may subject the employee to immediate disciplinary action, up to and including termination, and report the employee to the appropriate officials for prosecution under the laws of the State and the United States of America, under which, penalties may include fines, imprisonment, or both. Any employee, as a condition of employment, is required to notify the Chief Human Resources Officer within five days of any criminal drug conviction if the violation occurred on campus or off campus while conducting University business.

Biennial Review of Drug and Alcohol Abuse Education Program

The University also performs a biennial review of its drug and alcohol abuse education program in order to (1) determine the program’s effectiveness and implement changes to the program as needed and (2) ensure that sanctions related to drug and alcohol use are consistently enforced. The University’s last biennial review was conducted in 2020. For more information about the biennial review, please contact Samantha Quackenbush (Director of Student Conduct) at 417-625-9531.

Crime Statistics

The Clery Act requires institutions of higher education to disclose crime statistics covering the previous three years on four general categories of crimes: (1) primary crimes (murder and non-negligent manslaughter, manslaughter by negligence, sex offenses (rape, fondling, statutory rape and incest), robbery, aggravated assault, burglary, motor vehicle theft, and arson); (2) hate crimes (any of the primary crimes except manslaughter by negligence and any incidents of larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that were motivated by certain biases); (3) arrests or referrals for disciplinary action for weapons, drug and liquor law violations; and (4) crimes of domestic violence, dating violence and stalking.

The definitions of these offenses follow FBI guidelines.

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

	On Campus			On-Campus Student Housing Facilities			Non-Campus Property			Public Property –		
Crime	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	2	1	1	2	1	1	0	0	0	0	0	0
Fondling	3	1	0	1	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	1	0	0	1	0	0	0	0	0	0	0
Dating Violence	3	1	2	2	1	2	0	0	0	0	0	0
Stalking	1	1	0	1	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	1	0	0	0	0	0	0	0	0	0	0
Burglary	18	5	7	17	3	5	0	0	0	0	0	0
Motor Vehicle Theft	2	0	1	2	0	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Weapon Violation	1	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	1	0	0	1	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	14	12	11	14	12	11	0	0	0	0	0	0
Liquor Law Violations	42	12	33	42	12	33	0	0	0	0	0	0

*There were no hate crimes reported for the years 2017, 2018 or 2019.

*During 2019, there was one reported Clery crime (Auto Theft) investigated by law enforcement authorities and found to be false or baseless and therefore “unfounded.” There were none for 2017 or 2018.

*One Rape incident (logged above) was reported through the Title IX office but was not investigated by the UPD (or any other police agency) as the victim didn't want to report to the police.

Data from law enforcement agencies:

The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the University's Clery Geography. No agency had applicable crime stats to include.

[End of Annual Security Report.]

2020 ANNUAL FIRE SAFETY REPORT

Housing Facilities and Fire Safety

Systems

MSSU maintains on-campus housing for its students. These facilities were built at different times and have a variety of fire safety systems installed within them. Periodically the University also conducts fire drills. The Housing Director reports that fire drills were conducted on two occasions in 2019.

April 2, 2019

Fire Drill

East Hall: 51 residents (11 RAs), time 4 minutes 03 seconds

Blaine Hall: 36 residents (8 RAs), time 4 minutes 13 seconds.

McCormick Hall: 31 residents (8 RAs), time 4 minutes and 04 seconds

Spring 2019 Tornado Drill Information

Tornado Drill (All residence Halls)

81 residents evacuated by 20 RAs, time 9 minutes and 34 seconds

September 24, 2019

Fire Drill

East Hall: 47 residents (14 RAs), time 5 minutes 12 seconds

Blaine Hall: 29 residents (8 RAs), time 4 minutes 03 seconds.

McCormick Hall: 19 residents (8 RAs), time 4 minutes and 13 seconds

Fall 2019 Tornado Drill Information

Tornado Drill (All residence Halls)

68 residents evacuated by 17 RAs, time 8 minutes and 48 seconds

The following chart lists each housing facility, the fire safety system within it and the number fire drills conducted during the previous calendar year.

FIRE SAFETY SYSTEMS IN MSSU RESIDENTIAL FACILITIES

Residential Facilities	Fire Alarm Monitoring Done on Site by University Police	Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards*	Number of evacuation (fire) drills in the previous calendar year
East Hall	x	x	x	x		2
McCormick Hall	x		x	x		2
Blaine Hall	x		x	x		2
Gockel Hall			x	x		0
Stegge Hall			x	x		0
Dishman Hall			x	x		0
Dryer Hall			x	x		0
Stone Hall			x	x		0
Headlee Hall			x	x		0
Maupin Hall			x	x		0
Mitchell Hall			x	x		0
Quad A	x	x	x	x		0
Quad B	x	x	x	x		0
Quad C	x	x	x	x		0
Quad D	x	x	x	x		0
Quad E	x	x	x	x		0
Quad F	x	x	x	x		0

*Evacuation plans are in place for each facility, but placards are not yet posted.

Below are the physical addresses of the Residential Facilities:

<u>McCormick Hall</u>	<u>1011 N. International Avenue</u>
<u>Blaine Hall</u>	<u>1015 N. International Avenue</u>
<u>Gockel Hall</u>	<u>1014 N. International Avenue</u>
<u>Stegge Hall</u>	<u>1016. N. International Avenue</u>
<u>Dishman Hall</u>	<u>1018 N. International Avenue</u>
<u>Dryer Hall</u>	<u>1020 N. International Avenue</u>
<u>Stone Hall</u>	<u>1020 ½ N. International Avenue</u>
<u>Headlee Hall</u>	<u>1022 N. International Avenue</u>
<u>Maupin Hall</u>	<u>1024 N. International Avenue</u>
<u>Mitchell Hall</u>	<u>1026 N. International Avenue</u>
<u>Quad A</u>	<u>1010 N. International Avenue</u>
<u>Quad B</u>	<u>1008 N. International Avenue</u>
<u>Quad C</u>	<u>1004 N. International Avenue</u>
<u>Quad D</u>	<u>1002 N. International Avenue</u>
<u>Quad E</u>	<u>1000 N. International Avenue</u>
<u>Quad F</u>	<u>1006 N. International Avenue</u>

Policies on Portable Appliances, Smoking and Open Flames

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: Toaster, microwave, hot plate or convection oven. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

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

Fire Evacuation Procedures

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

Fire Education and Training Programs

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

Reporting Fires

MSSU is required to disclose each year statistical data on all fires that occurred in on-campus student housing facilities. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. However, there may be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the following person: Chris Houk, Coordinator Fire Safety/Environmental Health – 417-659-5490. When notifying this individual of a fire, as much information as possible about the location, date, time and cause of the fire should be provided.

Plans for Future Improvements

The University periodically reviews its fire safety protection and procedures. At this time, it has no specific plans for future improvements. Notwithstanding, fire Safety is a top priority at MSSU. We have upgraded fire alarm systems throughout the campus. We have improved the warning and early detection systems in classroom buildings as well as our residence halls. We have finished installing an up-to-date, cutting edge True Site Workstation that can be accessed and monitored by authorized personnel within the Physical Plant and the University Police 24 hours a day to ensure rapid response in the event of any emergency. The new residence halls and athletic support buildings will be equipped with the newest technology available in early detection and warning equipment and meets or exceeds the latest NFPA 25 standards. The installation of fire sprinkler systems at the new facilities meets or exceeds NFPA 13 standards and will guarantee a significant reduction of damage and loss of life in the event of a fire. Existing systems, both fire sprinkler and detection and warning, are being rigorously tested on a regular basis to ensure peak performance in the event of a fire emergency. Current Fire Safety Policies are regularly reviewed and updated as required by the constantly changing environment of the University.

Fire Statistics

There were no fires reported in 2017, 2018, or 2019

Appendix B: 2021 Annual Security Report

2021 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT

Introduction

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

Policy for Preparing the Annual Report

This report is prepared by Ken Kennedy, University Police Chief, in cooperation with local law enforcement authorities and includes information provided by them as well as by the University’s campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students that provides the website link to access this report. Prospective students, faculty and staff are also notified of the report’s availability. Hard copies of the report may also be obtained at no cost by contacting the University Police Department at 507 N. Mission Hills Drive. The crime statistics published later in the report were compiled from reports submitted by various campus security authorities and also received from local law enforcement agencies.

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

Policies Concerning The Law Enforcement Authority and Jurisdiction of Campus Security Personnel

The MSSU Police Department (UPD) is responsible for campus safety at the University. Its jurisdiction covers all campus property. Its personnel have arrest authority. The UPD has a close working relationship with local law enforcement agencies, including the Joplin Police Department and Jasper County Sheriff's Office, which assist the UPD when necessary. The UPD has written mutual aid agreements with the Joplin Police Department, the Jasper County Sheriff's Office and other small city agencies (Duquesne, Webb City, & Carterville) that allow them to help out in emergency situations. The UPD is a member of the Tri-State Major Case Squad and may call for investigators to assist with investigations of serious crimes.

Other Officials to Whom Crimes May Be Reported (Campus Security Authorities)

MSSU also has designated other officials to serve as additional campus security authorities. Reports of criminal activity can also be made to these officials. They in turn will ensure that they are reported to the MSSU Police for collection as part of the University's annual report of crime statistics. These additional campus security authorities are: Associate Vice President for Student Success (Julie Wengert, 417-625-9532), Director of Student Conduct & Residence Life (Samantha Quackenbush, 417-625-9531), and Dean of Students/Title IX Coordinator (Tamika Harrel, 417-625-3022).

Policies on Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies to the MSSU Police and appropriate police agencies even when the victim of a crime **elects** not to do so or is unable to make such a report. Such reports should be made as follows:

1. Situations that pose imminent danger or while a crime is in progress should be reported to the University Police Department by dialing **911** (MSSU contracts with JPD for dispatching services) from any campus phone or cell phone. With situations that require a police officer, but are not an emergency, a UPD officer can be contacted by calling the JPD non-emergency number, **417-623-3131**. Although the UPD officers have primary jurisdiction, it does not preclude calling the Joplin Police Department (**911 or 417-623-3131**) or the Jasper County Sheriff's Office (**417-624-1600**) in crisis situations. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred. After making the call to the police, we also recommend making a report to one of the campus security authorities identified above.
2. Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to

appropriate police agencies. If requested, a member of the University staff will assist a student in making the report to the police.

3. For service calls (jump starts, unlocks, etc.) anyone may call **417-626-2222** and speak to a MSSU police officer without being routed to JPD first.
4. Anonymous incident reports can also be made by contacting a UPD officer and requesting to remain anonymous, or by sending an email to UPD@mssu.edu.

Confidential Reporting

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

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

Counselors with the Dean of Students Office and staff within the Willcoxon Health Center are encouraged, if they deem it appropriate, to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual report. Information will not be reported by counselors to anyone at the University without the consent of the person being counseled. The University does not have pastoral counselors.

Monitoring Off-Campus Locations of Recognized Student Organizations.

MSSU does not have off-campus student organizations that are recognized by the institution, and thus does not track or record criminal activity at such locations.

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

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

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

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

MSSU seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

1. MSSU adopted the **Green Dot Program** as a way to be proactive in reducing “power based personal violence” on campus. All first-year students get an overview of the program in their University Experience class, plus each semester a “bystander training session” is offered for students who want extensive training (4 hours) about how to prevent dating/domestic violence through three methods (direct/distract/delegate).
2. Crime prevention programs are presented each semester by the Campus Activities Board, Student Affairs and the Residence Halls Association. The University Police Department uses the **A.L.I.C.E.** (Alert/Lockdown/Inform/Counter/Evacuate) training to teach students how to survive if they were to be confronted by a violent person with a weapon in a group setting. The “swarm” method (a technique for distracting and securing an attacker) is only used as a last resort when students are trapped and escape isn’t possible.
3. Employees and students are informed about the prevention of crimes through written communication from school management, via campus postings, email distribution, or internet posting. In addition, students and faculty/staff members receive flyers regarding the prevention of sexual assault, bystander intervention, sexual assault policies, services of the University Police Department, substance abuse policy, and the Campus Security Act Procedures.

4. Members of the campus community may access information about “campus security” practices and procedures by going to the University Police web site (www.mssu/police). This document (Annual Security Report) is published to all students and faculty/staff members each semester. First year students in the University Experience classes are given details about how to more effectively be the “eyes and ears” of the UPD. They are informed about how to interact with police officers if they have any type of problem on campus. They are educated about police procedures and practices.
5. Title IX training sessions are provided for all students and employees annually. Incoming freshmen students and transfer students with under 30 credit hours complete a Title IX training session during the required UE 100 University Experience course. All students are provided the training module through their student email.

Security of and Access to Campus Facilities

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members. The three largest residence halls are locked at midnight each night by Residence Hall staff members. Students are issued keys to access only their specific building and living quarters. Police officers secure the dorm buildings around midnight as well, performing random “walk-throughs” and vehicle patrols around the residence halls from 11:30 p.m. until 7:30 a.m. each night.

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

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

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

Employees must adhere to policies regarding unauthorized access to school facilities, theft of, or damage to, school property, or other criminal activity. In particular, rendering inoperable or abusing any fire prevention or detection equipment is prohibited. Violation of these policies may lead to disciplinary action, up to and including termination and the filing of charges with law enforcement authorities.

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

Safety Considerations in Maintenance of Campus Facilities

Security also is a consideration in maintaining campus facilities. For example, maintenance personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells. Grounds crew also trim shrubs to make it more difficult for someone to hide in them.

Timely Warnings

In the event of criminal activity occurring either on campus or off-campus that in the judgment of the MSSU Police Chief constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

The University has communicated with local law enforcement agencies requesting their cooperation in providing information about any crimes reported to them that may warrant a timely warning. Anyone else with information warranting a timely warning should immediately report the circumstances to the UPD by dialing 417-623-3131 or 417-626-2222.

Emergency Response and Evacuation Procedures

MSSU has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The MSSU Police Department has communicated with the Joplin Police Department requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response. Students, staff and visitors are encouraged to notify the UPD (417-623-3131) of any situation that poses such a threat.

The on-scene Incident Commander (Ken Kennedy, 417-625-9751) or (Chris Houk, 417-625-5490), in conjunction with the Emergency Management Director (Darren Fullerton, 417-625-3135), will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the University's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process. With a major crisis, the command team will work closely with the Joplin Police Department and Jasper County Sheriff's Office in a unified command structure.

Once the emergency is confirmed, the University community, or appropriate segments of it, will be notified. The Incident Command Team, in collaboration with other appropriate personnel, will determine the appropriate segments of the community to be notified and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The MSSU Police Chief will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened. Students and faculty/staff members do not need to sign-up to be included in any of the emergency notification systems below.

1. Text messages (through the Rave system)
2. "Big Voice" broadcasting speaker system
3. Emails
4. University web site
5. Posted notices
6. Local media sources

The Director of University Relations and Marketing (Heather Lesmeister, 417-625-9365) or her designee will disseminate emergency information to the larger community; that is those outside of the campus community. Other local law enforcement agencies will be contacted if appropriate, depending on the type of emergency.

The University tests various emergency response and evacuation procedures each year.

These tests may be announced or unannounced. Also, at various times, the Emergency Management Team will meet to train and test and evaluate the University's emergency response plan. The Police Chief, the Director of Residence Life and the Fire Safety Officer maintain records of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures. The MSSU emergency plan was tested on August 11, 2021 with a table-top exercise involving local police, fire and emergency management. The scenario for the exercise was a disturbance that evolved into a riot. As situations cards were read to explain changing events, supervisors from each agency would describe how their department would respond, and explain what resources they could provide. Communication between agencies was a major factor to being successful. The county emergency manager described with NIMS forms would be utilized by the group at the command post at each stage. A debrief was held to critique the exercise.

Missing Student Procedures

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Director of Student Conduct & Residence Life (417-625-9531), the Dean of Students/Title IX Coordinator(417-625-3022), the Associate Vice President of Student Success (417-625-9532). The UPD will be immediately notified by the University employee and an investigation initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to confidentially identify an individual to be contacted by the University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to designate a confidential contact may do so by confiding in a trusted MSSU faculty/staff member, who will notify their supervisor and/or the Director of Student Conduct and Residence Life (417625-9531). A student's confidential contact information will be accessible only by authorized campus officials and law enforcement during the course of the investigation.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, MSSU will notify local police authorities (if they were not the entity that made the determination that the student is missing) and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student's parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

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

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at: http://policy.mssu.edu/all_university_employee/Sexual%20Harassment%20Policy%202021-2022.pdf.

Other policies that may apply are:

<https://www.mssu.edu/student-affairs/dean-of-students/Student%20Handbook%202021-2022.pdf> The following sections of this report discuss the University's educational programs to promote the awareness of dating violence, domestic violence, sexual assault, and stalking; provide information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses and advise students and employees of the disciplinary procedures that will be followed, after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program:

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

Crime Definitions

Crime Type (Missouri Revised Statutes)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Missouri law does not define the term dating violence.
Domestic Violence	Missouri's protective order statutes provide the following definitions (Mo. Rev. Stat. § 455.010): <ol style="list-style-type: none">1. "Domestic violence" is abuse or stalking committed by a family or household member.2. "Family" or "household member", [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

Crime Type (Missouri Revised Statutes)	Definitions
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victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

In addition, Missouri criminal statutes include various degrees of the crime "Domestic Assault," as follows:

1. Domestic Assault, First Degree (Mo. Rev. Stat. § 565.072): A person commits the offense 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 domestic victim, as the term "domestic victim" is defined under section 565.002. Mo Rev. Stat. § 565.002(6) indicates that a "domestic victim" is a household or family member as the term "family" or "household member" is defined in 455.010, including any child who is a member of the household or family.
2. Domestic Assault in the Second Degree (Mo. Rev. Stat. § 565.073): A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she: (1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or (2) Recklessly causes serious physical injury to such domestic victim; or (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.
3. Domestic Assault, Third Degree (Mo. Rev. Stat. § 565.074): A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term "domestic victim" is defined under section 565.002.
4. Domestic Assault in the Fourth Degree (Mo. Rev. Stat. § 565.076): A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and: (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim; (2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument; (3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means; (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim; (5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or (6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

Crime Type (Missouri Revised Statutes)	Definitions
Stalking	<ol style="list-style-type: none"> 1. Stalking, First Degree (Mo. Rev. Stat. § 565.225): A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and: (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; 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 disturbing the other person is twenty-one years of age or older; or (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or (6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person. 2. Stalking, Second Degree (Mo. Rev. Stat. § 565.227.1): A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person. • As used in the definitions of stalking above, the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.
Sexual Assault	<p>The institution has determined, based on good-faith research, that Missouri's criminal statutes do not define the term sexual assault. However, Missouri's protective order statutes indicate that "sexual assault" means causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent. (Mo. Rev. Stat. § 455.010(1)(e)).</p>

Rape, Fondling, Incest, Statutory Rape	For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Missouri law are as
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Crime Type (Missouri Revised Statues)	Definitions
	<p>follows:</p> <ol style="list-style-type: none"> 1. Rape in the First Degree (Mo. Rev. Stat. § 566.030.1): 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. 2. Rape in the Second Degree (Mo. Rev. Stat. § 566.030.1): 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. 3. Fondling: The institution has determined, based on good-faith research, that Missouri law does not define the term fondling. 4. Incest (Mo. Rev. Stat. § 568.020.1): A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her: (1) Ancestor or descendant by blood or adoption; or (2) Stepchild, while the marriage creating that relationship exists; or (3) Brother or sister of the whole or half-blood; or (4) Uncle, aunt, nephew or niece of the whole blood. 5. Statutory Rape, First Degree (Mo. Rev. Stat. § 566.032.1): A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age. 6. Statutory Rape, Second Degree (Mo. Rev. Stat. § 566.034.1): 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 sexual intercourse with another person who is less than seventeen years of age.

Other "sexual assault" crimes	<p>Other crimes under Missouri law that may be classified as a "sexual assault" include the following:</p> <ol style="list-style-type: none"> 1. Sodomy in the First Degree (Mo. Rev. Stat. § 566.060.1): 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. 2. Sodomy in the Second Degree (Mo. Rev. Stat. § 566.061.1): A person commits the offense of sodomy in the second degree if he or she has deviate
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Crime Type (Missouri Revised Statues)	Definitions
	<p>sexual intercourse with another person knowing that he or she does so without that person's consent.</p> <ul style="list-style-type: none"> • Statutory Sodomy, First Degree (Mo. Rev. Stat. § 566.062.1): 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. • Statutory Sodomy, Second Degree (Mo. Rev. Stat. § 566.064.1): 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. • Child Molestation, First Degree (Mo. Rev. Stat. § 566.067.1): A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense. • Child Molestation, Second Degree (Mo. Rev. Stat. § 566.068.1): A person commits the offense of child molestation in the second degree if he or she: (1) Subjects a child who is less than twelve years of age to sexual contact; or (2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.

	<ul style="list-style-type: none"> • Child Molestation, Third Degree (Mo. Rev. Stat. § 566.069.1): A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact. • Child Molestation, Fourth Degree (Mo. Rev. Stat. § 566.071.1): A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact. • Sexual Misconduct Involving a Child (Mo. Rev. Stat. § 566.083.1): A person commits the offense of sexual misconduct involving a child if such person: (1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child; (2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; (3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; or (4) Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.
Crime Type (Missouri Revised Statues)	Definitions

	<ol style="list-style-type: none"> 1. Sexual Misconduct, First Degree (Mo. Rev. Stat. § 566.093.1): 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. 2. Second Degree Sexual Misconduct (Mo. Rev. Stat. § 566.095.1): 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. 3. Sexual Abuse in the First Degree (Mo. Rev. Stat. § 566.100.1): 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. 4. Sexual Abuse, Second Degree (Mo. Rev. Stat. § 566.101.1): 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.
<p>Consent (as it relates to sexual activity) (Mo. Rev. Stat. § 556.061(14))</p>	<p>Consent or lack of consent may be expressed or implied. Assent does not constitute consent if: (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or (b) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or (c) It is induced by force, duress or deception.</p>

In addition to the definition of consent under Missouri law, the University uses the following definition of consent for the purpose of determining whether a violation of its Sexual Harassment Policy has occurred:

Consent refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is Incapacitated is not capable of giving consent.

Lack of consent is often the critical factor in determining whether Sexual Violence/Assault has occurred. As defined above, consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation or coercion – or any kind of physical force or weapon – and requires having cognitive ability to

agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/temporary psychological or physical disability, and being below the age of consent are factors which detract from or make consent impossible.

In Missouri, the minimum age of consent for purposes of statutory rape is 17 years of age, and no one under 14 years of age is considered capable of consent.

In addition to Missouri law, the following are essential to understanding what constitutes effective consent under the policy:

1. If coercion, intimidation, threats, and/or physical force are used, there is no consent.
2. If a person’s physical or mental disability renders them incapable of understanding the fact, nature, or extent of the sexual situation, there is no consent.
3. If a person is incapacitated by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent even if the person self-administered the alcohol or drugs.
4. If a person is asleep or unconscious, there is no consent.
5. Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
6. Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent. Consent can be withdrawn by verbal or physical conduct that a reasonable person would understand to indicate a desire to stop or not engage in the sexual conduct at issue.
7. While consent can be withdrawn, a withdrawal of consent operates going-forward. It does not change the consensual nature of sexual activity that has already occurred.
8. Being in a romantic relationship with someone does not imply consent to any form of sexual activity. • Consent may be deemed invalid when it is obtained in circumstances where one party exercised a position of direct authority or control over another. Effective consent may not exist when there is a disparity in power between the parties; an example of which is when one is in a supervisory or evaluative role over the other, such as a faculty member who is teaching a student or a director who supervises an employee.
9. A victim is not required to affirmatively/physically resist or say “stop” in order for there to be Sexual Violence/Assault.

The PPAP encourages positive and healthy behaviors by noting that the majority of sexual offenses that occur in campus communities are committed by people known by their victims. Often, these types of assaults are not reported to police or campus authorities because people do not think this unwanted sexual contact constitutes sexual assault since they know the assailant. These assailants, however, are able to continue to exploit people by manipulating that trust. By reporting these incidents, you will significantly decrease the likelihood that this individual can subject another person to this type of victimization.

The PPAP includes instructions on risk reduction, including how to avoid becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction. Specifically, they are advised:

10. If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:
 - o Make your limits known before going too far.
 - o You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
 - o Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
 - o Grab someone nearby and ask them for help.
 - o Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
 - o Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
 - o Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.
11. If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:
 - o Remember that you owe sexual respect to the other person.
 - o Don’t make assumptions about the other person’s consent or about how far they are willing to go.
 - o Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
 - o If your partner expresses a withdrawal of consent, stop immediately.
 - o Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you, their intentions.
 - o Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
 - o Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a clearly incapacitated person.
 - o Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.
12. It is also important to be aware of the warning signs of an abusive person. Some examples include:

- o Past abuse
- o Threats of violence or abuse
- o Breaking objects
- o Using force during an argument
- o Jealousy
- o Controlling behavior
- o Quick involvement
- o Unrealistic expectations
- o Isolation
- o Blames others for problems
- o Hypersensitivity
- o Cruelty to animals or children
- o “Playful” use of force during sex
- o Jekyll-and-Hyde personality

Bystander Intervention is another topic of the PPAP. Often people don’t intervene because they may assume a situation isn’t a problem, or feel it is none of their business. They may assume that someone else will do something or believe that other people weren’t bothered by the problem. In some cases, a person might feel their personal safety is at risk.

When people do intervene in a situation, they often say that it was the right thing to do, and that they’d want someone to intervene if the roles were reversed. MSSU encourages students and faculty staff members to take action if they have an opportunity to prevent or intervene in an incident. They should also constantly be aware of events occurring around them and (if possible) create solutions.

Individuals on campus are even asked to intervene in situations as soon as it is possible to do so safely, at least speaking up so that others know what is going on. Of course, students and others should think about their response to ensure that their actions don’t actually escalate the situation. Generally, telling friends that behavior is not acceptable is appropriate. Notifying the UPD or others in authority is also always appropriate.

Individuals are encouraged to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

- o Look out for those around you.
- o Realize that it is important to intervene to help others.
- o Treat everyone respectfully. Do not be hostile or antagonistic.

- o Be confident when intervening.
- o Recruit help from others if necessary.
- o Be honest and direct.
- o Keep yourself safe.
- o If things get out of hand, don't hesitate to contact the police.

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

Ongoing Prevention and Awareness Campaign

The University also has an Ongoing Prevention and Awareness Campaign (OPAC) for all students and faculty. This OPAC includes activities and materials that are presented over time to increase understanding of the issues related to sexual assault, domestic and dating violence, and stalking. They cover essentially the same topics as the PPAP but are intended to reinforce that training and thus make it more effective in preventing these offenses.

PPAP and OPAC Programming Methods

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Past programming and currently planned programming at MSSU include the following:

1. Faculty and staff receive yearly sexual misconduct prevention training on Title IX and VAWA. Faculty and staff are required to complete online mandatory training that address all aspects of Title IX and VAWA including; definitions of sexual misconduct, discrimination, harassment, stalking, domestic abuse, dating violence, consent, and retaliation; responsibilities as an employee of the University (mandatory reporting for responsible officials), to whom to report the incident (Title IX Coordinator), and scope of geography.
2. Students also receive yearly training on Title IX and VAWA in the form of an online class. The training for students includes all the same aspects as faculty/staff training with the added area of bystander information.
3. Healthy Relationships week
4. Sexual Assault Awareness Week (Assisting Alpha Sigma Alpha students, Take Back the Night)
5. Web resource "Student Health 101."

6. A women's self-defense class (Rape Aggression Defense) is now being offered at MSSU through the Kinesiology Department. In this class, students are not only taught how to avoid risky behaviors. They learn basic and advanced skills for resisting a sexual attack.

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

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call the UPD at 911 or 417-623-3131. At the earliest opportunity, you should also contact the University's Title IX Coordinator, Tamika Harrel, at 417-625-3022. Other resources include Student Conduct (Samantha Quackenbush) at 417-625-9531, or (Assistant Vice President of Student Affairs (Julie Wengert) at 417-625-9532 [BSC 347]. Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported:
 - a. In addition to filing a report with the UPD or the University's Title IX Coordinator (417-6253022), a report may also be made to another campus security authority listed on page 2 of this report.
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. To that end, victims will be advised of the following:
 - a. You should not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
 - b. Don't bathe or wash, or otherwise clean the environment in which the assault occurred.
 - c. You can obtain a forensic examination at Freeman Hospital at 1102 West 32nd Street, Joplin, Missouri. The SANE nurses are trained to interview victims, collect evidence and prescribe medications as needed. For more information about the SANE program go to saneinfo@freemanhealth.com . Their number is 417-347-SANE (7263).
 - d. Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a policy report.
 - e. Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.).
 - f. Victims of stalking should also preserve evidence of the crime to the extent possible.

3. The victim's options regarding notification to law enforcement:

The option to notify either on-campus or local police (contact information is listed in the opening paragraphs of this section).

- a. If the option to report to police, a UPD officer will contact the victim (preferably on campus) and begin an investigation. The officer will ask for specific details regarding times, dates and places in which the suspect made contact with the victim after being told he/she no longer wanted to be contacted. UPD officers will then interview the suspect and submit the case to the Jasper County Prosecutor's Office for the filing of criminal charges. Everything possible will be done to ensure the safety of the victim.
 - b. The Joplin Police Department is located at 303 E. 3rd Street in Joplin, Missouri. You may walk into the front entrance and talk to a clerk at the desk, or simply call 417-623-3131 and have an officer dispatched to your location within the city limits. In addition to details about a crime, victims should be prepared to provide their address, phone number, date of birth, etc.
 - c. The option to be assisted by campus security authorities (UPD) in notifying law enforcement if the victim so chooses (the University will comply with such a request if it is made).
 - d. The option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- a. In Missouri, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Adult Orders of Protection may be found at:
<http://www.courts.mo.gov/page.jsp?id=533>.
 - b. A protection order may be obtained by filing a petition with the court. Courts can issue two types of orders: (1) Ex Parte Orders, which act as a temporary emergency order to protect a victim, for up to 15 days, until a court hearing; and (2) Full Orders of Protection, which may be issued for up to one year. Additional information about the orders may be found at:
<http://www.courts.mo.gov/file.jsp?id=69655>.
 - c. A Petition for Order of Protection should be filed at the Jasper County Court House. The address is: 601 South Pearl Avenue, Room 300, Joplin, MO 64801. The phone number is 417-625-4310. More information is available here:
<http://jaspercounty.org/courts/exparte.html>.
 - i. The circuit court clerk's office can provide the necessary forms and may assist in completing the forms. Forms may also be found online at:
<http://www.courts.mo.gov/file.jsp?id=537>. A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection.

- ii. Victims may also contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order.
- d. When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.
 - i. Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by a court against another individual (whether or not that individual is also a student or employee of the University) is highly encouraged to notify the UPD of the threat and to provide a copy of the restraining order so that it is kept on file with the MSSU Police and can be enforced, if necessary. The UPD will honor the order and do everything possible to ensure the safety of the victim.
- e. The University does not issue legal orders of protection. As a matter of institutional policy, however, the University may issue a “No Trespass Warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services:

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

University Resources

On-Campus Counseling (confidential resource)

Counseling Services

Office: Hearn Hall 314

Reception Desk: 417-625-9559

Fax: 417-659-3726

Email: counselingservices@mssu.edu

On-Campus Medical Services

Willcoxon Health Center

Billingsly Student Center 242

Phone: 417-625-9323

Fax: 417-659-4376

Financial Aid

1. Hearnese Hall Room 109, Tel: 417-625-9325 (Hours 8:00-5:00 M-F). Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, the student should understand that there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The University's financial aid website can be found at:
<https://www.mssu.edu/student-affairs/financial-aid/index.php>.

State/Local Resources

2. Mercy Hospital Joplin
100 Mercy Way, Joplin, Missouri 64804
1. 556-3729
3. Freeman Hospital West
1102 W 32nd St, Joplin, Missouri 64804
1. 347-1111
4. Freeman Hospital East
932 E 34th St, Joplin, Missouri 64804
1. 347-1111
5. Joplin Lafayette House
1809 S Connor Ave Joplin, Missouri 64804
1-800-416-1772
Legal Aid, Visa and Immigration Assistance
6. Legal Services of Missouri: <http://www.lsmo.org/> • Immigration Advocates Network:
<http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
7. U.S. Citizenship and Immigration Services:
https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=ASC&OfficeLocator.statecode=MO
Other National Resources
8. National Domestic Violence Hotline: 1-800-799-7233
9. National Sexual Assault Hotline: 1-800-656-4673
10. Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
11. US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
12. National Coalition Against Domestic Violence: <http://www.ncadv.org/>
13. National Sexual Violence Resource Center: <http://www.nsvrc.org/>

Accommodations and Protective Measures

MSSU will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available, the University is obligated to provide them regardless of whether the victim chooses to report the crime to the UPD or local police. Requests of this nature should be made to Tamika Harrel (Title IX Coordinator, 417-625-3022). This individual, in consultation with other appropriate University officials responsible for determining what, if any, accommodations or protective measures will be implemented. When considering the reasonableness of such a request, the following factors, and potentially others, may be considered:

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

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

Procedures for Disciplinary Action:

Sexual Harassment Policy

Allegations of domestic violence, dating violence, sexual assault or stalking may be processed through the University's Title IX Sexual Harassment Policy.

The Title IX Sexual Harassment applies to all University employees, including administrators, faculty, and staff; students; applicants for employment; customers; third-party contractors; and all other persons who participate in the University's Education Programs or Activities, including third-party visitors on campus. This policy prohibits Sexual Harassment regardless of the gender, gender identity, or sexual orientation of the alleged victim and the alleged perpetrator. This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs or Activities; such Sexual Harassment may be prohibited by the Student Code of Conduct if committed by a student, or the Employee Handbook if committed by a faculty member or other University employee. This policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the University's Education Programs or Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or the Employee Handbook if committed by a faculty member or other University employee.

Any person may report sexual harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report.:

Title IX Coordinator

Tamika Harrel

417-625-3022

347 Billingsly Student Center

harrel-t@mssu.edu

Once a report is received and a preliminary assessment determines that the complaint will go forward under the Sexual Harassment Policy, the complainant may file a formal complaint requesting investigation and adjudication. If the complainant elects not to file a formal complaint, the Title IX Coordinator may do so on behalf of the University if doing so is not clearly unreasonable. Within five (5) days of receipt of the formal complaint, the Title IX Coordinator or other individual(s) designated by the Title IX Coordinator transmit written notice of the complaint to the parties. An investigator selected by the Title IX Coordinator will investigate the claims, culminating in a written investigation report. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within thirty (30) to forty-five (45) days of the transmittal of the

written notice of formal complaint. At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each party and their advisor all evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. The parties will have ten (10) days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each party a notice advising the party of the two different adjudication processes. The notice will explain that the hearing process is the default process for adjudicating all formal complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as a form of informal resolution.

Each party will have three (3) days from transmittal of the notice to return the signed written consent form to the Title IX Coordinator. If either party does not timely return the signed written consent, that party will be deemed not to have consented to administrative adjudication and the formal complaint will be adjudicated pursuant to the hearing process.

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the formal complaint, at the conclusion of the hearing process.

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the University's Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) days from the date of transmittal of the written notice.

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the University's Hearing Procedures.

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation. In the event the hearing officer determines that the respondent is responsible for violating this policy, the hearing officer will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the respondent and such official will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the complainant.

After reaching a determination and consulting with the appropriate University official and Title IX

Coordinator as required by “Discipline and Remedies,” the hearing officer will prepare a written decision. The hearing officer’s written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in

“Appeal.” Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing officer’s written determination within fourteen (14) days of the conclusion of the hearing. Administrative Adjudication

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer. The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator. The administrative officer will promptly send written notice to the parties notifying the parties of the administrative officer’s appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer’s meetings with the parties will not be held any earlier than ten (10) days from the date of transmittal of the written notice.

After reviewing the parties’ written responses, the administrative officer will meet separately with each party. After meeting with each party, the administrative officer will evaluate all relevant evidence and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the formal complaint. Thereafter, the administrative officer will consult with any University official and the Title IX Coordinator and will prepare and transmit a written decision. Transmittal of the administrative officer’s written determination concludes the administrative adjudication, subject to any right of appeal as specified in “Appeal.” Although the length of each administrative adjudication will vary depending on the totality of the circumstances, the University strives to issue the administrative officer’s written determination within twenty-one (21) days of the transmittal of the initiating written notice. Informal resolution will not be permitted if the respondent is a non-student employee accused of committing Sexual Harassment against a student.

Informal Resolution

At any time after the parties are provided written notice of the formal complaint and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator’s approval, to engage in mediation, facilitated resolution, or other form of dispute resolution by agreement of the parties. The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

1. Describes the parameters and requirements of the informal resolution process to be utilized;

2. Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-party);
3. Explains the effect participating in informal resolution and/or reaching a final resolution will have on a party, a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal

Complaint; and

4. Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the University.

Notwithstanding the forgoing if the form of informal resolution is Administrative Adjudication, there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. All other forms of informal resolution are not subject to appeal.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty-one (21) days. If an informal resolution process does not result in a resolution within twenty-one (21) days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the formal complaint will be resolved pursuant to the investigation and adjudication procedures.

Informal resolution will not be permitted if the respondent is a non-student employee accused of committing Sexual Harassment against a student.

Appeals:

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

1. A procedural irregularity affected the outcome;
2. There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
3. The Title IX Coordinator, investigator, hearing officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

A party must file an appeal within seven (7) days of the date they receive notice of dismissal or determination appealed from or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must be submitted in writing to the Title IX Coordinator, who will then appoint an appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within (21) days of an appeal being filed.

Prohibited Sexual Misconduct Policy and Complaint Resolution Procedures

Reports of sexual misconduct should be made to the Title IX Coordinator or the University Policy Department, identified above. Complaints involving employees that do not fall within the scope of the Sexual Harassment Policy may be processed pursuant to the Prohibited Sexual Misconduct Policy. After the University receives a report of sexual misconduct, the Title IX Coordinator or designee will conduct an initial evaluation of the report to determine whether the conduct alleged, if true, could constitute a violation of this Policy.

If so, in the event the alleged victim requests an investigation and wishes to make a complaint under the complaint resolution procedures, the Title IX Coordinator will appoint an investigator. The investigator will promptly notify the respondent and provide the respondent with the opportunity to review a copy of the complaint.

The investigator will communicate with the parties separately to discuss avenues for resolution. The investigator will determine whether the complaint will be resolved through the informal or formal process and then notify the parties regarding which process will be used. Both parties must agree to the informal process being used.

The University will endeavor to conclude its investigation and resolution of the complaint in a timely manner.

Informal Resolution

If the parties reach agreement on an informal resolution, the investigator, in consultation with the Title IX Coordinator and other appropriate University administrators, will review the resolution and may reject it, approve it, or require modifications prior to approval. In the event the investigator approves the resolution, the investigator will prepare a written memorandum setting forth the terms of the resolution. The investigator will present the written memorandum to the parties for their review and signature. The investigator will then provide the parties with simultaneous written notification that the case has been resolved pursuant to informal resolution. The investigator may transmit a copy of the written memorandum to other University administrators or employees whose involvement is necessary to effectuate the resolution and/or for inclusion in appropriate personnel files.

Formal Resolution

The Title IX Coordinator will assign a designee to serve as an investigator. The investigator will conduct an investigation and then prepare a written investigation report. The investigation report will include findings of fact and the basis for those findings, and a determination about whether a Policy violation more likely than not occurred. If necessary, the investigator will attach an addendum with sanctions and remedial measures.

Both the complainant and respondent have the right to appeal the finding as to whether or not sexual misconduct occurred and/or the discipline imposed. Appeal procedures differ depending on the status of the respondent.

Appeals

If the respondent is a student, the aggrieved party must submit a written statement of appeal to the Student Affairs Office within ten (10) business days of receiving the notice of outcome of the investigation. Upon receiving a valid appeal, the Student Affairs Office will prepare the matter for a Student Conduct Review Committee, per the Student Code of Conduct. The Student Conduct Review Committee will review the appeal and the investigation file. The Student Conduct Review Committee may interview the parties in order to obtain additional information, and, if applicable, will meet with the parties on an equal basis. The Student Conduct Review Committee will resolve the appeal and will provide notice of the appeal decision to the parties.

If the respondent is a faculty member, the aggrieved party must submit a detailed written statement of appeal to the Provost/Vice President for Academic Affairs within ten (10) business days of notification of the outcome of the complaint. Upon receiving a valid appeal, the Provost/Vice President for Academic Affairs will, within three (3) business days, provide a copy of the written statement of appeal to the other party. Thereafter, the party so notified will have ten (10) business days to submit a written response to the appeal to the Provost/Vice President for Academic Affairs. The Provost/ Vice President for Academic Affairs will evaluate the written appeal and any written response. Within five (5) business days of receiving the written response (or the time for a written response expiring with no response submitted), the Provost/ Vice President for Academic Affairs will provide simultaneous written notification to the parties of the decision. The Provost/Vice President for Academic Affairs' determination of the appeal is final.

If the respondent is an administrator, non-faculty employee, contractor, or third party, the aggrieved party must submit a detailed written statement of appeal to the Vice President for Business Affairs within ten (10) business days of receiving notification of the outcome of the investigation. Upon receiving a valid appeal, the Vice President for Business Affairs will, within three (3) business days, provide a copy of the written statement of appeal to the other party. Thereafter, the party so notified will have ten (10) business days to submit a written response to the appeal to the Vice President for Business Affairs. The Vice President for Business Affairs will evaluate the written appeal and any written response. Within five (5) business days of receiving the written response (or the time for a written response expiring with no response submitted), the Vice President for Business Affairs will provide simultaneous written notification to the parties of the Compliance Officer's decision. The Vice President for Business Affairs' determination of the appeal is final.

Student Code of Conduct

Complaints involving students that do not fall within the scope of the Title IX Sexual Harassment Policy may be governed by the Student Code of Conduct. Any member of the Missouri Southern State University community, visitor or guest may allege a policy violation(s) by any student for misconduct under this Code. Notice may also be given to the Director of

Student Conduct and/or to the Title IX Coordinator (or their designee), when appropriate. Additionally, administrators may act on notice of a potential violation whether a formal allegation is made or not. All allegations can be submitted by a victim or a third party and should be submitted as soon as possible after the offending event occurs. The University has the right to pursue an allegation or notice of misconduct on its own behalf and to serve as convener of the subsequent campus conduct process. The Director of Student Conduct (or designee) will assume responsibility for the investigation of the alleged violation.

Once a determination is made that reasonable cause exists for the Director of Student Conduct (or designee) to refer a complaint for an investigation, notice will be given to the responding student. The responding student will be informed for the request for a hearing by the Director of Student Conduct office. The notice will be delivered by the Director of Student Conduct office by either verbal or writing. The responding student notice may be delivered by one or more of the following methods: phone call requesting the hearing by the Director of Student Conduct (or designee), in writing – delivered in person by the Director of Student Conduct (or designee); mailed to the local or permanent address of the student as indicated in official

Missouri Southern State University records; or emailed to the student's Missouri Southern State University issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice will: 1. Include notification of an alleged violation and notification of where to locate the Code of Student Conduct and Missouri Southern State University procedures for resolution of the complaint; and 2. Direct the responding student to contact the Director of Student Conduct (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than two days from the date of delivery of the summons letter. A meeting with the Director of Student Conduct (or designee) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Director of Student Conduct (or designee), whether they admit to or deny the allegations of the complaint.

Where the responding student admits to violating the Code of Student Conduct, the Director of Student Conduct (or designee) may invoke administrative procedures to determine and administer appropriate sanctions.

In the alternative, an investigation/conference process is conducted. During the Investigation/Conference: 1. The parties have the right to an advisor/advocate of their own choosing, including attorneys. Typically, advisors are members of the campus community, but the parties may select whomever they wish to serve as their advisor. The advisor may not make a presentation or represent the party bringing the complaint or responding student during the hearing. They may confer quietly with their advisee, exchange notes, clarify procedural questions with the chair and suggest questions to their advisee. 2. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Director of Student Conduct. Formal rules of evidence are not observed. The Director of Student Conduct may limit the number of character witnesses presented or may accept written affidavits of character instead. 3. All procedural questions are subject to the final decision of the Director of Student

Conduct. 4. Notification of the Conduct Investigator's decision will be made in writing and may be delivered by one or more of the following methods: in person by the Director of Student Conduct (or designee); mailed to the local or permanent address of the student as indicated in official Missouri Southern State University records; or emailed to the student's Missouri Southern State University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

Any party may request an appeal of the decision of the Administrative Conference by filing a written request to the Director of Student Conduct. Where the disciplinary action assigned by the Director of Student Conduct or a representative in the administrative proceeding is not accepted by the student, the student shall have the right to appeal the sanction. Appeals must be submitted in writing to the Student Affairs office within 48 hours after the initial disciplinary action. The findings and actions of the Student Conduct Hearing Committee are final. In order to appeal, the aggrieved party must submit a detailed written statement to the Director of Student Conduct or a representative in the Student Affairs Office within 48 hours after the initial disciplinary action.

Appeals are processed by the Student Conduct Review Committee. In the event that the written statement of appeal fails to state a permissible ground for appeal and/or does not describe the basis for the appeal, the appeal may be summarily dismissed. The Chairman of the Student Conduct Review Committee shall preside at the review, call the meeting to order, call the roll of the committee in attendance, ascertain the presence or absence of the student charged with misconduct, read the notice of review and charges and verify the giving of the required notice, ascertain whether or not the student is represented by an advisor or counselor, and call to the attention of the student charged and the advisor any special or extraordinary procedures to be employed during the review and permit the student to make formal objections thereto.

After the presentation of evidence by the student and the University, the Student Conduct Review Committee shall make its findings and determination in executive session out of the presence of the Director of Student Conduct and the student charged. No discipline shall be assessed against a student except by majority vote of the Committee. The Committee shall transmit in writing its determination and findings to the Director of Student Conduct and the student charged.

Rights of the Parties in an Institutional Proceeding

When the procedures discussed in the previous section are being used, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - o A prompt, fair and impartial process is one that is:
 - a. completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - b. conducted in a manner that:
 - ii. includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - c. provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - d. conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - o Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. The University Title IX Coordinator and investigators attend annual training provided by the legal firm of Husch Blackwell. The training takes place over two days and includes the topics: advanced consent, reciprocal allegations, third party settings, pregnancy discrimination, proper investigation techniques, reporting, hearing, discipline & remediation, prevention and awareness, sexual violence, and documentation and current OCR investigations.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.

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

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

Student Conduct Sanctions

One or more of following sanctions may be imposed upon any student for any single violation of the *Code of Student Conduct*, including dating violence, domestic violence, sexual assault, and stalking:

1. *Warning*: An official written notice that the student has violated Missouri Southern State University policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the Missouri Southern State University.
2. *Restitution*: Compensation for damage caused to the Missouri Southern State University or any person’s property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
3. *Fines*: Reasonable fines may be imposed.
4. *Community/Missouri Southern State University Service Requirements*: For a student or organization to complete a specific supervised Missouri Southern State University service.
5. *Loss of Privileges*: The student will be denied specified privileges for a designated period of time.
6. *Confiscation of Prohibited Property*: Items whose presence is in violation of Missouri Southern State University policy will be confiscated and will become the property of the Missouri Southern State University. Prohibited items may be returned to the owner at the discretion of the Vice President for Student Affairs (or designee) and/or Campus Police.

7. *Behavioral Requirement*: This includes required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc.
8. *Educational Program*: Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.
9. *Restriction of Visitation Privileges*: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
10. *Missouri Southern State University Housing Probation*: Official notice that, should further violations of Residence Life or Missouri Southern State University policies occur during a specified probationary period, the student may immediately be removed from Missouri Southern State University housing. Regular probationary meetings may also be imposed.
11. *Missouri Southern State University Housing Reassignment*: Reassignment to another Missouri Southern State University housing facility. Residential Life personnel will decide on the reassignment details.
12. *Missouri Southern State University Housing Suspension*: Removal from Missouri Southern State University housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to Missouri Southern State University housing may be specified, such as: reapplying for housing, living in University selected housing, reentering housing under probation. Under this sanction, a student is required to vacate Missouri Southern State University housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Student Conduct. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for Missouri Southern State University housing, the student must gain permission from the Director of Student Conduct (or designee). This sanction may include restrictions on visitation to specified buildings or all University housing during the suspension.
13. *Missouri Southern State University Housing Expulsion*: The student's privilege to live in, or visit, any Missouri Southern State University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.

14. *Missouri Southern State University Probation*: The student is put on official notice that, should further violations of Missouri Southern State University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.
15. *Eligibility Restriction*: The student is deemed “not in good standing” with the Missouri Southern State University for a specified period of time. Specific limitations or exceptions may be granted by the Vice President for Student Affairs (or designee) and terms of this conduct sanction may include, but are not limited to, the following:
- a. Ineligibility to hold any office in any student organization recognized by the Missouri Southern State University or hold an elected or appointed office at the Missouri Southern State University; or
 - b. Ineligibility to represent the Missouri Southern State University to anyone outside the Missouri Southern State University community in any way including: participating in the study abroad program, attending conferences, or representing the Missouri Southern State University at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
16. *Missouri Southern State University Suspension*: Separation from the Missouri Southern State University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, such as: a written letter to the Dean of Admissions seeking permission for readmission to the University, documentation supporting any corrective action taken by the student, understanding that the student may be placed on disciplinary probation upon return to MSSU. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Vice President for Student Affairs (or designee). During the suspension period, the student is banned from university property, functions, events and activities without prior written approval from the Vice President for Student Affairs. This sanction may be enforced with a trespass action as necessary.
17. *Missouri Southern State University Expulsion*: Permanent separation from Missouri Southern State University. The student is banned from university property and the student’s presence at any Missouri Southern State University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary. [This sanction will be noted as a Conduct Expulsion on the student’s official academic transcript].

Employee Conduct Sanctions

PROGRESSIVE DISCIPLINARY ACTION

Employee discipline is based on a progressive disciplinary system, and the University may impose any of the following disciplinary actions following an incident of dating violence, domestic violence, sexual assault, or stalking:

- **Verbal Warning**
A verbal warning is used when a supervisor wants to bring an issue of concern to the attention of the employee, stress the seriousness of the situation, and present suggestions or instructions to resolve or correct the problem. A written record of the discussion noting the date, event, and recommended action should be made.
- **Written Warning**
A written warning is used for behavior or violations which a supervisor considers serious or where a verbal warning has not helped change unacceptable behavior. A written warning documents the occurrence and the severity of the inappropriate behavior, and usually warns the employee that further violations will result in suspension without pay or termination.
- **Suspension Without Pay**
A suspension without pay may be used to impress upon the employee that a behavior or performance level must be changed or termination will be inevitable. Suspension results in the loss of pay for a specified period of time (usually three days). Re-entry following suspension will be determined by Human Resources and communicated accordingly.
- **Disciplinary Suspension**
A disciplinary suspension may be used in cases when the infraction is of such seriousness that it may warrant dismissal pending review of the facts. Disciplinary suspension should be followed immediately by a thorough investigation of the situation to determine the appropriate action to be taken.
- **Dismissal**
Serious offenses and repeated disciplinary problems will require dismissal. While employment may be terminated at any time without cause, examples of conduct that can result in dismissal for a single incident are dishonesty, insubordination, theft, use of illegal drugs or unauthorized use of alcohol on University premises, or other serious conduct as outlined in the University's disciplinary guidelines.

In addition to the progressive disciplinary system, the following types of sanctions may also be imposed on employees following an incident of dating violence, domestic violence, sexual assault, or stalking:

- **Transfer**
An employee who has not satisfactorily performed the duties of his or her job according to established standards may be transferred to another position for which he/she is qualified.

(For non-disciplinary transfers, please see the “Promotion & Transfer” policy in this Handbook.)
- **Compensation Reduction**
An employee who violates University rules or policies may be subject to disciplinary action in the form of a reduction in compensation.
- **Withholding Wage Increases**
If an employee has unsatisfactory behavior or job performance, the supervisor may withhold an across-the-board wage increase (including a grade/step increase for a classified employee on the grade & step system) resulting in a wage freeze. As a follow up to this action, the supervisor may inform the employee that a special performance evaluation will be conducted at a later date to review his or her behavior and/or performance. The evaluation will assist the supervisor in reaching a determination as to whether substantial improvement has been made or further disciplinary action is warranted.
- **Probation**
At any time during employment, an employee may be placed on probation up to a maximum of 60 days for unsatisfactory conduct or service, upon the recommendation of the employee’s supervisor. An employee who has been placed on probation will not be eligible for any wage increases until the probationary period has been satisfactorily completed.
- **Demotion**
An employee who is involved in several minor violations of University regulations, such as loitering, tardiness, smoking where/when prohibited, etc., may be demoted to a lower salaried position or wage classification.

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

Possible protective measures that to be implemented may include:

- Separation of alleged victim and respondent on campus; including but not limited to shared classes, residence halls, dining facilities, and public meeting areas.

- No-Contact order – given as an interim/permanent measure to separate alleged victim and respondent.
- Forbidding the accused from communicating with the victim.
- Security escorts around campus.

Publicly Available Recordkeeping

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

Victims to Receive Written Notification of Rights:

When a student or employee reports to the University that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the University Police Chief (417-6259741). The Missouri State Highway Patrol maintains a general registry of sex offender information, which may be accessed at the following link: <http://www.mshp.dps.mo.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html>.

Drug and Alcohol Policy

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

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

Federal Drug Laws

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university **(21 U.S.C. § 860)** face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but

not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000. **Drug and Alcohol State Laws**

Category	Summary (Missouri Revised Statues)
Possession of Marijuana	The use of recreational marijuana is illegal, and possession for personal use of less than 10 grams for a first offense is a misdemeanor with a maximum fine of \$500 and no jail time. For a second offense, the maximum fine is \$2,000 and up to one year in jail. Possessing more than 35 grams is a felony with a maximum fine of \$10,000 and up to 7 years in jail. <i>See</i> MO. REV. STAT. § 579.015. Medical marijuana for certain conditions is allowed, and up to four ounces may be purchased every 30 days. Mo. Code Regs. Ann. tit. 19, § 30-95.030.
Controlled Substances	Missouri statutes cover a wide range of offenses related to the possession and delivery of controlled substances. <i>See</i> MO. REV. STAT. §§ 579.015 – 579.040. Possession of
Category	Summary (Missouri Revised Statues)
	a controlled substance, except thirty-five grams or less of marijuana, is a Class D felony, with a term of up to seven years and a fine up to \$10,000. <i>See</i> MO. REV. STAT. § 579.015. Delivery of a controlled substance other than 35 grams or less of marijuana is a Class C felony, resulting in a prison term of not less than 3 years and not more than 10 years, and a fine up to \$10,000. MO. REV. STAT. §§ 558.002, 558.011. As an example, someone possessing methamphetamine faces a prison term of 7 years and a fine up to \$10,000.
Alcohol and Minors	In Missouri, it is illegal for anyone under the age of 21 to possess, purchase, or attempt to purchase any intoxicating liquor, subject to a fine not to exceed \$500. <i>See</i> MO. REV. STAT. § 311.325. A subsequent violation is a Class A misdemeanor, subject to a term of up to one year in jail and a fine not to exceed \$2,000. <i>Id.</i> Anyone between 17–21 who represents that she/he is 21 for the purpose of obtaining intoxicating liquor is guilty of a misdemeanor. MO. REV. STAT. § 311.320. The use of a fake identification is subject to a \$500 fine. <i>Id.</i> An attempt to purchase, or possession of alcohol, may also result in license suspension.
Driving Under the Influence (DUI)	A person is guilty of a DUI if the person has a blood alcohol concentration of 0.08 percent. A first offense results in a suspended license for 30 days and then a restricted license for 60 days, and may require a certified ignition interlock device. MO. REV. STAT. § 302.525. A second offense within five years results in a one-year restricted license and additional penalties.

Drug and Alcohol Abuse Prevention Program:

Substance Abuse Policy:

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, and to provide resources and support to its students, the University has established a drug and alcohol prevention program for its students. The University's program is described below. This Policy applies to all University students.

Students are prohibited from using alcoholic beverages and illegal drugs on University owned or controlled property and at University-sponsored or supervised activities.

Irresponsible alcohol or other drug usage off campus resulting in disorderly conduct on campus is also prohibited. Any student of the University found to have manufactured, dispensed, possessed or used a controlled substance in violation of the Substance Abuse Policy of this University will be subject to discipline in accordance with University policy and reported to local, state or federal law enforcement authorities for criminal prosecution. Criminal prosecution for these acts could lead to conviction and such a conviction could result in a sentence imposing a monetary fine, imprisonment in a state or federal penitentiary or both.

Health Risks:

Specific serious health risks are associated with the use of illicit drugs and alcohol. Some of the major risks are as follows:

Alcohol and other depressants (barbiturates, sedatives, and tranquilizers):

Addiction, accidents as a result of impaired ability and judgment, overdose when used with other depressants, damage to a developing fetus, heart and liver damage.

Marijuana:

Addiction; panic reaction; impaired short-term memory; increased risk of lung cancer and emphysema, particularly in cigarette smokers; impairment of driving ability.

Cocaine:

Addiction, heart attack, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

Hallucinogens (acid, LSD, PCP, MDMA, etc.):

Loss of consciousness, suffocation, damage to brain and central nervous system, sudden death, nausea and vomiting, nosebleeds, impaired judgment.

Resources:

Varieties of resources exist for drug or alcohol counseling, treatment or rehabilitation programs. For more detailed information concerning these resources and others available from the University and/or community agencies, students may contact the Advising, Counseling & Testing Service (ACTS), 417-625-9324 or the Student Affairs Office (417-625-9392). Such referrals will respect individual confidentiality. A main objective of the University's Drug and Alcohol Prevention Program is to encourage healthy attitudes and behaviors on the part of all students and responsible decisions about alcohol/drug use. A final objective is to provide students with the necessary skills to help them carry out the decisions they have made in regard to their use or nonuse of alcohol/drugs, and how to effectively handle certain "high pressure" situations.

To meet the above objectives, information and assistance is provided to students in several ways. First, alcohol and drug films are shown and programs conducted in all orientation classes, which are required for all new students. Additional alcohol and drug information is presented in other academic classes, including Kinesiology and Lifetime Wellness. Pamphlets about alcohol and drug use are distributed each semester in residence hall rooms and in the Student Center. Special alcohol and drug training is provided annually for residence hall staff and orientation leaders.

The athletic department provides additional programming for varsity athletes. Special alcohol and drug programs are presented throughout the year. Active drug testing is done. A committee of counselors, teachers and clergy are available to assist varsity athletes. The Student Affairs Office and Willcoxon Health Center provide alcohol and drug information throughout the year for all students.

Medical Amnesty:

The health, safety, and welfare of the MSSU community is a primary concern of University officials, even if students are in violation of University alcohol/drug policies. Students should not hesitate to seek medical attention for themselves or others when the health and/or safety of someone is at risk. Students can do this without fear of facing disciplinary action from the University. Student violators may, however, be required to participate in a University alcohol and drug education program. This Medical Amnesty is implemented at the discretion of the Director of Student Conduct (or designee) and applies only to emergencies.

Violations of these prohibitions will be handled in the following manner:

1. For students, serious drug violations will usually result in being arrested by University Police officers and having charges filed through the Jasper County Prosecutor's Office. Other options include receiving disciplinary prohibition, suspension or expulsion as provided in the Student Handbook.

2. For employees, violations could result in disciplinary action, up to and including termination of employment. Violations will usually also involve the involvement of the UPD and filing of charges through the Jasper County Prosecutor's Office.

Missouri Southern State University is committed to increasing employee and student awareness of the dangers of substance abuse. For example, marijuana can impair thinking, reading, comprehension and verbal skills; hallucinogens result in loss of control of normal thought processes; phencyclidine can produce violent and bizarre behavior; stimulants (amphetamines) may produce mood swings, panic and cardiac disturbances; cocaine is toxic, and overdoses result in death; narcotics cause dependency and severe symptoms upon withdrawal; inhalants have a high risk of sudden death; and alcohol can dull sensation and impair coordination, memory and judgment. In an effort to maintain a drug- and alcohol- free environment, the University will provide:

1. Awareness programs through our University Wellness Program,
2. Enforcement and awareness programs through the University Police Department,
3. Assistance through the Willcoxon Health Center,
4. Assistance through the University physician,
5. Individual counseling through the ACTS office, and
6. Assistance with making referrals to outside agencies.

Everyone employed by Missouri Southern State University as a condition of employment will:

1. Abide by the terms of the University Substance Abuse Policy,
2. Notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Missouri Southern will notify the proper agency of any convictions reported to them within ten days of the receipt of said notice.

Any employee or student of Missouri Southern State University who violates the University's Substance Abuse Policy will be subject to discipline in accordance with this policy and reported to the University Police Department for criminal prosecution. Criminal prosecution for these acts could lead to a conviction, and such conviction could result in a sentence imposing a monetary fine, imprisonment in a state or federal penitentiary, or both.

http://www.mssu.edu/offices/police/substance-abuse-policy.php*

*This policy is distributed annually to all students and employees in compliance with the Drug-Free Workplace Act of 1998 (P.L. 101-690) and the Drug-Free Schools and Communities Act Amendments of 1989 (P.L. 101-226).

This topic is also addressed in the Employee Handbook as follows:

Alcohol and Drug-Free Workplace Policy In keeping with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, the University prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol and/or any illegal substance by employees in the workplace, on University property, or as part of any University - sponsored activity. This includes violation of the Missouri law prohibiting possession or use of alcohol by persons under 21 years of age and violation of all other state and federal laws regulating use, possession, or distribution of alcohol and other drugs. “University - sponsored activity” includes those activities that are planned, promoted, or sponsored by a University department or other University subdivision. “University property” includes University owned or leased land, facilities, vehicles, and equipment. On limited occasions the President may approve the legal serving of alcoholic beverages at a university event or activity. The University recognizes alcohol and drug abuse as a potential health, safety and security problem. Excessive alcohol consumption or use of illegal drugs impairs the user’s ability to function, changes the user’s behavior, and subjects the user to serious health risks, including disease, addiction, and death. An employee with an alcohol and/or drug-related problem is encouraged to seek help in dealing with such problems. Confidential information regarding different drug and alcohol counseling and rehabilitation is available through the University’s Health Center, Advising, Counseling, & Testing Services (ACTS) or through the University’s Employee Assistance Program.

The University is committed to the safety and well-being of the University community and to the provision of a drug-free workplace. Thus, it is the expectation of the University that all employees abide by the terms of this policy as a condition of employment. If an employee violates this policy, the University may subject the employee to immediate disciplinary action, up to and including termination, and report the employee to the appropriate officials for prosecution under the laws of the State and the United States of America, under which, penalties may include fines, imprisonment, or both. Any employee, as a condition of employment, is required to notify the Chief Human Resources Officer within five days of any criminal drug conviction if the violation occurred on campus or off campus while conducting University business.

Biennial Review of Drug and Alcohol Abuse Education Program

The University also performs a biennial review of its drug and alcohol abuse education program in order to (1) determine the program’s effectiveness and implement changes to the program as needed and (2) ensure that sanctions related to drug and alcohol use are consistently enforced. The University’s last biennial review was conducted in 2020. For more information about the biennial review, please contact Samantha Quackenbush (Director of Student Conduct) at 417-625-9532.

Crime Statistics

The Clery Act requires institutions of higher education to disclose crime statistics covering the previous three years on four general categories of crimes: (1) primary crimes (murder and non-negligent manslaughter, manslaughter by negligence, sex offenses (rape, fondling, statutory rape and incest), robbery, aggravated assault, burglary, motor vehicle theft, and arson); (2) hate crimes (any of the primary crimes except manslaughter by negligence and any incidents of larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that were motivated by certain biases); (3) arrests or referrals for disciplinary action for weapons, drug and liquor law violations; and (4) crimes of domestic violence, dating violence and stalking.

The definitions of these offenses follow FBI guidelines.

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

	On Campus			On-Campus Student Housing Facilities			Non-Campus Property			Public Property –		
Crime	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	1	1	1	1	1	1	0	0	0	0	0	0
Fondling	1	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	0	0	1	0	0	0	0	0	0	0	0
Dating Violence	1	2	1	1	2	1	0	0	0	0	0	0
Stalking	1	0	1	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	0	0	0	0	0	0	0	0	0
Burglary	5	7	4	3	5	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	2	0	1	0	0	0	0	0	0	0

Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	12	11	17	12	11	16	0	0	0	0	0	0
Liquor Law Violations	12	33	15	12	33	15	0	0	0	0	0	0

*There were no hate crimes reported for the years 2018, 2019 or 2020.

*During 2019, there was one reported Clery crime (Auto Theft) investigated by law enforcement authorities and found to be false or baseless and therefore “unfounded.” There were no unfounded crimes for 2018 or 2020.

*One Rape incident in 2020 (logged above) was reported through the Title IX office, but was not investigated by the UPD (or any other police agency) as the victim didn’t want to report to the police.

Data from law enforcement agencies:

The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the University’s Clery Geography. No agency had applicable crime stats to include.

[End of Annual Security Report.]

2020 ANNUAL FIRE SAFETY REPORT

Housing Facilities and Fire Safety Systems

MSSU maintains on-campus housing for its students. These facilities were built at different times and have a variety of fire safety systems installed within them. Periodically the University also conducts fire drills. The Housing Director reports that fire drills were conducted on two occasions in 2020.

The following chart lists each housing facility, the fire safety system within it and the number fire drills conducted during the previous calendar year.

FIRE SAFETY SYSTEMS IN MSSU RESIDENTIAL FACILITIES						
Residential Facilities	Fire Alarm Monitoring Done on Site by University Police	Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans and Placards*	Number of evacuation (fire) drills in the previous calendar year
East Hall	x	x	x	x		1
McCormick Hall	x		x	x		1
Blaine Hall	x		x	x		1
Gockel Hall			x	x		0
Stegge Hall			x	x		0
Dishman Hall			x	x		0
Dryer Hall			x	x		0
Stone Hall			x	x		0
Headlee Hall			x	x		0
Maupin Hall			x	x		0
Mitchell Hall			x	x		0
Quad A	x	x	x	x		0
Quad B	x	x	x	x		0
Quad C	x	x	x	x		0
Quad D	x	x	x	x		0
Quad E	x	x	x	x		0
Quad F	x	x	x	x		0

*Evacuation plans are in place for each facility, but placards are not yet posted.

Below are the physical addresses of the Residential Facilities:

<u>McCormick Hall</u>	<u>1011 N. International Avenue</u>
<u>Blaine Hall</u>	<u>1015 N. International Avenue</u>
<u>Gockel Hall</u>	<u>1014 N. International Avenue</u>
<u>Stegge Hall</u>	<u>1016 N. International Avenue</u>
<u>Dishman Hall</u>	<u>1018 N. International Avenue</u>
<u>Dryer Hall</u>	<u>1020 N. International Avenue</u>
<u>Stone Hall</u>	<u>1020 ½ N. International Avenue</u>
<u>Headlee Hall</u>	<u>1022 N. International Avenue</u>
<u>Maupin Hall</u>	<u>1024 N. International Avenue</u>
<u>Mitchell Hall</u>	<u>1026 N. International Avenue</u>
<u>Quad A</u>	<u>1010 N. International Avenue</u>
<u>Quad B</u>	<u>1008 N. International Avenue</u>
<u>Quad C</u>	<u>1004 N. International Avenue</u>
<u>Quad D</u>	<u>1002 N. International Avenue</u>
<u>Quad E</u>	<u>1000 N. International Avenue</u>
<u>Quad F</u>	<u>1006 N. International Avenue</u>
<u>Lion Village</u>	<u>1007 N. International Avenue</u>

Policies on Portable Appliances, Smoking and Open Flames

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: Toaster, microwave, hot plate or convection oven. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

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

Fire Evacuation Procedures

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

Fire Education and Training Programs

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

Reporting Fires

MSSU is required to disclose each year statistical data on all fires that occurred in on-campus student housing facilities. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. However, there may be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the following person: Chris Houk, Coordinator Fire Safety/Environmental Health – 417659-5490. When notifying this individual of a fire, as much information as possible about the location, date, time and cause of the fire should be provided.

Plans for Future Improvements

The University periodically reviews its fire safety protection and procedures. At this time, it has no specific plans for future improvements. Notwithstanding, fire Safety is a top priority at MSSU. We have upgraded fire alarm systems throughout the campus. We have improved the warning and early detection systems in classroom buildings as well as our residence halls. We have finished installing an up-to-date, cutting edge True Site Workstation that can be accessed and monitored by authorized personnel within the Physical Plant and the University Police 24 hours a day to ensure rapid response in the event of any emergency. The new residence halls and athletic support buildings will be equipped with the newest technology available in early detection and warning equipment and meets or exceeds the latest NFPA 25 standards. The installation of fire sprinkler

systems at the new facilities meets or exceed NFPA 13 standards and will guarantee a significant reduction of damage and loss of life in the event of a fire. Existing systems, both fire sprinkler and detection and warning, are being rigorously tested on a regular basis to ensure peak performance in the event of a fire emergency. Current Fire Safety Policies are regularly reviewed and updated as required by the constantly changing environment of the University.

Fire Statistics

There were no fires reported in 2018, 2019, or 2020.

Appendix C: 2022 Partners in Prevention Quarterly Report #1

Introduction and Overview

The Drug-Free Schools and Colleges [EDGAR Part 86] Act requires that [Expanding services in any respect currently isn't in the budget. I will keep your information and let you know when it is something we are considering.](#)

design and implement alcohol and other drug prevention programs for the campus community. As a condition of receiving funding under any federal program, the college must certify that it has adopted and implemented a program to prevent “the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees” on campus property or as part of any college activity. The college must have the following in place:

- A written policy on alcohol and other drugs, including information about federal, state, local, and college sanctions for being in violation and health risks associated with abuse;

- A distribution plan for ensuring the policy is made available to all students, faculty, and staff;
- Prevention programs for students, faculty, and staff that support the policy; and
- Biennial review to assess the effectiveness of its alcohol and other drug policies and programs.

In compliance with the Drug-Free Schools and Colleges [EDGAR Part 86] Act, MISSOURI SOUTHERN STATE UNIVERSITY is completing an annual review of the state of prevention efforts on campus for the 2020-2021 academic year.

AOD Comprehensive Program Goals and Objectives for Period Being Reviewed

Responsibility for MISSOURI SOUTHERN STATE UNIVERSITY prevention efforts lay with MOSO PIP Coalition. MOSO PIP Coalition Mission Statement Missouri Southern State University's Partners in Prevention team believes in creating a campus culture that supports positive health, overall wellness, and safe behaviors that will inspire the lives of our knowledgeable, responsible, successful global students.

Following is a review of the goals established for the Biennium as well as information regarding the progress of each goal:

Moving forward, the following are recommendations that our MOSO PIP Coalition believe deserve increased focus:

- Fostering a sense of belonging to campus.
- Address student athlete's substance use and mental health concerns
- Evaluate increase in mental health concern from 63% to 72%

Establish programming to help decrease binge drinking rate.

Specific target areas relating to our goals are as follows:

- Goal 1-Continue to work to complete the quarterly reports in a timely fashion and share with the individual who is responsible for conducting the Biennial review.
- Goal 2 – Survey the Student Population by using the Missouri Assessment of College Health Behaviors
- Goal 3 – Develop and Promote Alternative Activities
- Goal 4 – Continue Growth of Online CHECKUP Assessments and Ask, Listen, Refer
- Goal 5 – Enhance Implementation of Motivational Interviewing and BASICS

- Goal 6 - Educate Students about Campus Prevention Efforts
- Goal 7- Improve Campus Awareness of Title IX and Sexual Violence Policies, and Bystander Intervention

For additional information regarding specific strategies for each target area, please consult Missouri Southern State University Prevention Strategic Plan,

Biennial Review Process

As Missouri Southern State University is committed to alcohol and other drug prevention, and because of the affiliation with Missouri Partners in Prevention, Missouri Southern State University has elected to complete the review process annually as opposed to every two (2) years. This document will provide a thorough review of the prevention efforts and programs during the 2020-2021 academic year. This review began in 2020 and concluded in 2021. Copies of this review are maintained by Student Affairs Office at Missouri Southern State University for at least seven. Copies of Biennial Reviews may also be requested by contacting the Student Affairs office at 417-625-9392 or e-mailing studentaffairs@mssu.edu

This review was conducted by MOSO PIP Coalition, made up of constituents from several institutional areas and based upon a model developed by Missouri Partners in Prevention. This coalition meets once a month to review policies, programs, assessment data, and emerging trends within the field of prevention. The following are those included in the MOSO PIP Coalition:

MEMBERS OF MOSO PIP COALITION

Student Conduct Office – Samantha Quackenbush

Recreation Services– Cindy Webb

Wellness/Student Activities – Craig Gullett

Registered Student Organizations/Greek Life – Eli Moran

Counseling Services/PIP contact – Heather Bullock

Residence Life – Seth Sockwell

Athletics – Amanda Schmelzer

Green Dot Program- Laura Gullett

UPD – Ken Kennedy

Student Rep – Varies

Annual Policy Notification Process

The MISSOURI SOUTHERN STATE UNIVERSITY Alcohol and Other Drugs (AOD) policy can be found in **Appendix A** of this document.

Students (all currently enrolled students) receive the AOD policy via email^[1] Student Handbook https://www.mssu.edu/student-affairs/dean-of-students/Student%20Handbook%202020-2021_FINAL.pdf

Employees receive the AOD policy via email and it can also be found in the employee handbook <https://www.mssu.edu/business-affairs/human-resources/Employee%20Handbook%202019-R1.pdf>

Requests for the policy can be made through the Human Resources Department at Missouri Southern State University by calling 417-625-9527 or email HR@mssu.edu

AOD Prevalence Rate, Incidence Rate, Needs Assessment, and Trend Data [MACHB Spring 2021]

Data regarding AOD use is readily available at our institution from a variety of sources. Due to our membership in Partners in Prevention (*a state-wide coalition of institutions of higher education focused on the prevention of illicit drug and alcohol use in Missouri*), we are provided the opportunity to access numerous best-practice resources, including the Missouri Assessment of College Health Behaviors (MACHB, formerly the MCHBS). The assessment is provided to a random selection of currently enrolled undergraduate students. Following are the results for the past three (3) academic years as well as the average results from all participating schools in the past academic year:

Question	INSTITUTION 2018-2019	INSTITUTION 2019-2020	INSTITUTION 2020-2021	All participating MO Schools 2020-2021
Consumed alcohol in the past year	65%	64%	67%	71%
Consumed alcohol in the past 30 days	47%	49%	50%	56%
Underage students (<21 years old) consumed alcohol in last 30 days	Question asked not	Question asked not	Question asked not	Question asked not
Binge drank in last 2 weeks (2-hour definition)	11%	11%	6.9%	10%
Binge drank in last 2 weeks (1 sitting definition)	13%	Question asked not	16%	21%
Driven after drinking in the past year	12%	10%	6.5%	8.7%
Always used a designated driver in the past year^[2]	45%	54%	56%	53%
Used marijuana in the past year	22.5%	22%	23%	28%
Marijuana use in past 30 days	Question asked not	Question asked not	Question asked not	Question asked not
Used illegal drugs (excluding marijuana) in past year	0%	3%	7.9%	7.4%
Current illegal drug users (excluding marijuana)	Question asked not	Question asked not	Question asked not	Question asked not

^[1] Receive AOD policy via email

^[2] Results for this question were changed to allow for additional answers beginning in the 2016-2017 academic year. Therefore, this number reflects the combined responses for “Always,” “No, because I walked,” and “No, because I just stayed where I was drinking.”

Appendix D: 2022 Partners in Prevention Quarterly Report #2

AOD Policies

There are multiple policies related to AOD that exist at MISSOURI SOUTHERN STATE UNIVERSITY(MSSU) in reference to students, staff, faculty, and other entities. Following is a discussion of each of these AOD-related policies.

The overall AOD policy can be found in its entirety in Appendix A, but includes the following information:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
- A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- A description of any drug or alcohol counseling, treatment or rehabilitation or re-entry programs that are available to employees or students;
- A clear statement that the institution will impose disciplinary sanctions on students and employees (*consistent with State and Federal law*); and
- A description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct (*of which may include a disciplinary sanction requiring the completion of an appropriate rehabilitation program*).

Oversight of the AOD policy rests with Student Affairs office, Human Resources, and MOSO PIP Coalition. Any updates and/or amendments are discussed on an annual basis or with any changes in local, State, or Federal laws.

The policy is expounded upon in many instances to target specific constituents on campus. Further information for employees about substance misuse and how concerns related to substance misuse may affect both personal and professional lives can be obtained through MSSU Employee Handbook and SharePoint, including resources such as Employee Assistant Program (EAP), Willcox Health Center, ACTS & FYE office.

The MISSOURI SOUTHERN STATE UNIVERSITY TOBACCO/DRUG FREE POLICY (*in effect since Fall, 2016* WHERE IT IS LOCATED (*see APPENDIX A*))

Violations of the AOD policy and other relevant policies by students are adjudicated mainly through Director of Student Conduct and Student Affairs Office (*further information regarding student conduct procedures may be found in APPENDIX B*) Those violations committed by an employee of the institution (*to include faculty and staff*) are addressed through Human Resources Office.

The Athletic Department has a more specific policy for their athletes and oversight and administration of that policy rests with the Director of Internal Operations (*see APPENDIX B*). In addition, the Athletic Department adheres to requirements as set forth by NCAA and the MIAA.

Given that illicit drugs or alcohol are often present and/or a major factor in occurrences of sexual misconduct, illicit drugs and alcohol are directly addressed in the Missouri Southern State University Sexual Harassment Policy. Policy is received via email and is sent to all faculty, staff, and students. Policy is overseen and administered by the Title IX Coordinator.

The entirety of Missouri Southern State University Sexual Harassment Policy can be found http://policy.mssu.edu/all_university_employee/Policy%20Final%20Draft%208.13.2020.docx%20without%20Husch%20stamp.pdf and http://policy.mssu.edu/all_university_employee_policies.php It can also be requested through the Title IX office.

Relating directly to illicit drugs and alcohol, the following definitions are included in the Substance Abuse Policy

DEFINITIONS TO THINK ABOUT INCLUDING:

- Consent (*institutional and legal*)
- Sexual violence (*institutional and legal*)
- Amnesty

OTHER POLICIES TO THINK ABOUT NOTING INCLUDE:

- Dry Campus Policy
- Student Code of Conduct – if any particular relations to AOD
- Alcoholic Beverages and Payment from Institutional Accounts
- Sale, Service, and Consumption of Alcohol Beverages at Institution
- Tailgating Policies
- Alcoholic Beverages within Institutional Housing
- Substance Abuse Policy within Institutional Housing
- Fraternity/Sorority Specific Policies – if any particular relations to AOD
- Amnesty Policies (*not specific to Title IX, discrimination, etc.*)
- Athletic Department AOD Policy – if each team/coach has its own policy, include in appendices
- Financial Aid Drug Convictions Policy
- AOD Use in Classrooms
- Alcohol Poisoning Protocols

AOD Enforcement

There are a variety of enforcement methods utilized at Missouri Southern State University and descriptions of staff authority and jurisdiction regarding AOD violations follow:

INSERT OVERVIEW OF LAW ENFORCEMENT/SECURITY AUTHORITY/JURISDICTION

The MSSU Police Department (UPD) is responsible for campus safety at the University. Its jurisdiction covers all campus property. Its personnel have arrest authority. The MSSU Board of Governors established a police department on campus according to RMSO 174.700, in April of 2008.

INSERT OVERVIEW OF RELATIONSHIPS WITH OFF-CAMPUS LAW ENFORCEMENT AND AUTHORITY/JURISDICTION

The UPD has a close working relationship with local law enforcement agencies, including the Joplin Police Department and Jasper County Sheriff's Office, which assist the UPD when necessary. The UPD has written mutual aid agreements with the Joplin Police Department, the Jasper County Sheriff's Office and other small city agencies (Duquesne, Webb City, & Carterville)

that allow them to help in emergency situations. The UPD is a member of the Tri-State Major Case Squad and may call for investigators to assist with investigations of serious crimes.

INSERT DESCRIPTION OF OTHERS WHO MAY PROVIDE MONITORING OF AOD POLICIES (*i.e., resident assistants, building monitors, night assistances, etc.*)

Others then might provide monitoring of AOD policies would include but isn't limited to; resident assistants, resident directors, Director of Resident Life, Director of Student Conduct, UPD.

Appendix E: 2022 Partners in Prevention Quarterly Report #3

AOD Comprehensive Program and/or Intervention Inventory

Individual Based Programs and/or Interventions:

Brief Assessment and Screening for College Students [*BASICS*]

- **Description/Explanation:** Evidence-based harm-reduction program in which students discuss their alcohol use and are given feedback regarding their own use, social norms, and protective strategies. Motivational interviewing is used to assist students in identifying changes which could reduce their risk.
- **Target Audience:** Residence Hall Students and Student Athletes that violate the alcohol/drug policy.
- **Date(s) Offered:** “As Needed”
- **Individuals Served:** 3
- **NIAAA Tier of Effectiveness:** Tier 1
- **Outcome(s) Measured:**
- **Known Demographics:** equal mix of student athletes and residence hall students.

Cannabis eCHECKUP TO GO [*e-Toke*]

- **Description/Explanation:** Evidence-based, online prevention/intervention programs that were customized to MSSU. The program provides the student with personalized feedback and can send an electronic verification when complete.
- **Target Audience:** Students-this is also given as an assignment in the University Experience class (UE 100) that is required of all MSSU students with less than 30 hours.
- **Date(s) Offered:** Every time the UE 100 class is offered, and “As Needed.”
- **Individuals Served:** 540
- **NIAAA Tier of Effectiveness:** Tier 1
- **Outcome(s) Measured:**

- **Known Demographics:** Male 40% Female 59%, Student Athlete 21%, 43% Live on campus, Member of fraternity/sorority 3%, Freshman 91% Sophomore 4% Junior 3% Senior 0%.

Alcohol eCHECKUP TO GO [*e-chug*]

- **Description/Explanation:** Evidence-based, online prevention/intervention programs that were customized to MSSU. The program provides the student with personalized feedback and can send an electronic verification when complete.
- **Target Audience:** Students-this is also given as an assignment in the University Experience class (UE 100) that is required of all MSSU students with less than 30 hours.
- **Date(s) Offered:** Every time the UE 100 class is offered, and “As Needed.”
- **Individuals Served:** 597
- **NIAAA Tier of Effectiveness:** Tier 1
- **Outcome(s) Measured:**
- **Known Demographics:** Male 39% Female 60%, Student Athlete 21%, 44% Live on campus, Member of fraternity/sorority 3%, Freshman 92% Sophomore 4% Junior 3% Senior 0%.

Employee Assistance Program [*EAP*]

- **Description/Explanation:** The EAP is a free service to all our MSSU employees that offers up to 6 counseling sessions per issue as well as any family members or others that may be living in the household with the employee.
- **Target Audience:** Our target audience is MSSU employees.
- **Date(s) Offered:** The EAP is offered year-round.
- **Individuals Served:** MSSU employees, spouses, family members and others living in the employee’s household.
- **NIAAA Tier of Effectiveness:**
- **Outcome(s) Measured:**
- **Known Demographics:** MSSU employees, spouses, family members and others living in the employee’s household.

Group Based Programs and/or Interventions

Cannabis eCHECKUP TO GO [*e-Toke*]

- **Description/Explanation:** Evidence-based, online prevention/intervention programs that were customized to MSSU. The program provides the student with personalized feedback and can send an electronic verification when complete.
- **Target Audience:** Students-this is also given as an assignment in the University Experience class (UE 100) that is required of all MSSU students with less than 30 hours.
- **Date(s) Offered:** Every time the UE 100 class is offered, and “As Needed.”
- **Individuals Served:** 540
- **NIAAA Tier of Effectiveness:** Tier 1

- **Outcome(s) Measured:**
- **Known Demographics:** Male 40% Female 59%, Student Athlete 21%, 43% Live on campus, Member of fraternity/sorority 3%, Freshman 91% Sophomore 4% Junior 3% Senior 0%.

Alcohol eCHECKUP TO GO [*e-chug*]

- **Description/Explanation:** Evidence-based, online prevention/intervention programs that were customized to MSSU. The program provides the student with personalized feedback and can send an electronic verification when complete.
- **Target Audience:** Students-this is also given as an assignment in the University Experience class (UE 100) that is required of all MSSU students with less than 30 hours.
- **Date(s) Offered:** Every time the UE 100 class is offered, and “As Needed.”
- **Individuals Served:** 597
- **NIAAA Tier of Effectiveness:** Tier 1
- **Outcome(s) Measured:**
- **Known Demographics:** Male 39% Female 60%, Student Athlete 21%, 44% Live on campus, Member of fraternity/sorority 3%, Freshman 92% Sophomore 4% Junior 3% Senior 0%.

Population Based Programs and/or Interventions

Cannabis eCHECKUP TO GO [*e-Toke*]

- **Description/Explanation:** Evidence-based, online prevention/intervention programs that were customized to MSSU. The program provides the student with personalized feedback and can send an electronic verification when complete.
- **Target Audience:** Students-this is also given as an assignment in the University Experience class (UE 100) that is required of all MSSU students with less than 30 hours.
- **Date(s) Offered:** Every time the UE 100 class is offered, and “As Needed.”
- **Individuals Served:** 540
- **NIAAA Tier of Effectiveness:** Tier 1
- **Outcome(s) Measured:**
- **Known Demographics:** Male 40% Female 59%, Student Athlete 21%, 43% Live on campus, Member of fraternity/sorority 3%, Freshman 91% Sophomore 4% Junior 3% Senior 0%.

Alcohol eCHECKUP TO GO [*e-chug*]

- **Description/Explanation:** Evidence-based, online prevention/intervention programs that were customized to MSSU. The program provides the student with personalized feedback and can send an electronic verification when complete.
- **Target Audience:** Students-this is also given as an assignment in the University Experience class (UE 100) that is required of all MSSU students with less than 30 hours.
- **Date(s) Offered:** Every time the UE 100 class is offered, and “As Needed.”
- **Individuals Served:** 597
- **NIAAA Tier of Effectiveness:** Tier 1
- **Outcome(s) Measured:**
- **Known Demographics:** Male 39% Female 60%, Student Athlete 21%, 44% Live on campus, Member of fraternity/sorority 3%, Freshman 92% Sophomore 4% Junior 3% Senior 0%.

Designated Drive/Safe Ride Program [*CHEERS*]

- **Description/Explanation:** CHEERS is a designated driver program where the designated driver in the group can receive free non-alcoholic drinks at certain area bars and restaurants.
- **Target Audience:** All MSSU students, faculty, and staff.
- **Date(s) Offered:** Currently it is available year-round.
- **Individuals Served:** “Not Known”
- **NIAAA Tier of Effectiveness:**
- **Outcome(s) Measured:**
- **Known Demographics:**

Environmental and/or Socio-Ecological Based Programs

Designated Drive/Safe Ride Program [*CHEERS*]

- **Description/Explanation:** CHEERS is a designated driver program where the designated driver in the group can receive free non-alcoholic drinks at certain area bars and restaurants.
- **Target Audience:** All MSSU students, faculty, and staff.
- **Date(s) Offered:** Currently it is available year-round.
- **Individuals Served:** “Not Known”
- **NIAAA Tier of Effectiveness:**
- **Outcome(s) Measured:**
- **Known Demographics:**

Enforcing Underage Drinking Law Programs

- **Description/Explanation:** Joplin Police Department (JPD) is currently responsible for enforcing underage drinking laws. They perform compliance checks, controlled party dispersal operations, DUI enforcement, and ID checks at on and off-campus bars and establishments.

- **Target Audience:** MSSU community as well as the Joplin community
- **Date(s) Offered:** several times throughout the year.
- **Individuals Served:** overall community.
- **NIAAA Tier of Effectiveness:**
- **Outcome(s) Measured:**
- **Known Demographics:**

Alcohol Minimization at Tailgating and other Campus/Community Celebratory Events

- **Description/Explanation:** Since August of 2018 MSSU implemented an administrative fine for underage drinking while attending University sponsored athletic events, specifically at football games.
- **Target Audience:** All MSSU students, faculty, and staff and community that attend the events, specifically underage drinkers.
- **Date(s) Offered:** At sporting events especially during Fall sports.
- **Individuals Served:** All MSSU and area community
- **NIAAA Tier of Effectiveness:**
- **Outcome(s) Measured:**
- **Known Demographics:**

Appendix F: 2022 Partners in Prevention Quarterly Report #4

Compliance Related Outcomes

On Campus student information is gathered from residence life, employee information comes from data gathered by MSSU's Human Resources Department

Incident Type	Student – On Campus		Student – Off Campus		Employee		Non-Student – On Campus	
	# of Incidents that Occurred	Referral for Disciplinary Action	# of Incidents that Occurred	Referral for Disciplinary Action	# of Incidents that Occurred	Referral for Disciplinary Action	# of Incidents that Occurred	Referral for Disciplinary Action
Alcohol	57	57	N/A	Not currently separated from Student-on campus data	0	Don't have access to this information	N/A	Not currently separated from Student-on campus data

Other Drugs	2	2	N/A	Not currently separated from Student-on campus data	0	Don't have access to this information	N/A	Not currently separated from Student-on campus data
Medical Transport (AOD Related)	0	0	N/A	Not currently separated from Student-on campus data	0	Don't have access to this information	N/A	Not currently separated from Student-on campus data
Fatalities	0		N/A	Not currently separated from Student-on campus data	0	Don't have access to this information	N/A	Not currently separated from Student-on campus data

For those individuals who were referred for AOD policy violations and were subsequently found responsible following a formal adjudication process overseen by Resident Directors, Director of Residence Life, and/or Director of Student Conduct or the Chief Human Resources Officer oversees the employee process, the sanctions listed below were assigned:

Please refer to the chart above for the number of sanctions and what sanctions were assigned.

AOD SWOT/C Analysis

Strengths

- MSSU PIP Coalition has good campus representation and consistently had monthly meetings.
- There are alcohol and drug policies in the residence halls, that are enforced. Policies are easily accessible.
- Resident life staff are trained yearly on policy and procedures.
- Strong strategic plan that is used to guide programming. Strategic plan is reviewed annually.
- Our student engagement is on the rise (ResLife was up 26% this year)
- Participation in the MACHB was high

- Our campus partnerships are working together more than ever before
- MSSU PIP Coalition has had some changes in representation which has brought diverse insight to the coalition.

Weaknesses

- University support of PIP initiatives
- Staff who support the PIP Coalition are stretched very thin in the new restructuring so opportunity to support events is minimal
- We do not have a prevention coordinator or one person whose job is dedicated to prevention.
- The MSSU PIP Coalition is not always involved in policy creation.
- Limited funding- could provide more services with more funding

Opportunities

- Moving forward, the Engage program sounds like it will create a more inclusive environment for an assortment of prevention measures (including alcohol and drug)
- We have an opportunity to use MACHB data to solicit the administration for support of our student services, like additional mental health counselors
- MSSU PIP coalition is invested in the process and helping to effect change.
- We have a new Provost and MSSU is currently going through the Strategic Planning Process university wide.
- Through mandatory student athlete athletic compliance education series presentations, PIP can deliver materials, training, and/or resources prevalent to intercollegiate athletics.
- If COVID numbers remain low, opportunities exist to provide more on campus activities that foster a sense of belonging

Threats/Challenges

- Enrollment challenges
- Culture of tailgating before games
- Do not have a dedicated prevention coordinator.
- Budget is always a threat. We have several pieces of data that show there is a strong need for enhanced mental health support services, however, we just went through a large layoff and remaining budget dollars are just not available
- The rise of mental health concerns and pandemic-related dependencies (alcohol, smoking, drugs, etc) are larger barriers to overcome than ever before

Recommendations for Next Biennium

Moving forward, the following are recommendations that our MOSO PIP Coalition believe deserve increased focus:

- Fostering a sense of belonging to campus.
- Address student athlete's substance use and mental health concerns
- Evaluate increase in mental health concern from 72% to 81%
- Establish social norming messaging to help address binge drinking rate.
- Review ways policies on AOD are distributed and see if there are more effective ways to handle this.

Goals and Objectives for Next Biennium

Specific target areas relating to our goals are as follows:

- Goal 1- To increase response rate of the Missouri Assessment of College Health Behaviors Survey (MACHB) by 3%
- Goal 2- To increase the attendance at the provided alternative activities by 3%
- Goal 3- Maintain the participation on the eCHECKUP assessments (e-chug and e-toke)
- Goal 4- Continue to provide opportunities for professional development to Missouri Southern employees, students, and community liaisons while continuing to build our team and increase communication with the community that relates to keeping our students safe through implementing programs, networking, teamwork, and relationship building.
- Goal 5- Foster a sense of belonging among Missouri Southern State University students. Increase the number of people who answered "Agree" or "Strongly Agree" on question 18 (I feel a sense of belonging to the campus community) of the MACHB by 3%
- Goal 6- Increase help-seeking behaviors for suicidal ideation/attempts among students by 3%. Students who sought help for suicidal ideation/attempts (Q 189- Have you sought assistance for your suicide attempt/thought in the past year)

For additional information regarding specific strategies for each target area, please consult Missouri Southern State University Prevention Strategic Plan,

Conclusion

GENERAL SUMMARY OF FINDINGS

In this past year MSSU has seen a decrease in enrollment trying to return to normalcy while still dealing with a global pandemic. This saw an increase in mental health concerns as well as changes in drinking and drug use behaviors.

GENERAL STRENGTHS/WEAKNESSES

- MSSU PIP Coalition has good campus representation and consistently had monthly meetings.
 - There are alcohol and drug policies in the residence halls, that are enforced. Policies are easily accessible.
 - Resident life staff are trained yearly on policy and procedures.
 - Strong strategic plan that is used to guide programming. Strategic plan is reviewed annually.
 - Our student engagement is on the rise (ResLife was up 26% this year)
 - Participation in the MACHB was high
 - Our campus partnerships are working together more than ever before
 - MSSU PIP Coalition has had some changes in representation which has brought diverse insight to the coalition.
-
- University support of PIP initiatives
 - Staff who support the PIP Coalition are stretched very thin in the new restructure so opportunity to support events is minimal
 - We do not have a prevention coordinator or one person whose job is dedicated to prevention.
 - The MSSU PIP Coalition is not always involved in policy creation.
 - Limited funding- could provide more services with more funding

SUMMARY OF RECOMMENDATIONS, GOALS, AND OBJECTIVES

We plan to continue with our current strategic plan as well as focusing and incorporating the following into our strategic plan.

- Fostering a sense of belonging to campus.
- Address student athlete's substance use and mental health concerns
- Evaluate increase in mental health concern from 72% to 81%
- Establish social norming messaging to help address binge drinking rate.
- Review ways policies on AOD are distributed and see if there are more effective ways to handle this

Appendix G: Biennial Review Process and Procedure

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, Missouri Southern State University is required to establish a drug and alcohol prevention program for its students and employees. A biennial review of this program will be done to determine its effectiveness, to implement changes to the program if they are needed and to ensure that the university's disciplinary sanctions are consistently enforced.

Line of Authority:

Drug and Alcohol Prevention Program: Heather Bullock, Lead Mental Health Counselor and Chair of Partners in Prevention Coalition

Responsible administrators and Contacts:

Samantha Quackenbush, Director of Student Conduct and Residence Life

Tamika Harrel, Dean of Students/ TIX Coordinator

Presidential Approval: Dr. Dean Van Galen

Appendix H: Drug and Alcohol Policy Notification – Employees

2021-2022 Notification **From:** all-employees-bounces@listserv.mssu.edu <all-employees-bounces@listserv.mssu.edu> **On Behalf Of** HRAnnouncements

Sent: Wednesday, November 4, 2020 04:06 PM

To: All-Employees <All-Employees@listserv.mssu.edu>

Subject: [All-employees] Annual Drug and Alcohol Drug Free Workplace Policy Notice

MSSU is required to send annual notification of its drug and alcohol policy to all students and employees. Please read the following policy.

MISSOURI SOUTHERN STATE UNIVERSITY ALCOHOL AND DRUG FREE WORKPLACE POLICY

In keeping with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, the University prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol and/or any illegal substance by employees in the workplace, on University property, or as part of any University -sponsored activity. This includes violation of the Missouri law prohibiting possession or use of alcohol by persons under 21 years of age and violation of all other state and federal laws regulating use, possession, or distribution of alcohol and other drugs. “University - sponsored activity” includes those activities that are planned, promoted, or sponsored by a University department or other University subdivision. “University property” includes University owned or leased land, facilities, vehicles, and equipment. On limited occasions the President may approve the legal serving of alcoholic beverages at a university event or activity.

The University recognizes alcohol and drug abuse as a potential health, safety and security problem. Excessive alcohol consumption or use of illegal drugs impairs the user’s ability to function, changes the user’s behavior, and subjects the user to serious health risks, including disease, addiction, and death. An employee with an alcohol and/or drug-related problem is

encouraged to seek help in dealing with such problems. Confidential information regarding different drug and alcohol counseling and rehabilitation is available through the University's Health Center, Advising, Counseling, & Testing Services (ACTS) or through the University's Employee Assistance Program.

The University is committed to the safety and well-being of the University community and to the provision of a drug-free workplace. Thus, it is the expectation of the University that all employees abide by the terms of this policy as a condition of employment. If an employee violates this policy, the University may subject the employee to immediate disciplinary action, up to and including termination, and report the employee to the appropriate officials for prosecution under the laws of the State and the United States of America, under which, penalties may include fines, imprisonment, or both. Any employee, as a condition of employment, is required to notify the Director of Human Resources within five days of any criminal drug conviction if the violation occurred on campus or off campus while conducting University business.



Confidentiality Notice:

IMPORTANT: This email may contain identifiable personal information that is subject to protection under state and federal law. This information is intended for the use of the individual named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this information is prohibited and may be punishable by law. If you have received this electronic transmission in error, please notify us immediately by electronic mail (reply).

From:	all-employees-bounces@listserv.mssu.edu on behalf of HRAnnouncements < HRAnnouncements@mssu.edu >
Sent:	Thursday, November 18, 2021 10:20 AM
To:	All-employees
Subject:	[All-employees] Annual Alcohol and Drug Free Workplace Policy Notice
Attachments:	ATT00001.txt

MSSU is required to send annual notification of its drug and alcohol policy to all students and employees. Please read the following policy.

MISSOURI SOUTHERN STATE UNIVERSITY ALCOHOL AND DRUG FREE WORKPLACE POLICY

In keeping with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, the University prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol and/or any illegal substance by employees in the workplace, on University property, or as part of any University -sponsored activity. This includes violation of the Missouri law prohibiting possession or use of alcohol by persons under 21 years of age and violation of all other state and federal laws regulating use, possession, or distribution of alcohol and other drugs. "University - sponsored activity" includes those activities that are planned, promoted, or sponsored by a University department or other University subdivision. "University property" includes University owned or leased land, facilities, vehicles, and equipment. On limited occasions the President may approve the legal serving of alcoholic beverages at a university event or activity.

The University recognizes alcohol and drug abuse as a potential health, safety and security problem. Excessive alcohol consumption or use of illegal drugs impairs the user's ability to function, changes the user's behavior, and subjects the user to serious health risks, including disease, addiction, and death. An employee with an alcohol and/or drug-related problem is encouraged to seek help in dealing with such problems. Confidential information regarding different drug and alcohol counseling and rehabilitation is available through the University's Health Center, Advising, Counseling, & Testing Services (ACTS) or through the University's Employee Assistance Program.

The University is committed to the safety and well-being of the University community and to the provision of a drug-free workplace. Thus, it is the expectation of the University that all employees abide by the terms of this policy as a condition of employment. If an employee violates this policy, the University may subject the employee to immediate disciplinary action, up to and including termination, and report the employee to the appropriate officials for prosecution under the laws of the State and the United States of America, under which, penalties may include fines, imprisonment, or both. Any employee, as a condition of employment, is required to notify the Director of Human Resources within five days of any criminal drug conviction if the violation occurred on campus or off campus while conducting University business.

Appendix I: Drug and Alcohol Policy Notification - Student

From: StudentAffairs

Sent: Tuesday, November 5, 2019 11:20 AM

To: All-Current-students All-Current-students@listserv.mssu.edu

Subject: Annual Notification of MSSU Drug and Alcohol Policy

MSSU is required to send annual notification of its drug and alcohol policy to all students and employees. Please read the following policy.

MISSOURI SOUTHERN STATE UNIVERSITY - DRUG POLICY

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, Missouri Southern State University established a drug and alcohol prevention program for its students. The University's program is described below.

Substance Abuse Policy: Students are prohibited from using alcoholic beverages and illegal drugs on University-owned or controlled property and at University-sponsored or supervised activities. Irresponsible alcohol or other drug usage off campus resulting in disorderly conduct on campus also is not acceptable. Any student of Missouri Southern State University found to have manufactured, dispensed, possessed or used a controlled substance in violation of the Substance Abuse Policy of this university will be subject to discipline in accordance with university policy and reported to local, state or federal law enforcement authorities for criminal prosecution and such a conviction could result in a sentence imposing a monetary fine, imprisonment in a state or federal penitentiary or both.

Health Risks: Specific serious health risks are associated with the use of illicit drugs and alcohol. Some of the major risks:

Alcohol and other depressants (barbiturates, sedatives, and tranquilizers): Addiction, accidents as a result of impaired ability and judgment, overdose when used with other depressants, damage to a developing fetus, heart and liver damage.

Marijuana: Addiction; panic reaction; impaired short-term memory; increased risk of lung cancer and emphysema, particularly in cigarette smokers; impairment of driving ability.

Cocaine: Addiction, heart attack, seizures, lung damage, severe depression, paranoia, psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

Hallucinogens (acid, LSD, PCP, MDMA, etc.): Loss of consciousness, suffocation, damage to brain and central nervous system, sudden death, nausea and vomiting, nose-bleeds, impaired judgment.

Resources: A variety of resources exist for drug or alcohol counseling, treatment or rehabilitation programs. A few are listed on page 16 of the Student Handbook. For more detailed information

concerning these resources and others available from the University and/or community agencies, students may contact the ACTS (417-625-9324) or the Director of Student Conduct Office at (417-625-9531). Such referrals will respect individual confidentiality.

A main objective of the drug and alcohol prevention program is to encourage healthy attitudes and behaviors on the part of all students and responsible decisions about alcohol/drug use. A final objective is to provide students with the necessary skills to help them carry out the decisions they have made in regard to their use or nonuse of alcohol/drugs, and how to effectively handle certain high pressure situations.

To meet the above objective, information and assistance is provided to students in several ways. First, alcohol and drug films are shown and programs conducted in all orientation classes, which are required for all new students. Additional alcohol and drug information is presented in other academic classes, including Kine 103, Lifetime Wellness. Pamphlets about alcohol and drug use are distributed each semester in residence hall rooms and in the Student Center. Special alcohol and drug training is provided annually for residence hall staff and orientation leaders.

The athletic department provides a program for varsity athletes. Special alcohol & drug programs are presented throughout the year. Active drug testing is done. A committee of counselors, teachers and clergy are available to assist varsity athletes. The Student Services Office, Campus Activities Board and Health Center provide alcohol and drug information throughout the year for all students.

Appendix J: Alcohol and Drug-Free Workplace Policy

LAST REVISED: **JULY 2020**

OWNER: **HUMAN RESOURCES**

ALCOHOL AND DRUG-FREE POLICY

1.0 PURPOSE

The purpose of the policy is to provide guidance to University employees regarding the policy below in order to comply with the standards set forth by the University. This policy is necessary in order to maintain an effective and compliant workforce that meets the University mission.

2.0 SCOPE

University Employee Policy

3.0 POLICY

In keeping with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, the University prohibits the unlawful manufacture, distribution, dispensing, possession or use of alcohol and/or any illegal substance by employees in the workplace, on University property, or as part of any University -sponsored activity. This includes violation of the Missouri law prohibiting possession or use of alcohol by persons under 21 years of age and violation of all other state and federal laws regulating use, possession, or distribution of alcohol and other drugs. “University - sponsored activity” includes those activities that are planned, promoted, or sponsored by a University department or other University subdivision. “University property” includes University owned or leased land, facilities, vehicles, and equipment. On limited occasions the President may approve the legal serving of alcoholic beverages at a university event or activity.

The University recognizes alcohol and drug abuse as a potential health, safety and security problem. Excessive alcohol consumption or use of illegal drugs impairs the user’s ability to function, changes the user’s behavior, and subjects the user to serious health risks, including disease, addiction, and death. An employee with an alcohol and/or drug-related problem is encouraged to seek help in dealing with such problems. Confidential information regarding different drug and alcohol counseling and rehabilitation is available through the University’s Health Center, Advising, Counseling, & Testing Services (ACTS) or through the University’s Employee Assistance Program.

The University is committed to the safety and well-being of the University community and to the provision of a drug-free workplace. Thus, it is the expectation of the University that all employees abide by the terms of this policy as a condition of employment. If an employee violates this policy, the University may subject the employee to immediate disciplinary action, up to and including termination, and report the employee to

the appropriate officials for prosecution under the laws of the State and the United States of America, under which, penalties may include fines, imprisonment, or both. Any employee, as a condition of employment, is required to notify the Director of Human Resources within five days of any criminal drug conviction if the violation occurred on campus or off campus while conducting University business.

4.0 HISTORY

This policy may be revised, edited, changed or removed at any time with or without notice to applicable individuals.

5.0 RELATED DOCUMENTS

Appendix K: Student Handbook Substance Abuse Policy

Pursuant to the Drug-Free Schools and Communities Act Amendments of 1989 and to provide resources and support to its students, the University has established a drug and alcohol prevention program for its students. The University's program is described below. This policy applies to all University students. Students are prohibited from using alcoholic beverages and illegal drugs on University owned or controlled property and at University sponsored or supervised activities. Irresponsible alcohol or other drug usage off campus resulting in disorderly conduct on campus is also prohibited. Any student at the University found to have manufactured, dispensed, possessed, or used a controlled substance in violation of the Substance Abuse Policy of this University will be subject to discipline in accordance with University policy and reported to local, state, or federal law enforcement authorities for criminal prosecution. Criminal prosecution for these acts could lead to conviction and such a conviction could result in a sentence imposing a monetary fine, imprisonment in a state or federal penitentiary, or both.

Health Risks Specific serious health risks are associated with the use of illicit drugs and alcohol. Some of the major risks are as follows: Alcohol and other depressants (barbiturates, sedatives, and tranquilizers) Addiction, accidents as a result of impaired ability and judgment, overdose when used with other depressants, damage to a developing fetus, heart, and liver damage Marijuana Addiction, panic reaction, impaired short-term memory, increased risk of lung cancer and emphysema (particularly in cigarette smokers), impairment of driving ability Cocaine Addiction, heart attack, seizures, lung damage, severe depression, paranoia, psychosis Hallucinogens (acid, LSD, PCP, MDMA, etc.) Loss of consciousness, suffocation, damage to brain and central nervous system, sudden death, nausea and vomiting, nosebleeds, impaired judgment Resources Varieties of resources exist for drug or alcohol counseling, treatment, or rehabilitation programs. For more detailed information concerning these resources and others available from the University and/or community agencies, students may contact the Advising, Counseling & Testing Service (ACTS), 417-625-9559 or the Student Affairs Office (417-625-9392). Such referrals will respect individual confidentiality.

A main objective of the University's Drug and Alcohol Prevention Program is to encourage healthy attitudes and behaviors on the part of all students and responsible decisions about alcohol/drug use. A final objective is to provide students with the necessary skills to help them carry out the decisions they have made in regard to their use or nonuse of alcohol/drugs, and how to effectively handle certain "high pressure" situations. To meet the above objectives,

information and assistance is provided to students in several ways. Alcohol and drug films are shown, and programs conducted in all orientation classes, which are required for all new students. Additional alcohol and drug information is presented in other academic classes including Kinesiology and Lifetime Wellness. Pamphlets about alcohol and drug use are distributed each semester in residence hall rooms and in the Student Life Center. Special alcohol and drug training is provided annually for residence hall staff and orientation leaders. The athletic department provides additional programming for varsity athletes. Special alcohol and drug programs are presented throughout the year. Active drug testing is conducted. A committee of counselors, teachers, and clergy are available to assist varsity athletes. The Student Affairs Office and Willcoxon Health Center provide alcohol and drug information throughout the year for all students.

Medical Amnesty The health, safety, and welfare of the MSSU community is a primary concern of University officials, even if students are in violation of University alcohol/drug policies. Students should not hesitate to seek medical attention for themselves or others when the health and/or safety of someone is at risk. Students can do this without fear of facing disciplinary action from the University. Student violators may, however, be required to participate in a University alcohol and drug education program. This medical amnesty is implemented at the discretion of the Director of Student Conduct (or designee) and applies only to emergencies.

Appendix L: University Housing Alcohol and Drug Conduct Policy

Alcohol, Drugs or Tobacco Policy

The University seeks to maintain a safe and healthy environment free from alcohol, illegal drugs, and tobacco in all University residence halls. This policy applies to all individuals present (residents and non-residents) in the University's residence halls. The following conduct is strictly prohibited in all University residence halls and will not be tolerated: 1. the possession and/or distribution of illegal drugs (prescription and nonprescription) or alcohol (note: alcohol containers for displays in rooms are also prohibited), 2. the consumption and/or use of illegal drugs, alcohol, or tobacco (see University Smoking and Tobacco Use Policy for additional information regarding smoking and tobacco use), 3. disruptive, threatening, and/or dangerous behavior resulting from the influence of drugs and/or alcohol, and/or 4. pursuant to the Drug-Free Schools and Communities Act Amendments of 1989, this includes all forms of cannabis for both recreational and medical use. Disciplinary action will be taken for violation of the above conditions. Violation of these conditions may result in dismissal from the residence halls and the University.

In possession or in the presence of alcohol and/or having alcohol containers on campus*

- 1st Offense: \$50 fine
- 2nd Offense: \$50 fine and attendance in BASICS-A consultation w/ ACTS**
- 3rd Offense: \$100 fine and residence hall probation
- 4th Offense: Probable suspension from residence halls and university or additional fine

Appendix M: Mission/Vision/Philosophy of Missouri Southern State University Code of Conduct

Missouri Southern State University community is committed to fostering a campus environment that is conducive to academic inquiry, a productive campus life and thoughtful study and discourse. The student conduct program is committed to an educational and developmental process that balances the interests of individual students with the interests of Missouri Southern State University community.

A community exists on the basis of shared values and principles. At Missouri Southern State University, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Code of Student Conduct. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of Missouri Southern State University community bears responsibility for their conduct and assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify these five values by violating the rules below, campus conduct proceedings are used to assert and uphold the Code of Student Conduct.

The student conduct process at Missouri Southern State University is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with our policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine that the student should no longer share in the privilege of participating in this community.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures notice and a hearing before an objective decision-maker. No student will be found in violation of Missouri Southern State University policy without information showing that it is more likely than not that a policy violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

Jurisdiction: Students at Missouri Southern State University are provided a copy of the Code of Student Conduct annually in the form of a link on the Missouri Southern State University website. Hard copies are available upon request from the Office of the Director of Student Conduct. Students are responsible for having read and abiding by the provisions of the Code of Student Conduct.

The Code of Student Conduct and the student conduct process apply to the conduct of individual students, both undergraduate and graduate, including all Missouri Southern State University-affiliated student organizations. For the purposes of student conduct, Missouri Southern State University considers an individual to be a student once they have attended classes, and thereafter as long as the student has a continuing educational interest in Missouri Southern State University. Missouri Southern State University retains conduct jurisdiction over students who

choose to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal or graduation. If sanctioned, a hold may be placed on the student's ability to re-enroll and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, Missouri Southern State University may invoke these procedures and should the former student be found responsible, Missouri Southern State University may revoke that student's degree.

The Code of Student Conduct applies to behaviors that take place on campus, at Missouri Southern State University-sponsored events and may also apply off-campus when the Director of Student Conduct or designee determines that the off-campus conduct affects a substantial Missouri Southern State University interest. A substantial Missouri Southern State University interest is defined to include:

1. Any situation where it appears that the student's conduct may present a danger or threat to the health or safety of him/herself or others; and/or
2. Any situation that significantly impinges upon the rights, property significantly breaches the peace and/or causes social disorder; and/or
3. Any situation that materially and substantially disrupts the functioning of Missouri Southern State University.

The Code of Student Conduct may be applied to behavior conducted online, via email, social media, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of policy violations are posted online. Missouri Southern State University does not regularly search for this information but may take action if and when such information is brought to the attention of Missouri Southern State University officials. Most online speech by students not involving the University networks or technology will be protected as free expression and not subject to this Code, with two notable exceptions:

1. A true threat, defined as "a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals".
2. Speech posted online about the Missouri Southern State University or its community members that materially and substantially disrupts the functioning of the University.

The Code of Student Conduct applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. The Code may also be applied to resident non-students, campers and high school bridge/extension/partner/dual-credit and continuing education programs by contractual agreements. Visitors to and guests of Missouri Southern State University may seek resolution of violations of the Code of Student Conduct committed against them by members of Missouri Southern State University community.

There is no time limit on reporting violations of the Code of Student Conduct; however, the longer someone waits to report an offense, the harder it becomes for Missouri Southern State University officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to

report it as quickly as possible to the Office of the Director of Student Conduct and/or to Campus Police.

A responding student facing an alleged violation of the Code of Student Conduct is not permitted to withdraw from the University until all allegations are resolved.

Missouri Southern State University email is the University's primary means of communication with students. Students are responsible for all communication delivered to their Missouri Southern State University email address.

Violations of the Law:

Alleged violations of federal, state and local laws may be investigated and addressed under the Code of Student Conduct. When an offense occurs over which Missouri Southern State University has jurisdiction, the University conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

Missouri Southern State University reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are outlined below). Interim suspensions are imposed until a hearing can be held, typically within two weeks. This hearing may resolve the allegation, or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed and Missouri Southern State University may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the University will only delay its hearing until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed.

Students accused of crimes may request to take a leave from Missouri Southern State University until the criminal charges are resolved. In such situations, the University procedure for voluntary leaves of absence is subject to the following conditions:

1. The responding student must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
2. The responding student must comply with all interim actions and/or restrictions imposed during the leave of absence; and
3. The responding student must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions that are imposed

Appendix N: Smoke/Tobacco Free Campus

In keeping with the mission and values of Missouri Southern State University and out of respect to students, employees, visitors, and the environment it is the policy of Missouri Southern State University to prohibit smoking, the use of smokeless tobacco product and nicotine delivery devices in facilities, grounds, property, and vehicles owned, leased, or controlled by the university effective Fall, 2016.

Products subject to this policy include, but are not limited to: cigarettes (traditional or electronic), cigars, pipes, hookah, smokeless tobacco (chewing tobacco or snuff), other tobacco

administering products, and other products containing nicotine (excluding Nicotine Replacement Therapy). It is the responsibility of all administration, faculty, staff and students to abide by the university's tobacco policy. Employees and students are encouraged to communicate this policy with courtesy, respect, and diplomacy, especially with regards to visitors. Any individual willfully ignoring this policy is subject to discipline by and under University policies. Offenders are subject to discipline appropriate to their status, e.g. students are subject to the student discipline process as outlined in the student handbook and faculty/staff are subject to discipline from their appropriate supervisor and held to established administrative policies regarding conduct. Guests or visitors that repeatedly violate the policy may be asked to leave campus.

Those with questions, concerns, or complaints related to this policy may contact the Director of Student Conduct.

Appendix O: Amnesty/Responsible Action Protocol Policies

The health, safety, and welfare of the MSSU community is a primary concern of University officials, even if students are in violation of University alcohol/drug policies. Students should not hesitate to seek medical attention for themselves or others when the health and/or safety of someone is at risk. Students can do this without fear of facing disciplinary action from the University. Student violators may, however, be required to participate in a University alcohol and drug education program. This Medical Amnesty is implemented at the discretion of the Director of Student Conduct and applies only to emergencies.

Appendix P: Athletic Department – Alcohol and Other Drug Use Policy

Alcohol:

The use of any alcohol by student-athletes during a university sanctioned event including but not limited to practices, games, banquets, travel, meals and other activities is strictly prohibited regardless of age. Those student-athletes who are underage are expected to uphold city, state and federal laws. It is also expected that the consumption of alcohol by those student-athletes who meet the age requirement will behave in a manner which upholds the integrity of the team, department and University. In an effort to maintain the well-respected reputation of Missouri Southern State University Department of Athletics, we expect all student-athletes to refrain from wearing team and department apparel in during social functions where alcohol is involved. The actions of student-athletes who are determined to be in violation of the expected behavior in regards to the use of alcohol can result in consequences determined by the head coach, the Director of Athletics and/or the University. In addition, student-athletes who are alleged (having been arrested or charged) to have broken city, state or federal consumption laws, including but not limited to underage use and driving under the influence will face immediate investigative suspension.

Drugs:

Missouri Southern State University believes in promoting the health and wellness of all its student-athletes therefore, the use of mind-altering, illicit or illegal drugs is strictly prohibited. It is assumed that all student-athletes have read, understood and agreed to refrain from using all drugs outlined on the banned substance list given out each year by the NCAA. In addition, by signing the Drug Testing Consent form student-athletes agree not only to the possibility of random drug tests conducted by the NCAA and the institution but also the resulting consequences if a test should return positive. (Bylaw 31.2.3)

Appendix Q: Athletic Department Alcohol and Other Drug Testing Policy

The Missouri Southern State University Department of Athletics is firmly committed to the physical and mental health and well-being of its student-athletes. The University holds a strong belief that the use of drugs and alcohol has a negative effect on the academic and

athletic performance of its student-athletes. This testing and education policy is designed to be in accompaniment to, and not supersede NCAA drug testing and their findings. All substances banned by the NCAA are also banned by Missouri Southern State University. This policy is intended to set a minimum standard by which sanctions are to be enforced. Additional team policies, or past rules infractions may increase the severity of incurred penalties.

General Principles

1. As a requirement for any student to be a member of a Missouri Southern State University sponsored intercollegiate athletics team, he/she must agree to participate in the Athletic Departments drug testing program. Such monitoring is considered an extension of the ongoing physical examination of our athletes and is in the best interests of a comprehensive drug testing program.
2. Multiple testing may be done with each student-athlete.
3. All positive test results are considered cumulative (annually carried over) for the career of the Missouri Southern State University student-athlete.
4. Any student-athlete cited for selling or delivering any drug shall be immediately referred to the Code of Conduct Infractions Committee.
5. Any drug not specifically listed on the penalty chart is subject to classification by the team physician and/or his designate for inclusion on the chart.
6. Missouri Southern State University will not be liable for any expense incurred from drug/alcohol counseling and treatment as this is not considered an athletic related injury or illness.
7. Any athlete who does not report for scheduled drug testing or counseling will be subject to suspension or dismissal. It is possible that a formal drug rehabilitation program (in-patient) will be recommended for the student-athlete.
8. The Athletic Department will make every effort to keep the test results confidential and will oppose disclosure thereof to any unauthorized persons within or outside the university.
9. The Athletic Department's drug and alcohol program and its sanctions serve as a MINIMUM penalty for violations. Team policies and past discipline issues may provide more severe penalties.

Purpose of Drug Testing

Although education is the main emphasis of this program, the University feels that it is important to hold the student-athletes accountable to the drug policy. The Drug testing is to be used as a deterrent to drug and alcohol use. It is also to be used to identify those who are addicted to substances so they may be referred for treatment. Finally, it is used to protect the integrity of Missouri Southern State University.

Entertaining Prospects

Student-athletes may be chosen to host prospective student-athletes during the recruiting process. Host student-athletes are strictly prohibited from, whether on an official or unofficial visit, encouraging, arranging, providing, or placing a prospect in an environment for drug or alcohol use regardless of age.

Eligibility

Drug testing and education encompasses any one on current official NCAA squad lists, including all red shirts, those who are academically or medically ineligible, those who are receiving fifth year athletic financial aid, student managers, student athletic training assistants, student coaches, and student helpers (who will all be referred to as student-athletes in the body of this document).

Compliance

Student-athlete compliance, in full, with this program is mandatory in order to participate in Intercollegiate Athletics for Missouri Southern State University. Student-athletes will sign the Drug Testing Consent form as part of the yearly pre-participation orientation. The student-athlete will submit to any and all tests ordered by the Missouri Southern State University Department of Athletics. Failure to produce a sample for testing will result in being considered positive and incur the same penalty as a positive drug test.

Safe Harbor

A student-athlete may come forward (in confidence) prior to being notified of any type of test to an administrator, head coach or Athletic Trainer admitting to the abuse of banned substances, or street drugs without such admittance being considered a positive test. A baseline test will be performed immediately. The student-athlete will be required to submit to, and complete drug/alcohol counseling. The student-athlete will then be required to follow the drug testing protocol and is subject to team and /or individual random unannounced drug tests. In the event that the level of drug concentration in the urine does not decrease in subsequent tests, the student-athlete will be considered positive and face the consequences of a positive test. If the drug concentration decreases in subsequent testing and counseling continues it will not be considered a positive test because the student-athlete came forward asking for help. A student-athlete may only use safe harbor once. A student-athlete is not eligible for safe harbor after they have been informed of an impending test or after they have a prior positive drug test notification.

Selection

All Missouri Southern State University student-athletes listed on current NCAA squad lists are eligible for drug testing. Random numbers will be selected from a numbered (not players game or practice numbers) roster. The student-athletes whose names correspond to these selected numbers will be tested.

Reasonable Suspicion Testing

In addition to random drug testing, the Missouri Southern State University Department of Athletics reserves the right to screen a student-athlete anytime there is reasonable suspicion that he/she may have engaged in the use of banned substances. The term reasonable suspicion means that information has been received by a member of the coaching staff, Sports Medicine Staff, and/or athletics administration, in good faith, from reliable source, or sources, regarding student-athletes use of banned substances. Furthermore, a student-athletes possession of, or use of a prohibited substance, arrest or conviction related to the possession of, or use of or trafficking of banned substances, all rise to the level of reasonable suspicion.

Method of Testing

Student-athletes will be informed about the drug testing program. A copy of this program will be available to the student-athlete as part of the Student-athlete Hand Book, and is available on the MSSU Athletics website. Athletes are required to sign a drug testing informed consent form annually.

Tests will be primarily conducted for, but not limited to, drugs of abuse, such as, amphetamines, cannabinoids, cocaine, and other controlled substances. All other substances on the NCAA Banned Substance List may also be included in testing. Testing will be conducted on urine samples provided to the selected lab by the individual student-athlete. Athletes must provide proper required identification and given samples will follow a strict chain of command as dictated by the athletic department and selected lab.

Student-athletes may be inconvenienced during practices, meetings, strength and conditioning sessions, etc. The student-athlete may even be tested in off hour times such as early morning, meal times, and/or late evenings.

Team collection will be coordinated by the Head Athletic Trainer. The urine will be collected by a staff Certified Athletic Trainer, administrator, or lab professional and the sample will be numbered. The Head Athletic Trainer will match the individual student-athlete with a master list, so that the signature of the student-athlete will correspond with the number on the matching sample. The samples may be pre-screened before they are sent to the lab. The samples will be transported to the selected clinical laboratory where the director of the lab will oversee the testing of the samples. The master list of student-athlete

signatures and their matching sample numbers will be given to the Athletic Director or his administrative designate for the purpose of identifying positive and negative tests results.

Individual collection will be directed by the Head Athletic Trainer. Identified student-athletes will be notified and transported to the selected lab by a member of the Athletic Department. The individual student-athlete will then submit to all policies and procedures of the lab pertaining to the conductance of the drug test. The test results will be delivered to the Athletic Director or his administrative designate.

All students refusing to provide a urine sample will be considered to be positive and sanction will be assigned as outlined.

Positive Drug Tests

The Head Coach, Head Athletic Trainer, Sports Supervisor, Athletic Director and Parents or Guardians will all be notified of all positive drug tests or alcohol related infractions. The test results will be delivered by the director of the lab to the Athletic Director or his administrative designate. The Athletic Director will inform the student-athlete of the presence of a substance in his/her urine sample. The Head Athletic Trainer will be present and a witness to procedure. The Head Athletic Trainer will advise the student-athlete of the nature of the substance, negative health effects of the use of the substance and their right to an appeal hearing.

Samples may be collected at any time after a positive test infraction to determine whether the student-athlete is continuing to use banned substances.

The banned substances are divided into three categories. Each category will be assigned different levels of sanctions.

Group I:

Alcohol Infractions

Group II:

Marijuana, Hashish (THC), and related compounds

Banned substances found in dietary supplements and over the counter medications- Androstenediol, Androstendione, Ephedrine, Synephrine, Caffeine, Pseudoephedrine and other related compounds.

Diuretics and Urine Manipulators- Bumetanide, Probenicid, Finasteride(Propecia), Lasix and related compounds

Group III:

Anabolic agents, Peptide Hormones, Anti Estrogens- Anabolic Steroids, Human Growth Hormone, Clomiphene and other related compounds

Stimulants- Cocaine, Methamphetamine, Amphetamines, Ritalin, and related compounds

Depressants- Methaqualone, Barbituates, Diazepam, and related compounds

Hallucinogens- LSD, PCP, Mescaline and related compounds

Non Prescribed Narcotic Medications- Codeine, Morphine, OxyCotin, Percocet, Darvon, Darvocet, Lorcet, Vicodin and related compounds

Other street drugs- Heroin, Ecstasy, GHB, Ketamine and other related compounds

Alcohol infraction Sanctions

Alcohol infractions that would lead to sanctions include but are not limited to:

Sanctions for Alcohol Infractions (Drug Group I):

- Mandatory counseling and testing

Sanctions for Drug Group II:

First Positive Test Result (minimum sanctions):

- The Athlete, Athletic Director, Sport Supervisor, Head Coach, and Parents or Guardians will be notified of the test result.
- The student-athlete will be required complete drug counseling.
- The student-athlete will be suspended from competition for one contest immediately following the positive result.
- The student-athlete will be required to submit to mandatory Drug testing.
- Additional team sanctions may apply.

Second Positive Test Result (minimum sanctions):

- The student-athlete will be suspended from all sports related activity for a minimum of six months except for attendance at strength and conditioning sessions and non-athletically related activities such as compliance meetings, academic sessions and study halls.
- The student-athlete will be evaluated by a drug counselor and complete all treatment recommended.
- The student-athlete will be required to submit to mandatory Drug testing.
- Reinstatement will be considered after the above conditions are met in addition to a negative drug test result.
- The student-athlete may immediately incur a reduction or elimination of athletic grant-in-aid.
- Additional team sanctions may apply.

Third Positive Test Result (minimum sanctions):

- The student-athlete will be suspended from all sports related and athletic department activity for a minimum of one calendar year.
- The student-athlete will have all athletic grant-in-aid cancelled immediately for a minimum of calendar year.
- The student-athlete will complete a drug rehabilitation program.
- The student-athlete will submit to required drug testing during the duration of their suspension to be considered for reinstatement.
- A student-athlete will be eligible for reinstatement if all of the above requirements are met and ALL of the urine samples collected and tested during the suspension are negative for drugs. Permanent expulsion from participation in Missouri Southern Athletics will result if all conditions are not completely met.

Sanctions for Drug Group III:

First Positive Test Result (minimum sanctions):

- The student-athlete will be suspended from all sports related activity for a minimum of six months except for attendance at strength and conditioning sessions and non-athletically related activities such as compliance meetings, academic sessions and study halls.
- The student-athlete will be evaluated by a drug counselor and complete any and all treatment recommended.
- The student-athlete will be required to submit to mandatory Drug testing.
- Reinstatement will be considered after the above conditions are met in addition to a negative drug test result.
- The student-athlete may immediately incur a reduction or elimination of athletic grant-in-aid.
- Additional team sanctions may apply.

Second Positive Test Result (minimum sanctions):

- The student-athlete will be suspended from all sports related and athletic department activity for a minimum of one calendar year.
- The student-athlete will have all athletic grant-in-aid cancelled immediately for a minimum of calendar year.
- The student-athlete will complete a drug rehabilitation program.
- The student-athlete will submit to required drug testing during the duration of their suspension to be considered for reinstatement.
- A student-athlete will be eligible for reinstatement if all of the above requirements are met and ALL of the urine samples collected and tested during the suspension are negative for drugs. Permanent expulsion from participation in Missouri Southern Athletics will result if all conditions are not completely met.

Appeal Hearing

1. All student-athletes who incur sanctions under the terms of this program will be entitled to an appeal hearing before the Drug Education and Testing Council.
2. Appeals will only apply to sanctions under the terms of this program and will not apply to individual team sanctions.
3. Members of the Drug Education and Testing Council shall include the Director of Athletics, Head Athletic Trainer, Team Physician, Director of Compliance, NCAA Faculty Athletic Representative (FAR), and the drug and alcohol counselor who conducts the evaluation on the student-athlete. The Council will meet at the convenience of all members' schedules.
4. The request for an appeal must be made in writing by the end of the second business day after the student-athlete is notified of their results.
5. The Director of Athletics will notify the athlete of the Council's decision in writing.
6. The results of the hearing are final and binding.

Appendix R: Other Athletics Drug Policies

NCAA Regulations

Drugs - All Sports.

- a. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in a banned drug class, as set forth in Bylaw 31.2.3.1, shall be declared ineligible for further participation in postseason and regular season competition in accordance with the ineligibility provisions of Bylaw 18.4.1.4.
- b. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in a banned drug class other than "illicit drugs" (in accordance with the testing methods authorized by the NCAA Board of Governors), shall be subject to the following: (1) the student-athlete is ineligible for all sports until he or she has been withheld from the equivalent for one season of regular season competition. The student-athlete must be otherwise eligible for

competition to fulfill this penalty except a transfer student-athlete may fulfill a transfer residency requirement and a drug test penalty concurrently if he or she meets all other eligibility requirements; a student-athlete who tests positive during a year in which he or she did not use a season of competition, shall be charged with the loss of one season of competition in all sports. A student-athlete who tests positive during a year in which he or she used a season of competition, shall be charged with the loss of an additional season of competition in all sports (in addition to the season used); and the student-athlete shall remain ineligible for intercollegiate competition for 365 consecutive calendar days after the collection of the student-athlete's positive drug test specimen and until he or she tests negative pursuant to the NCAA Drug-Testing Program's policies and procedures. [Bylaw 18.4.1.4.1]

c. A student-athlete who, as a result of a drug test administered by the NCAA, tests positive for use of a substance in the banned drug class "illicit drugs" (in accordance with the testing methods authorized by the Board of Governors) shall be ineligible for competition during 50 percent of a season of competition in all sports (i.e., 50 percent of all contests or dates of competition in the season following the positive test). The student-athlete shall remain ineligible until the prescribed penalty is fulfilled and he or she tests negative pursuant to the NCAA Drug-Testing Program's policies and procedures. [Bylaw 18.4.1.4.2]

d. A policy adopted by the Board of Governors establishes that the penalty for missing a scheduled drug test is the same as the penalty for testing positive for the use of a banned drug other than an "illicit drug." You will remain ineligible until you retest negative. [Bylaws 18.4.1.4.3 and 18.4.1.4.3.1] 11.

Non-NCAA Athletics Organization Positive Drug Test - All Sports.

a. If you test positive by a sport's governing body that has adopted the World Anti Doping Agency code, you must notify your director of athletics regarding the positive drug test. You also must permit the NCAA to test you for the banned drugs listed in Bylaw 31.2.3.1.

b. If the result of the NCAA drug test is positive, you will lose all remaining eligibility during the season in which you tested positive and an additional season of competition.

c. The director of athletics must notify the NCAA chief medical officer in writing regarding a student-athlete's disclosure of a previous positive drug test administered by any other athletics organization.

d. If the student-athlete transfers to a non-NCAA institution while ineligible and competes in intercollegiate competition during the prescribed period of ineligibility at a non-NCAA institution, the student-athlete remains ineligible for all NCAA regular-season and postseason competition until the student-athlete does not compete in collegiate competition for the entirety of the prescribed penalty (the total number of prescribed contests or dates of competition) while enrolled and otherwise eligible for competition at an NCAA institution. Furthermore, the student-athlete shall be ineligible for intercollegiate competition for the applicable consecutive-day period (365 or 730) after his or her final non-NCAA competition. Finally, the student-athlete remains ineligible until he or she retests negative pursuant to the NCAA Drug-Testing Program's policies and procedures. [Bylaw 18.4.1.4.4]

e. The list is subject to change and the institution and student-athlete shall be held accountable for all banned drug classes on the current list. The list is located on the NCAA website (www.ncaa.org) or may be obtained from the NCAA Sport Science Institute staff

Appendix S: Employee Assistance Program Referral Policy

The Employee Assistance Program (EAP) is a system which confidentially assists employees in solving problems which may adversely affect job performance. The variety of problems for which assistance is offered includes alcohol and drug abuse, financial, marital, family, legal, stress, depression and emotional problems. A variety of other services are provided by visiting their online website (listed below) at no cost to the employee. Those eligible to participate in the services provided by the EAP are all full and part-time benefit eligible employees and their dependents, as well as any visitors or permanent residents residing or staying in the covered employee's home. Eligible participants can access the EAP directly and make applicable arrangements to obtain services of a qualified provider in the employee's geographic area. The program is voluntary and confidential, however, in specific instances the program may be used as a requirement of continued employment. There is no charge to eligible employees or their dependents for the initial assessment and the first six (6) visits with a professional counselor on the topic of concern. The free visits are based on the topic of concern and are not limited to five visits per year. The cost for any needed additional services may be eligible for coverage under the employee's individual health coverage, depending on the type of issue. To contact the EAP, call Cigna EAP 24 hours a day, 7 days a week at 1 877-622-4237. The online website may be accessed by visiting: CignaBehavioral.com

Appendix T: Student Alcohol Addiction Safe Harbor Policy

Safe Harbor: The University has a Safe Harbor rule for students. Missouri Southern State University believes that students who have a drug and/or addiction problem deserve help. If any Missouri Southern State University student brings their own use, addiction, or dependency to the attention of Missouri Southern State University officials outside the threat of drug tests or conduct sanctions and seeks assistance, a conduct complaint will not be pursued. A written action plan may be used to track cooperation with the Safe Harbor program by the student. Failure to follow the action plan will nullify the Safe Harbor protection and campus conduct processes will be initiated.

Appendix U: Sexual Harassment Policy

SEXUAL HARASSMENT POLICY

I. POLICY STATEMENT

Missouri Southern State University (the “University”) is committed to establishing and maintaining an environment where individuals are free from sexual harassment.

The University considers sexual harassment to be a serious offense because it undermines the atmosphere of trust and respect that is essential to a healthy University Community. As such, sexual harassment violates the standards of our University Community and constitutes a violation of this policy.

It is a separate violation of this policy to retaliate against any person who reports or assists in making a report of sexual harassment or who participates in the investigation and resolution of a complaint in any way.

The University will promptly and thoroughly investigate and resolve all complaints of sexual harassment in accordance with this policy. If the University determines that sexual harassment occurred, the University will take prompt and effective remedial action to prevent the recurrence of the sexual harassment, eliminate any hostile environment, and address the harassment’s effects on the victim and others, if applicable.

Individuals found to be in violation of this policy will be subject to disciplinary actions by the University. The discipline imposed will depend on all the facts and circumstances and may include one or more of the following: a requirement not to repeat the conduct at issue, requiring training, written or verbal warning/reprimand, demotion, transfer or reassignment, denial of pay increases, probation, suspension (with or without pay and for varying lengths of time), limitation on participation in particular programs or activities, limitation on access to campus, expulsion, dismissal, or termination. Under certain circumstances, acts of sexual harassment may also result in criminal and/or civil penalties.

While certain University employees are required to report sexual harassment that they observe or learn about, the University takes seriously reports of sexual harassment from any interested person.

II. SCOPE

This policy applies to all University employees, including administrators, faculty, and staff; students; applicants for employment; customers; third-party contractors; and all other persons

who participate in the University's Education Programs or Activities, including third-party visitors on campus (the "University Community").

This policy prohibits Sexual Harassment regardless of the gender, gender identity, or sexual orientation of the alleged victim and the alleged perpetrator.

This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the University's Education Programs or Activities; such Sexual Harassment may be prohibited by the Student Code of Conduct if committed by a student, or the Employee Handbook if committed by a faculty member or other University employee.

This policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the University's Education Programs or Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or the Employee Handbook if committed by a faculty member or other University employee.

Complaints involving allegations of sex discrimination that do not meet the definition of Sexual Harassment under this policy are governed by the University's NonDiscrimination and Non-Harassment Policy.

III. TITLE IX STATEMENT AND COORDINATOR

It is the policy of the University to comply with Title IX of the Education Amendments of 1972 and its implementing regulations, which prohibit discrimination based on sex in the University's Education Programs or Activities. Title IX and its implementing regulations also prohibit retaliation for making complaints of sexual harassment. The University has designated the following Title IX Coordinator to coordinate its compliance with Title IX and to receive inquiries regarding Title IX, including complaints of sexual harassment:

Tamika Harrel

Dean of Students/Title IX Coordinator

Office: BSC 347

Phone: 417-625-3032

Email: harrel-t@mssu.edu

A person may also file a complaint of sexual harassment with the United States Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or by calling 1-800-421-3481.

The Title IX Coordinator may designate the Title IX Coordinator's duties to appropriately trained designee pursuant to this policy.

IV. DEFINITIONS

Sexual Harassment is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

Quid Pro Quo Sexual Harassment is an employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.

Hostile Environment Sexual Harassment is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education programs or activities.

Sexual Assault includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.¹

Rape is the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. There is "carnal knowledge" if there is the slightest penetration of the vagina or penis by the sexual organ of the other person. Attempted Rape is included.

Sodomy is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or

¹ The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt of definition of "sexual Assault" that incorporates various forcible and nonforcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

because of temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.

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

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

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent as defined by Missouri law.

Consent refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is Incapacitated is not capable of giving Consent.

Incapacitated refers to the state where a person does not appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition or disability, or due to a state of unconsciousness or sleep.

Domestic Violence Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of a victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Missouri, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Missouri.

Missouri’s definition of domestic violence can be found at Mo. Rev. Stat. § [455.010](#). Under Missouri law, domestic violence also includes the crime of “domestic assault” which can be found at Mo. Rev. Stat. §§ [565.072](#)[565.074](#). Domestic violence does not depend on the gender, gender identity, or sexual orientation of the alleged victim and alleged perpetrator. Thus, domestic violence can occur between persons who consider themselves to be of the same gender, the opposite gender, or to otherwise have differing gender identities.

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on the following factors: the length of the relationship; the type of the relationship; and the frequency of interaction between the persons involved in the relationship.

Missouri law does not specifically define dating violence, but conduct of this nature is covered by Missouri’s definitions of domestic violence and domestic assault. Dating violence does not depend on the gender, gender identity, or sexual orientation of the alleged victim and alleged perpetrator.

Thus, dating violence can occur between persons who consider themselves to be of the same gender, the opposite gender, or to otherwise have differing gender identities.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for their safety or the safety of others who may be targeted by virtue of their relationship with this person; or (B) suffer substantial emotional distress.

For purposes of the definition of stalking in this policy:

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 other means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

"Reasonable person" for purposes of the definition of stalking means a reasonable person under similar circumstances.

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

Missouri's definition of stalking can be found at Mo. Rev. Stat. § [455.010](#) and § [565.225](#). Stalking can occur between persons of the opposite sex or the same sex.

Retaliation is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Examples of Retaliation

Specific examples of retaliation include:

Terminating a person's employment, demoting them, denying them a promotion, reducing their pay, or "writing them up" because they made a report of sexual harassment.

Sending threatening text messages or social media messages to someone because they made a report of sexual harassment or gave a statement as a witness.

Causing physical damage to a person's personal belongings because they made a report of sexual harassment or gave a statement as a witness.

Suspending a person from an activity or limiting their involvement because they made a report of sexual harassment.

Publishing knowingly false information about a person because they made a report of sexual harassment.

Good Faith Reports

The University encourages the good faith reporting of sexual harassment. However, the University will not allow this policy to be abused for improper means. Accordingly, the University may take disciplinary action against any person who makes a bad faith report of sexual harassment, and such disciplinary action will not constitute prohibited retaliation. A person makes a bad faith report of sexual harassment if, at the time they make the report, they know the report is false or frivolous. Further, the University may take disciplinary action against any person who knowingly provides false information during the investigation and resolution of a complaint of sexual harassment and such disciplinary action will not constitute prohibited retaliation.

Complainant means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the University investigate the allegation of Sexual Harassment in accordance with this policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the University's Education Programs or Activities. A "document filed by a Complainant" means a document or electronic submission (such as an email) that contains the Complainant's physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.

Supportive Measures are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University's Education Programs or Activities without unreasonably burdening another party, including measures designed to protect the safety of all parties implicated by a report or the University's education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, courserelated adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

Education Programs or Activities refers to all the operations of the University, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community

engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the University. It also includes off-campus locations, events, or circumstances over which the University exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the University.

V. UNDERSTANDING HOSTILE ENVIRONMENT SEXUAL HARASSMENT

In determining whether a hostile environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

The University encourages members of the University Community to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a policy violation.

Some specific examples of conduct that may constitute Sexual Harassment if unwelcome include, but are not limited to:

Unreasonable pressure for a dating, romantic, or intimate relationship or sexual contact

Unwelcome kissing, hugging, or massaging

Sexual innuendos, jokes, or humor

Displaying sexual graffiti, pictures, videos, or posters

Using sexually explicit profanity

Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities

E-mail, internet, or other electronic use that violates this policy

Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin

Sending sexually explicit emails, text messages, or social media posts

Commenting on a person's dress in a sexual manner

Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship

Insulting, demeaning, or degrading another person based on gender or gender stereotypes

VI. UNDERSTANDING CONSENT AND INCAPACITATION

A. Consent

Lack of consent is often the critical factor in determining whether Sexual Violence/Assault has occurred. As defined above, consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation or coercion – or any kind of physical force or weapon – and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/temporary psychological or physical disability, and being below the age of consent are factors which detract from or make consent impossible.

In Missouri, the minimum age of consent for purposes of Statutory Rape is 17 years of age, and no one under 14 years of age is considered capable of consent.

In addition to Missouri law, the following are essential to understanding what constitutes effective consent under the policy:

If coercion, intimidation, threats, and/or physical force are used, there is no consent.

If a person’s physical or mental disability renders them incapable of understanding the fact, nature, or extent of the sexual situation, there is no consent.

If a person is incapacitated by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent even if the person self-administered the alcohol or drugs.

If a person is asleep or unconscious, there is no consent.

Consent to one form of sexual activity does not imply consent to other forms of sexual activity.

Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after consent is withdrawn. Consent can be withdrawn by verbal or physical conduct that a reasonable person would understand to indicate a desire to stop or not engage in the sexual conduct at issue.

While consent can be withdrawn, a withdrawal of consent operates going forward. It does not change the consensual nature of sexual activity that has already occurred.

Being in a romantic relationship with someone does not imply consent to any form of sexual activity.

Consent may be deemed invalid when it is obtained in circumstances where one party exercised a position of direct authority or control over another. Effective consent may not exist when there is a disparity in power between the parties; an example of which is when one is in a supervisory or evaluative role over the other, such as a faculty member who is teaching a student or a director who supervises an employee.

A victim is not required to affirmatively/physically resist or say “stop” in order for there to be Sexual Violence/Assault.

B. Incapacitation

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual contact is occurring.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One’s own intoxication is not an excuse for failure to recognize another person’s incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual’s:

Decision-making ability

Awareness of consequences

Ability to make informed judgments

Capacity to appreciate the nature of circumstances of the act.

No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling down, vomiting, and unconsciousness.

VII. REPORTING SEXUAL HARASSMENT

Any person may report sexual harassment to the Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX coordinator receiving the person’s verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

In addition to reporting to the Title IX Coordinator, any person may report sexual harassment to any University employee with managerial authority over other employees, including cabinet members, deans, department heads, directors, supervisors, head coaches, and other managers (collectively “Reporting Officials”) who must promptly forward such report of Sexual Harassment to the Title IX coordinator.

University employees who are not Reporting Officials are encouraged, but are not required, to forward reports of sexual harassment to the Title IX Coordinator.

VIII. CONDUCT THAT CONSTITUTES A CRIME

In addition to making a report under this policy, the University encourages any person who believes he or she is the victim of a crime to make a report to law enforcement. The contact information for the University’s Police Department is:

Phone: 911 (emergency)

(417) 623-3131 (Report a crime)

(417) 626-2222 (Service calls)

Email: UPD@mssu.edu

Location: Lower campus area between Ummel and Plaster Halls on Mission Hills Drive

If requested, the University will assist an alleged victim in notifying the appropriate law enforcement authorities. If a person believes he or she is in imminent danger, the person should dial 911. Unless there is a health or safety emergency, articulable threat to members of the University Community, or a state law requiring reporting (such as in the case of child abuse) the University will not contact outside law enforcement without the alleged victim's permission.

IX. SPECIAL ADVICE FOR INDIVIDUALS REPORTING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING

For those who believe that they are victims of sexual violence, domestic violence, or dating violence, the University recommends the following:

Get to a safe place as soon as possible.

Try to preserve all physical evidence of the crime—avoid bathing, using the toilet, rinsing one's mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.

Do not launder or discard bedding or otherwise clean the area where the assault occurred – preserve for law enforcement.

Preserve all forms of electronic communication that occurred before, during, or after the assault.

Contact University police by calling (417) 623-3131 if the incident occurred on campus or the local police by calling 911 if the incident occurred off campus.

Get medical attention – all medical injuries are not immediately apparent. This will also collect evidence that may be needed in case the individual decides to press charges. Local hospitals

have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges.

Contact a trusted person, such as a friend or family member for support.

Contact the University's Counseling Department (417-625-9392) and Willcoxon Health Center (417-625-9323) for counseling and medical services.

Talk with a counselor who will help explain options, give information, and provide emotional support.

Make a report to the Title IX Coordinator.

Explore avenues for resolution under this policy.

It is also important to take steps to preserve evidence in cases of Stalking, to the extent such evidence exists. In cases of Stalking, evidence is more likely to be in the form of letters, emails, text messages, etc., rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of Sexual Harassment investigations.

Once a report of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is made, the victim has several options such as, but not limited to:

- obtaining Supportive Measures

- contacting parents or a relative

- seeking legal advice

- seeking personal counseling (always recommended)

- pursuing legal action against the perpetrator

- filing a Formal Complaint

- requesting that no further action be taken

The University's Department of Public Safety can assist individuals in obtaining a personal protection order ("PPO").

X. LIMITED AMNESTY

The University recognizes that an individual who has been drinking alcohol or using drugs may be hesitant to report sexual harassment arising from the same setting where the alcohol or drugs were consumed. To encourage reporting, the University will not take disciplinary action for drug or alcohol use against an individual who makes a good faith report of sexual harassment, either

as the reporter/complainant or as a witness, provided that these conduct violations did not and do not place the health or safety of any other person at risk.

The University's commitment to amnesty in these situations does not prevent action by local police or other legal authorities against an individual who has illegally consumed alcohol or drugs.

XI. TIMING OF REPORTS

The University encourages persons to make complaints of sexual harassment as soon as possible because late reporting may limit the University's ability to investigate and respond to the conduct complained of.

XII. CONFIDENTIAL RESOURCES

The University has designated a limited number of employees as Confidential Resources. These Confidential Resources do not have a duty to report sexual harassment to the Title IX Coordinator and will not disclose identifying information provided to them in their professional capacities unless a specific law requires them to do so, such as laws requiring the reporting of child abuse. However, Confidential Resources have received training about the policy and may, if they deem it appropriate, encourage patients and clients to report sexual harassment to the University and/or law enforcement on a voluntary basis.

The University's Confidential Resources are:

On-Campus Counseling (confidential resource)

Counseling Services

Office: Hearn Hall 314

Reception Desk: 417-625-9392

Fax: 417-659-3726

Email: counselingservices@mssu.edu

On-Campus Medical Services

Willcox Health Center

Billings Student Center 242

Phone: 417-625-9323

Fax: 417-659-4376

In addition, there are a number of hospitals and support services in the greater Joplin region that can provide counseling and advice to victims of sexual harassment. These entities will not disclose information that is provided to them without the victim's consent unless a specific law requires them to do so.

These third-party resources include:

Mercy Hospital Joplin

100 Mercy Way, Joplin, Missouri 64804

(417) 556-3729

Freeman Hospital West

1102 W 32nd St, Joplin, Missouri 64804

(417) 347-1111

Freeman Hospital East

932 E 34th St, Joplin, Missouri 64804

(417) 347-1111

Joplin Lafayette House

1809 S Connor Ave Joplin, Missouri 64804

1-800-416-1772

Legal Aid of Western Missouri: (417) 782-1650

National Domestic Violence Hotline: 1-800-799-7233

National Sexual Assault Hotline: 1-800-656-4673

XIII. PRELIMINARY ASSESSMENT

After the University receives a report under “Reporting Sexual Harassment,” the Title IX Coordinator will conduct a preliminary assessment to determine:

Whether the conduct, as reported, falls or could fall within the scope of this policy (see “Scope”);
and

Whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of the policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act (“FERPA”). The Title IX Coordinator may refer the report to other University offices, as appropriate.

If the Title IX Coordinator determines the conduct reported could fall within the scope of the policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant (see “Contacting the Complainant”).

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if it is not apparent from the report.

XIV. CONTACTING THE COMPLAINANT

If a report is not closed as a result of the preliminary assessment (see “Preliminary Assessment”) and the Complainant’s identity is known, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures; to discuss and consider the Complainant’s wishes with respect to Supportive Measures; to inform the Complainant about the availability of supportive measures without filing a Formal Complaint; and to explain the process for filing and pursuing a Formal Complaint. The Complainant will also be provided options for filing complaints with the local police and information about resources that are available on campus and in the community.

XV. SUPPORTIVE MEASURES

If a report is not closed as a result of the preliminary assessment (see “Preliminary Assessment”), the University will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and the University will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The University will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

The University will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the University’s ability to provide the Supportive Measures in question.

XVI. INTERIM REMOVAL

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from one or more of the University’s Education Programs or Activities on a temporary basis if an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an interim removal, the Title IX Coordinator must offer to meet with the Respondent

within twenty-four hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), the University in its discretion may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process (see “Investigation” and “Adjudication”).

For all other Respondents, including independent contractors and guests, the University retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

XVII. FORMAL COMPLAINT

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the University investigate and adjudicate a report of Sexual Harassment in accordance with the provisions “Investigation” and “Adjudication.” Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the University’s Education Programs or Activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in “Reporting Sexual Harassment.” No person may submit a Formal Complaint on the Complainant’s behalf.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the University if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. Factors the Title IX Coordinator may consider include (but are not limited to): (a) was a weapon involved in the incident; (b) were multiple assailants involved in the incident; (c) is the accused a repeat offender; and (d) does the nature of the incident suggest a risk of a similar incident occurring again.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the University will commence an investigation as specified in this policy and proceed to adjudicate the matter as specified in “Adjudication,” below. In all cases where a Formal Complaint is filed, the Complainant will be treated as a party, irrespective of the party’s level of participation.

In a case where the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator will not act as a Complainant or otherwise as a party for purposes of the investigation and adjudication processes.

XVIII. CONSOLIDATION OF FORMAL COMPLAINTS

The University may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this policy to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable. A Formal Complaint of Retaliation may be consolidated with a Formal Complaint of Sexual Harassment.

XIX. DISMISSAL PRIOR TO COMMENCEMENT OF INVESTIGATION

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or

The conduct alleged in the Formal Complaint falls outside the scope of the policy specified in “Scope” (that is, because the alleged conduct did not occur in the University’s Education Programs or Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal as specified in “Appeal.” The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination for purposes of this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

XX. NOTICE OF FORMAL COMPLAINT

Within five (5) days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

A physical copy of this policy or a hyperlink to this policy;

Sufficient details known at the time so that the parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);

A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;

Notification to the Complainant and Respondent of their right to be accompanied by an advisor of their choice, as specified in “Advisor of Choice”;

Notification to the Complainant and Respondent of their right to inspect and review evidence, as specified in “Access to Evidence”;

Notifying the Complainant and Respondent of the University’s prohibitions on retaliation and false statements specified in Sections “Bad Faith Complaints and False Information” and “Retaliation”;

Information about resources that are available on campus and in the community.

Should the University elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the University will provide a supplemental written notice describing the additional allegations to be investigated.

XXI. INVESTIGATION

A. Commencement and Timing

After the written notice of Formal Complaint is transmitted to the parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the parties. The investigation will culminate in a written investigation report, specified in “Investigation Report,” that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the University strives to complete each investigation within thirty (30) to forty-five (45) days of the transmittal of the written notice of Formal Complaint.

B. Equal Opportunity

During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant, as specified in “Sexual History.” The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party’s opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

C. Documentation of Investigation

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator’s notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator’s sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

D. Access to the Evidence

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the Investigating Officer will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the University may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have

ten (10) days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this process and may not duplicate or disseminate the evidence to the public.

E. Investigation Report

After the period for the parties to provide any written response as specified in “Access to Evidence” has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

XXII. ADJUDICATION PROCESS SELECTION

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each party a notice advising the party of the two different adjudication processes specified in “Adjudication.” The notice will explain that the hearing process specified in “Hearing Process” is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as specified in “Administrative Adjudication (Optional)” as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each party that, if both parties execute the written consent to administrative adjudication, then the administrative adjudication process will be used in lieu of the hearing process. Parties are urged to carefully review this policy (including the entirety of “Adjudication”), consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each party will have three (3) days from transmittal of the notice specified in this Section to return the signed written consent form to the Title IX Coordinator. If either party does not timely return the signed written consent, that party will be deemed not to have consented to administrative adjudication and the Formal Complaint will be adjudicated pursuant to the hearing process.

XXIII. ADJUDICATION

A. Hearing Process

The default process for adjudicating Formal Complaints is the hearing process specified in this Section (“Hearing Process”). The hearing process will be used to adjudicate all Formal Complaints unless both parties timely consent to administrative adjudication as specified in “Adjudication Process Selection.”

1. Hearing Officer

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the

conclusion of the hearing process. The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator as specified in “Access to Evidence.”

2. Hearing Notice and Response to the Investigation Report

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer’s appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the University’s Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) days from the date of transmittal of the written notice specified in this Section (“Hearing Notice and Response to the Investigation Report”).

A party’s written response to the investigation report must include:

To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;

Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in “Sexual History,” or for any other reason;

A list of any witnesses that the party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing officer;

A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the hearing officer;

Any objection that the party has to the University’s “Hearing Procedures”;

Any request that the parties be separated physically during the pre-hearing conference and/or hearing;

Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;

The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;

If the party does not have an advisor who will accompany the party at the hearing, a request that the University provide an advisor for purposes of conducting questioning as specified in “Hearing.”

A party’s written response to the investigation report may also include:

Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and

Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

Pre-Hearing Conference

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. The pre-hearing conference will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the pre-hearing conference will be conducted with the hearing officer, the parties, the advisors, and other necessary University personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the pre-hearing conference may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

Issuance of Notices of Attendance

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any University employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The University will not issue a notice of attendance to any witness who is not an employee or a student.

Hearing

After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the University's Hearing Procedures. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing officer, the parties, the advisors, witnesses, and other necessary University personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the hearing may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

Opportunity for each party to address the hearing officer directly and to respond to questions posed by the hearing officer;

Opportunity for each party's advisor to address to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;

Opportunity for each party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;

Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;

Opportunity for each party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the Title IX Coordinator, and other necessary University personnel. With the exception of the investigator and the parties, witnesses will be sequestered until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them pursuant to "Access to Evidence."

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section ("Hearing"), the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this Section ("Hearing") are met.

Subjection to Questioning

In the event that any party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the parties' advisors, the statements of that party or witness, as the case may be, whether given during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility.

Notwithstanding the foregoing, the hearing officer may consider the testimony of any party or witness, whether given during the investigation or during the hearing, if the parties jointly stipulate that the testimony may be considered or in the case where neither party requested attendance of the witness at the hearing.

In applying this Section ("Subjection to Questioning"), the hearing officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

Deliberation and Determination

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or by operation of "Subjection to Questioning." The hearing officer will resolve disputed facts using a preponderance of the evidence (that is, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

Discipline and Remedies

In the event the hearing officer determines that the Respondent is responsible for violating this policy, the hearing officer will, prior to issuing a written decision, consult with an appropriate University official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

Written Decision

After reaching a determination and consulting with the appropriate University official and Title IX Coordinator as required by "Discipline and Remedies," the hearing officer will prepare a written decision that will include:

Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;

A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.

Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;

A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident; The discipline determined by the appropriate University official as referenced in “Discipline and Remedies”;

Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and

A description of the University’s process and grounds for appeal, as specified in “Appeal.”

The hearing officer’s written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in “Appeal.”

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the University strives to issue the hearing officer’s written determination within fourteen (14) days of the conclusion of the hearing.

B. Administrative Adjudication (Optional)

In lieu of the hearing process, the parties may consent to have a Formal Complaint resolved by administrative adjudication as a form of informal resolution. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator as specified in “Adjudication Process Selection.” At any time prior to the issuance of the administrative officer’s determination, a party has the right to withdraw from administrative adjudication and request a live hearing as specified in “Hearing Process.”

If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer. The Title IX Coordinator will see that the administrative adjudicator is provided a copy of the investigation report and a copy of all the evidence transmitted to the parties by the investigator as specified in “Access to Evidence.”

The administrative officer will promptly send written notice to the parties notifying the parties of the administrative officer’s appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer’s meetings with the parties will not be held any earlier than ten (10) days from the date of transmittal of the written notice specified in this paragraph.

A party’s written response to the investigation report must include:

To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;

Any argument that a particular piece or class of evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in “Sexual History,” or for any other reason;

Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence;

Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

After reviewing the parties' written responses, the administrative officer will meet separately with each party to provide the party with an opportunity make any oral argument or commentary the party wishes to make and for the administrative officer to ask questions concerning the party's written response, the investigative report, and/or the evidence collected during the investigation.

After meeting with each party, the administrative officer will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The administrative officer will take care to exclude from consideration any evidence that the administrative officer determines should be ruled inadmissible based on the objections and arguments raised by the parties in their respective written responses to the investigation report. The administrative officer will resolve disputed facts using a preponderance of the evidence (that is, "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

Thereafter, the administrative officer will consult with any University official and the Title IX Coordinator, in the manner specified in "Discipline and Remedies" and will prepare and transmit a written decision in the manner as specified in "Written Decision" which shall serve as a resolution for purposes of informal resolution.

Transmittal of the administrative officer's written determination concludes the administrative adjudication, subject to any right of appeal as specified in "Appeal."

Although the length of each administrative adjudication will vary depending on the totality of the circumstances, the University strives to issue the administrative officer's written determination within twenty-one (21) days of the transmittal of the initiating written notice specified in this Section ("Administrative Adjudication").

Other language in this Section ("Administrative Adjudication") notwithstanding, informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student

XXIV. DISMISSAL DURING INVESTIGATION OR ADJUDICATION

The University shall dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that one or more of the following is true:

The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or

The conduct alleged in the Formal Complaint falls outside the scope of the policy specified in "Scope" (that is, because the alleged conduct did not occur in the University's Education

Programs or Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

The University may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);

The Respondent is no longer enrolled or employed by the University, as the case may be; or

Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator dismisses a Formal Complaint pursuant to this Section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal as specified in "Appeal." The Title IX Coordinator may refer the subject matter of the Formal Complaint to other University offices, as appropriate. A dismissal pursuant to this Section is presumptively a final determination as it pertains to this policy, unless otherwise specified in writing by the Title IX Coordinator in the written notice of dismissal.

XXV. APPEAL

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

A procedural irregularity affected the outcome;

There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;

The Title IX Coordinator, investigator, hearing officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within seven (7) days of the date they receive notice of dismissal or determination appealed from or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must be submitted in writing to the Title IX Coordinator, who will then appoint an appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a

permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the University strives to issue the appeal officer's written decision within (21) days of an appeal being filed.

XXVI. ADVISOR OF CHOICE

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing specified in "Hearing," the advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with the University about the matter without the party being included in the communication. In the event a party's advisor of choice engages in material violation of the parameters specified in this Section and "Hearing," the University may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing specified in "Hearing," and requests the University to provide an advisor, the University will provide the party an advisor, without fee or charge, who will conduct questioning on behalf of the party at the hearing. The University will have sole discretion to select the advisor it provides. The advisor the University provides may be, but is not required to be, an attorney.

The University is not required to provide a party with an advisor in any circumstance except where the party does not have an advisor present at the hearing specified in "Hearing," and requests that the University provide an advisor.

XXVII. TREATMENT RECORDS AND OTHER PRIVILEGED INFORMATION

During the investigation and adjudication processes, the investigator and adjudicator, as the case may be, are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

A party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; or

Information or records protected from disclosure by any other legally recognized privilege, such as the attorney client privilege;

Unless the University has obtained the party's voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator, as the case may be, may consider any such records or information otherwise covered by this Section if the party holding the privilege affirmatively discloses the records or information to support their allegation or defense, as the case may be.

XXVIII. SEXUAL HISTORY

During the investigation and adjudication processes, questioning regarding a Complainant's sexual predisposition or prior sexual behavior is not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this Section for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this Section.

XXIX. INFORMAL RESOLUTION

At any time after the parties are provided written notice of the Formal Complaint as specified in "Notice of Formal Complaint," and before the completion of any appeal specified in "Appeal," the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties. Administrative Adjudication as specified in "Administrative Adjudication" is a form of informal resolution.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

Describes the parameters and requirements of the informal resolution process to be utilized;

Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-party);

Explains the effect participating in informal resolution and/or reaching a final resolution will have on a party, a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and

Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the University. Notwithstanding the foregoing if the form of informal resolution is Administrative Adjudication as specified in "Administrative Adjudication," there shall not be an agreed resolution requiring the parties' signatures; instead, the determination issued by the administrative officer shall serve as the resolution and conclude the informal resolution process, subject only to any right of appeal. With the exception of a resolution resulting from the Administrative Adjudication process specified in "Administrative Adjudication," all other forms of informal resolution pursuant to this Section are not subject to appeal.

A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty-one (21) days. If an informal resolution process does not result in a resolution within twenty-one (21) days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

Other language in this Section notwithstanding, informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

XXX. PRESUMPTION OF NON-RESPONSIBILITY

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

XXXI. RESOURCES

Any individual affected by or accused of Sexual Harassment will have equal access to support and counseling services offered through the University. The University encourages any individual who has questions or concerns to seek support of University identified resources. The Title IX Coordinator is available to provide information about the University's policy and procedure and to provide assistance. A list of University identified resources is provided in the "Confidential Resources" section of this policy. In addition, they can be viewed at <https://www.mssu.edu/student-affairs/support-servicesresources.php>

XXXII. CONFLICTS OF INTEREST, BIAS, AND PROCEDURAL COMPLAINTS

The Title IX Coordinator, investigator, hearing officer, administrative officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any party who believes one or more of these University officials has a material conflict of interest or material bias must raise the concern promptly so that the University may evaluate the concern and find a substitute, if appropriate. The failure of a party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal specified in "Appeal," or otherwise.

XXXIII. OBJECTIONS GENERALLY

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the University may evaluate the matter and address it if appropriate.

XXXIV. CONSTITUTIONAL RIGHTS AND ACADEMIC FREEDOM

The University will construe and apply this policy consistent with the First Amendment to the U.S. Constitution and the principles of academic freedom specified in the Faculty Handbook. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment and/or the principles of academic freedom specified in the Faculty Handbook.

XXXV. RELATIONSHIP WITH CRIMINAL PROCESS

This policy sets forth the University's processes for responding to reports and Formal Complaints of Sexual Harassment. The University's processes are separate, distinct, and independent of any criminal processes. While the University may temporarily delay its processes under this policy to avoid interfering with law enforcement efforts if requested by law enforcement, the University will otherwise apply this policy and its processes without regard to the status or outcome of any criminal process.

XXXVI. RECORDINGS

Wherever this policy specifies that an audio or video recording will be made, the recording will be made only by the University and is considered property of the University, subject to any right of access that a party may have under this policy, FERPA, and other applicable federal, state, or local laws. Only the University is permitted to make audio or video recordings under this policy. The surreptitious recording of any meeting, interview, hearing, or other interaction contemplated under this policy is strictly prohibited. Any party who wishes to transcribe a hearing by use of a transcriptionist must seek pre-approval from the hearing officer.

XXXVII. VENDORS, CONTRACTORS AND THIRD PARTIES

The University does business with various vendors, contractors, and other third parties who are not students or employees of the University. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the University retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And the University retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

XXXVIII. BAD FAITH COMPLAINTS AND FALSE INFORMATION

It is a violation of this policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this policy. Violations of this Section are not subject to the investigation and adjudication processes in this policy; instead, they will be addressed under the Code of Student Conduct in the case of students and other University policies and standards, as applicable, for other persons.

XXXIX. RETALIATION

It is a violation of this policy to engage in Retaliation. Reports and Formal Complaints of retaliation may be made in the manner specified in "Reporting Sexual Harassment," and "Formal Complaint." Any report or Formal Complaint of Retaliation will be processed under this policy in the same manner as a report or Formal Complaint of Sexual Harassment, as the case may be. The University retains discretion to consolidate a Formal Complaint of Retaliation with a Formal Complaint of Sexual Harassment for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

XL. CONFIDENTIALITY

The University will keep confidential the identity of any individual who has made a report or Formal Complaint of Sexual Harassment or Retaliation including any Complainant, the identity of any individual who has been reported to be a perpetrator of Sexual Harassment or Retaliation including any Respondent, and the identity of any witness. The University will also maintain the confidentiality of its various records generated in response to reports and Formal Complaints, including, but not limited to, information concerning Supportive Measures, notices, investigation materials, adjudication records, and appeal records. Notwithstanding the foregoing, the University may reveal the identity of any person or the contents of any record if permitted by FERPA, if necessary to carry out the University's obligations under Title IX and its implementing regulations including the conduct of any investigation, adjudication, or appeal under this policy or any subsequent judicial proceeding, or as otherwise required by law. Further, notwithstanding the University's general obligation to maintain confidentiality as specified herein, the parties to a report or Formal Complaint will be given access to investigation and adjudication materials in the circumstances specified in this policy.

While the University will maintain confidentiality specified in this Section, the University will not limit the ability of the parties to discuss the allegations at issue in a particular case. Parties

are advised, however, that the manner in which they communicate about, or discuss a particular case, may constitute Sexual Harassment or Retaliation in certain circumstances and be subject to discipline pursuant to the processes specified in this policy.

Note that certain types of Sexual Harassment are considered crimes for which the University must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. These disclosures will be made without including personally identifying information.

XLI. OTHER VIOLATIONS OF THIS POLICY

Alleged violations of this policy, other than violations of the prohibitions on Sexual Harassment and Retaliation, will be subject to review under the Student Code of Conduct for students, and the Employee Handbook for faculty or other University employees.

XLII. SIGNATURES AND FORM OF CONSENT

For purposes of this policy, either a physical signature or digital signature will be sufficient to satisfy any obligation that a document be signed. Where this policy provides that written consent must be provided, consent in either physical or electronic form, containing a physical or digital signature, as the case may be, will suffice.

XLIII. DEADLINES, TIME, NOTICES, AND METHOD OF TRANSMITTAL

Where this policy specifies a period of days by which some act must be performed, the following method of calculation applies:

Exclude the day of the event that triggers the period;

Count every day, including intermediate Saturdays, Sundays, and legal holidays recognized by the federal government;

Include the last day of the period until 5:00 p.m. central time, but if the last day is a Saturday, Sunday, or legal holiday recognized by the federal government, the period continues to run until 5:00 p.m. central time on the next day that is not a Saturday, Sunday, or legal holiday recognized by the federal government.

All deadlines and other time periods specified in this policy are subject to modification by the University where, in the University's sole discretion, good cause exists. Good cause may include, but is not limited to, the unavailability of parties or witnesses; the complexities of a given case; extended holidays or closures; sickness of the investigator, adjudicator, or the parties; the need to consult with the University's legal counsel; unforeseen weather events; and the like.

Any party who wishes to seek an extension of any deadline or other time period may do so by filing a request with the investigator, hearing officer, administrative officer, appeal officer, or Title IX Coordinator, as the case may be, depending on the phase of the process. Such request must state the extension sought and explain what good cause exists for the requested extension. The University officer resolving the request for extension may, but is not required to, give the other party an opportunity to object. Whether to grant such a requested extension will be in the sole discretion of the University.

The parties will be provided written notice of the modification of any deadline or time period specified in this policy, along with the reasons for the modification.

Where this policy refers to notice being given to parties “simultaneously,” notice will be deemed simultaneous if it is provided in relative proximity on the same day. It is not necessary that notice be provided at exactly the same hour and minute.

Unless otherwise specified in this policy, the default method of transmission for all notices, reports, responses, and other forms of communication specified in this policy will be email using University email addresses.

A party is deemed to have received notice upon transmittal of an email to their University email address. In the event notice is provided by mail, a party will be deemed to have received notice three (3) days after the notice in question is postmarked.

Any notice inviting or requiring a party or witness to attend a meeting, interview, or hearing will be provided with sufficient time for the party to prepare for the meeting, interview, or hearing as the case may be, and will include relevant details such as the date, time, location, purpose, and participants. Unless a specific number of days is specified elsewhere in this policy, the sufficient time to be provided will be determined in the sole discretion of the University, considering all the facts and circumstances, including, but not limited to, the nature of the meeting, interview, or hearing; the nature and complexity of the allegations at issue; the schedules of relevant University officials; approaching holidays or closures; and the number and length of extensions already granted.

XLIV. OTHER FORMS OF DISCRIMINATION

This policy applies only to Sexual Harassment. Complaints of other forms of sex discrimination are governed by the University’s Non-Discrimination and Non-Harassment Policy.

XLV. EDUCATION

Because the University recognizes that the prevention of sexual harassment is important, it offers a variety of educational programming, including primary prevention and awareness training for new students and new employees and ongoing awareness programs for all members of the University Community. Information on specific training programs, as well as a calendar of upcoming trainings, is available from the Title IX Coordinator and posted on the University’s website.

XLVI. OUTSIDE APPOINTMENTS, DUAL APPOINTMENTS, AND DELEGATIONS

The University retains discretion to retain and appoint suitably qualified persons who are not University employees to fulfill any function of the University under this policy, including, but not limited to, the investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer.

The University also retains discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, administrative officer, informal resolution officer, and/or appeals officer.

The functions assigned to a given University official under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, hearing officer, administrative officer, informal resolution officer, and appeals officer, may, in the University's discretion, be delegated by such University official to any suitably qualified individual and such delegation may be recalled by the University at any time.

XLVII. TRAINING

The University will ensure that University officials acting under this policy, including but not limited to the Title IX Coordinator, investigators, hearing officers, administrative officers, informal resolution facilitators, University provided advisors, and appeals officers receive training in compliance with 34 C.F.R. § 106.45(b)(1)(iii) and any other applicable federal or state law.

XLVIII. RECORDKEEPING

The University will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of seven years after which point in time they may be destroyed, or continue to be retained, in the University's sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.

XLIX. DEFINITIONS

Words used in this policy will have those meanings defined herein and if not defined herein will be construed according to their plain and ordinary meaning.

L. DISCRETION IN APPLICATION

The University retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the University's interpretation or application differs from the interpretation of the parties.

Despite the University's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the University retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy and the Hearing Procedures referenced in "Hearing" are not contractual in nature, whether in their own right, or as part of any other express or implied contract. Accordingly, the University retains discretion to revise this policy and the Hearing Procedures at any time, and for any reason. The University may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

LI. ANNUAL REVIEW

This policy is maintained by the University's Title IX Coordinator. The Title IX Coordinator will review this policy at least bi-annually, with the assistance of other administrators and staff, as appropriate. The review will capture evolving legal requirements, evaluate the supports and resources available to the parties, and assess the effectiveness of the Complaint Resolution Procedures. The review will incorporate an aggregate view of reports, resolution, and climate.

LII. DISTRIBUTION

This policy will be disseminated widely to the University Community through email communication, the University's website, inclusion in orientation programs for new employees and new students, and through other appropriate channels of communication.

[\[1\]](#) The University's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the University to adopt of definition of "sexual Assault" that incorporates various forcible and nonforcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

Appendix V: Substance Abuse Policy

Missouri Southern State University prohibits the unlawful manufacture, distribution, dispensing, possession or use of illegal drugs and alcohol by students and employees in the workplace, on University property, or as part of any University activity.

Violations of these prohibitions will be handled in the following manner:

For students, violations may result in warning, disciplinary prohibition, suspension or expulsion as provided in the Student Handbook.

For employees, violations will result in disciplinary action, up to and including termination of employment.

Missouri Southern State University is committed to increasing employee and student awareness of the dangers of substance abuse

For example, marijuana can impair thinking, reading, comprehension and verbal skills; hallucinogens result in loss of control of normal thought processes; phencyclidine can produce violent and bizarre behavior; stimulants (amphetamines) may produce mood swings, panic and cardiac disturbances; cocaine is toxic, and overdoses result in death; narcotics cause dependency and severe symptoms upon withdrawal; inhalants have a high risk of sudden death; and alcohol can dull sensation and impair coordination, memory and judgement. In an effort to maintain a drug- and alcohol- free environment, the University will provide:

- Awareness programs through our University Wellness Program,

- Assistance through the University Nurse,
- Assistance through the University Physician,
- Individual counseling, and
- Assistance with making referrals to outside agencies.

Everyone employed by Missouri Southern State University as a condition of employment will:

Abide by the terms of the University Substance Abuse Policy,
 Notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. Missouri Southern will notify the proper agency of any convictions reported to them within ten days of the receipt of said notice.

Any employee or student of Missouri Southern State University who violates the University's Substance Abuse Policy will be subject to discipline in accordance with this policy and reported to local, state or federal law enforcement authorities for criminal prosecution. Criminal prosecution for these acts could lead to a conviction, and such conviction could result in a sentence imposing a monetary fine, imprisonment in a state or federal penitentiary, or both.

*This policy is distributed annually to all students and employees in compliance with the Drug-Free Workplace Act of 1998 (P.L. 101-690) and the Drug-Free Schools and Communities Act Amendments of 1989 (P.L. 101-226).

Appendix W: Financial Aid Federal Guidance

Are Schools Required To Provide Drug and Alcohol Abuse Prevention Information Directly To New Students Or Is the Information On the School's Website Sufficient?

Annual disclosure of this information is required. Schools must have a way to provide this information to newly admitted students. Some schools use paper formats in their admissions packets and others use electronic means. For more information, refer to Activity # 2 of the Department of Education's (ED) Consumer Information FSA Assessments.

When a Student Is Determined to Have Violated a Drug Policy, What Information Is the Financial Aid Office Required to Have?

Drug violations as they relate to student eligibility for Title IV aid should not be confused with how drug violations relate to Clery Act requirements and/or Drug and Alcohol Abuse Prevention requirements. Each area has its own separate and distinct requirements. The financial aid office should ensure students are meeting Title IV student eligibility requirements for students

convicted for possession or sale of drugs for conduct that occurred during a period of enrollment for which the student was receiving Title IV funds, as required in 34 CFR. 668.40 and further outlined in Volume 1, Chapter 1 of the FSA Handbook. Reporting requirements under the Clery Act for drug violations, as well as consumer information requirements related to Drug and Alcohol Prevention are found in Volume 2, Chapter 6 of the FSA Handbook.

Has the Notice of Federal Student Financial Aid Penalties for Drug Law Violations in 20 USC 1092(k) Been Repealed?

No, not yet. While the FAFSA Simplification Act (Title VII of the Consolidated Appropriations Act of 2021, CAA) does repeal the disclosure requirement for the Notice of Federal Student Financial Aid Penalties for Drug Law Violations in 20 USC 1092(k), effective July 1, 2023 with the 2023-24 award year, the U.S. Department of Education (ED) has not yet authorized that repeal for early implementation. It is not covered under the repeal of the student eligibility requirement related to the suspension of Title IV eligibility for drug convictions while enrolled and receiving Title IV aid, as described in the June 17, 2021 Federal Register notice and Dear Colleague Letter GEN-21-04.

Under 20 USC 1092(k), schools have been required to provide a notice in a timely manner to each student who has lost eligibility for any Title IV aid as a result of the penalties listed under 20 USC 1091(r) for the suspension of Title IV eligibility due to drug convictions while enrolled and receiving Title IV aid. The notice has been to inform the student of the loss of Title IV eligibility and to advise the student of the ways in which the student could regain eligibility.

According to guidance NASFAA has received from the U.S. Department of Education (ED), until ED repeals the 1092(k) requirement, the school can update its 1092(k) notice to point out that:

ED has rescinded the student eligibility requirement and that the student no longer faces penalties or suspension of Title IV aid due to a drug conviction that occurred while the student was enrolled and receiving Title IV aid; and

While the information must still be provided, the loss of federal student aid for drug convictions no longer applies.

Other Drug and Alcohol Abuse Disclosures Still Apply: Note that other consumer information disclosures related to drug and alcohol use and abuse were not and are not expected to be repealed. Schools are still responsible for those. For example, under 34 CFR 86, you must distribute annually drug and alcohol abuse prevention materials in writing to students and employees. These materials must include, among other information, a description of legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol, as well as a clear statement that your school will impose disciplinary sanctions on students and employees and a description of those sanctions for violations of the standards of conduct.

Department of Justice (DOJ) Drug Conviction Hold File Not Repealed: While the CAA repealed the suspension of Title IV aid eligibility for drug-related convictions that occurred while receiving Title IV aid (Comment Codes 53, 54, 56, and 58), it did not repeal the DOJ drug conviction restriction on Title IV aid (Reject Code 19 and Comment Codes 09 and 55). For

guidance on how to resolve the DOJ Hold File reject, see Volume 1, Chapter 1 of the FSA Handbook.

Information courtesy of National Association Student Financial Aid Administrators' "Ask Regs" resource

Appendix X: Alcoholic Beverages – Payment from University Accounts Procedure

Only for sanctioned alumni, fundraising, or employee appreciation events with permission of the University president, and if provided by our campus food provider or licensed off-site vendor. Typically not events where students are present. Transportation options are usually provided. Wine and beer, only. Cash bars sometimes approved for sale of liquor.

Appendix Y: Biennial Review Task Force Meetings

MINUTES

Biennial Review Task Force - MSSU

Date | time 5/19/2022 9:00am | Meeting called to order by Julie Wengert

In Attendance

Tamika Harrel, Samantha Quackenbush, Julie Wengert

Planning

Samantha shared information about her previous experience with the review. The team reviewed the US Dept of Ed guide for reviews. The team developed a meeting and work timeline for the full task force.

Next Steps

Tamika will lead future meetings for the full Task Force. Sam will provide insights from previous years and get a skeleton document ready in addition to introducing the project to PIP. Julie will put all meetings on the schedule for this team and the full task force.

Adjourn

The meeting adjourned at 11:00am.

MINUTES

Biennial Review Task Force - MSSU

Date | time 5/25/2022 2:00pm | Meeting called to order by Heather Bullock

In Attendance

PIP Coalition Members

Planning

As part of the PIP meeting, Samantha Quackenbush shared information about her previous experience with the review and explained the game plan for preparing the 2022 review document. Assignments were given to the PIP members remaining employed at MSSU after the reduction in force. PIP members were notified Julie W would be sending out the document to the Task Force by 5/31/2022.

Next Steps

PIP members will update their sections of the document by June 30th.

Adjourn

The meeting adjourned at 3:00pm.

MINUTES

Biennial Review Task Force - MSSU

Date | time 7/5/2022 1:00pm | Meeting called to order by Julie Wengert

In Attendance

Tamika Harrel, Samantha Quackenbush, Julie Wengert

Planning

The subcommittee reviewed committee submissions of the review document. The team decided to send out assignments to the full task force to ensure the document was thoroughly reviewed. Assignments will be by page number ranges and will avoid assigning sections individuals already worked on.

Next Steps

Tamika will assign each task force member sections for review and provide the deadline. The Task Force members will be expected to come to the full task force meeting in August with discussion and edits for their respective sections.

Adjourn

The meeting adjourned at 2:30pm.

MINUTES

Biennial Review Task Force - MSSU

Date | time 8/2/2022 2:00pm | Meeting called to order by Julie Wengert

In Attendance

Cindy Webb, James Swift, Julie Stamps, Tamika Harrel, Ryan Orcutt, Becca Diskin, Samantha Quackenbush, Julie Wengert

Unable to attend: Heather Bullock, Amanda Schmelzer, Samantha Sweet

Introduction/Overview

Julie W. provided an overview and timeline of the project and discussed how the meeting would be conducted.

Sharing of Review Findings

Each attendee shared findings and discussion points for their respective sections of the report.

Next Steps

Absent participants will share their findings by email and a meeting will be called if discussions is needed for those sections. The review subcommittee will meet for review and fill in any missing pieces of the report. Then, they will send to the team for final review by September 1st.

Adjourn

The meeting adjourned at 3:00pm.

Appendix Z: 2021-2022 Partners in Prevention Strategic Plan

2021-2022 Strategic Plan

GOALS

Goal #1 – To increase response rate of the Missouri Assessment of College Health Behaviors Survey (MACHB) by 3%

Strategy: The Missouri Assessment of College Health Behaviors Survey (MACHB) will be sent out every Spring to randomly selected students. Information from this survey is and will be used to assess the attitudes, knowledge, and usage patterns of Missouri Southern students in the areas of alcohol, drugs, tobacco, sexual encounters, and mental health. Giving the MACHB each year gives us longitudinal data that can be used in prevention efforts, including but not limited to: planning, programming, education, support offerings, and policy implementation/enforcement.

Objective: To determine the attitudes, knowledge, and usage patterns of students in the areas of alcohol, drugs, tobacco, sexual encounters, and mental health to better meet their needs.

Tactic 1: Administer the 2022 MACHB for a two-week time frame in late February to early March as not to coincide with the students' spring break.

Tactic 2: Promote MOSO Partners in Prevention (MOSO PIP) through social media campaign, email to students, four-winds ad, handing out giveaways at MOSO Partners in Prevention sponsored events.

Tactic 3: Utilize data generated from the MACHB to create social norming campaign.

Year	MACHB Responses
2016 – 2017	227
2017 – 2018	329
2018 – 2019	252
2019-2020 Given before COVID	312
2020-2021 During COVID	282
2021-2022 Goal	>282

Goal #2 – To increase the attendance at the provided alternative activities by 3%

Strategy: Continuation of positive, healthy, alcohol/drug free, and affordable late-night programming events that start at 5 PM or later. Throughout the year, departments team up to plan and implement programming that is working toward the common goal of preventing risky behavior. Collaboration also exists with instructors who often welcome class presentations that focus on related programming and the topics of the awareness weeks. By offering programming, electronic and hardcopy information, signage, Welcome Back kits, the Relaxation Room, and classroom presentations, we can show a solidified effort to educate and promote healthy choices.

Objective: To create, develop, and promote alternative activities that are fun (with a small educational component) and show Missouri Southern students that fun can be had by all without influences or possessing a negative connotation or [potentially] harmful outcome, by working closely with campus departments and community organizations on disseminating healthy choices material, resources, and policy information.

Tactic 1: Create, develop, and promote alternative activities including but are not limited to Movie Nights, ThinkFast Game Show, Finals Madness, Game Nights, Intramurals, Craft Nights, Healthy Relationship Contest, Skate Nights, Rec Nights, Mix-n-Mingles, Dance Parties, etc.

Tactic 2: Track Student Id card scans to the events provided by CAB, ResLife, Rec Center, and MOSO PIP.

Year	Fall Student Attendance	Spring Student Attendance	Total Student Attendance
2015 – 2016	2838	934	3772

2016 – 2017	2614	872	3486
2017 – 2018	2771	1431	4202
2018 – 2019	3096	1836	4932
2019-2020	2839	652-Start of COVID	3491
2020-2021-COVID	767	201	968
2021-2022 Goal	>767	>201	>968

Goal #3—Maintain the participation on the eCHECKUP assessments (e-chug and e-toke)

Strategy: Provide educational opportunities and students with regards to alcohol and marijuana usage through the eCHECKUP assessments. First Year Experience classes will be used as a platform for this education. These tools are available to students through the Awareness/Prevention, Counseling Services, and Other Resources webpages. The eCHECKUP assessments are also available through the UE 100 class, which is required for all incoming freshmen. Target audience all students but specifically all incoming freshmen, student-athletes and students referred for mediation purposes. These tools educate and increase awareness and understanding of related subject matters.

Objective: Continue usage of online training; informational, educational, and referral programs; and increase certificate completion in programs with that possibility (i.e. eCHECKUP assessments- e-chug, and e-toke,).

Tactic 1: Administer e-chug and e-toke assessments in all UE 100 classes in the fall, spring, and summer semesters

Tactic 2: Promote the eCHECKUP assessments through social media, email to students, four-winds ad.

Tactic 3: Collaborate with athletics to promote the use of eCHECKUP assessments and GAMEPLAN.

Year	2016 - 2017	2017 - 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022 Goal
e-chug	679	1,048	985	784	804	>804
e-toke	851	978	938	774	753	>753

Goal #4 – Continue to provide opportunities for professional development to Missouri Southern employees, students, and community liaisons while continuing to build our team and increase communication with the community that relates to keeping our students safe through implementing programs, networking, teamwork, and relationship building.

Strategy: Continue offering opportunities to participate in educational programming offered by PIP, NASPA, Higher Education conferences, law enforcement training, and other relevant or accredited sources. These opportunities have allowed our institution to educate members of our campus and community, continue addressing issues that affect our campus, be on the forefront of setting standards, and implement and maintain proper policies, enforcement, and procedures. Foster a collaborative effort between campus departments/organizations and community members toward the common goal of keeping our campus community safe, well, empowered, and educated to make informed decisions regarding their health, well-being, and life choices.

Objective: Allow funding opportunities for Missouri Southern employees, students, and community liaisons to attend/participate in PIP funded or PIP provided conferences, workshops, and trainings and bringing speakers/trainings to campus, and other conferences or trainings that are relevant to help educate members of our campus and community. This will increase the number of empowered professional and student leaders on campus and in our community, build our team and increase communication with the community that relates to keeping our students safe through implementing programs, networking, teamwork, and relationship building. At least 90% of Coalition members will attend at minimum one PIP sponsored event – for example: University monthly Coalition meeting, PIP monthly meeting, PIP data call, Meeting of the Minds Conference. Will also utilize assessment information from MACHB for increased frequency and visibility of awareness/social norming campaigns, maintained/increased program participation numbers, decreased policy violations.

Tactic 1: Attendance at Meeting of the Minds

Tactic 2: At least one person from MOSO PIP will attend monthly Partners in Prevention (PIP) meetings

Tactic 3: Whomever is utilizing MOSO PIP funding to attend a conference/training will attend a MOSO Partners in Prevention meeting to share their experience and how the training is relevant to continued MOSO Partners in Prevention programming. **Tactic 4:** The MOSO PIP Coalition will continue to meet monthly to determine what areas of need in prevention the University requires.

Tactic 5: Foster an environment of collaboration that permeates every aspect of Missouri Southern State University through constant contact and discussion by having monthly MOSO PIP Coalition Meetings. Encourage participation by providing food at four of the meetings and sending out agenda prior to meeting.

Tactic 6: Utilize data from MACHB to drive decisions and policy implementation initiated by MOSO PIP.

The MOSO PIP Coalition members include:

Student Conduct Office – Samantha Quackenbush

Recreation Services– Cindy Webb

Wellness/Student Activities – Craig Gullett

Registered Student Organizations/Greek Life – Eli Moran

Counseling Services/PIP contact – Heather Bullock

Residence Life – Seth Sockwell

Athletics – Amanda Schmelzer

Green Dot Program- Laura Gullett

UPD – Ken Kennedy

Student Rep – Varies

Year	Faculty/Staff Trainings Attended	Student Trainings Attended
2018 – 2019 Goal	27	15
2019-2020 Goal	21	7
2020-2021 Goal	29	1
2021-2022 Goal	>29	>1

Goal #5- Foster a sense of belonging among Missouri Southern State University students. Increase the number of people who answered “Agree” or “Strongly Agree” on question 18 (I feel a sense of belonging to the campus community) of the MACHB by 3%

Strategy: Creating a welcoming and inclusive environment that will help students foster a sense of belonging and persist to graduation.

Objective: University PIP coalition members and the offices of Student Life and Conduct Office, Recreation Services, Student Activities/Wellness, Registered Student Organizations/Greek Life, Counseling Services, Residence Life, Athletics,

UPD, and Student Reps will work to create programming and provide a welcoming and inclusive environment to help students foster a sense of belonging at Missouri Southern State University.

Tactic 1: Provide faculty and staff with information and resources to better equip them to identify opportunities to connect with students and foster that sense of belonging.

Tactic 2: Develop a variety of programming opportunities that provide a welcoming and inclusive environment for students.

Tactic 3: PIP sponsored “Pizza with MOSO Police” event or similar event where students and police officers and other campus resources (MOSO PIP Coalition, MOSO Cares Team) can interact in an open and relaxed environment.

Q18: I feel a sense of belonging to the campus community.		
Year	PIP – “Agree” or “Strongly Agree”	MSSU – “Agree” or “Strongly Agree”
2016 – 2017	70%	48%
2017 – 2018	67%	51%
2018 - 2019	67%	61%
2019-2020	66%	56%
2020-2021 Goal	59%	57%
2021-2022 Goal	To be Determined	>57%

Goal #6- Increase help-seeking behaviors for suicidal ideation/attempts among students by 3%. Students who sought help for suicidal ideation/attempts (Q 189- Have you sought assistance for your suicide attempt/thought in the past year)

Strategy: Promote to students both campus and community resources focused on helping with suicidal ideation and over all mental well-being.

Objective: Counseling Services along with other key offices on campus will collaborate to co-program with the intent of increasing faculty, staff, and student's awareness of mental health, resources, and the promotion of gatekeeper training Ask, Listen, Refer and to promote the overall mental well-being of students especially special populations like student-athletes, LGBTQ+, and First-Generation students.

Tactic 1: Implement active marketing outreach about Counseling Services to include but not limited to fourwinds ads, Facebook, resource magnets, targeted emails to faculty, staff, and students. Include Ask, Listen, Refer in all presentations given on mental health

Tactic 2: Mental Health Awareness Week- Connect 2 U in Fall, DeStress Fest-Spring

Tactic 3: All incoming freshmen will complete the Ask, Listen, Refer through their UE 100 class, all Resident Assistants will be trained.

Tactic 4: Promote over all mental well-being, for example "5 to Thrive" Mental Health Checklist for College Students and collaborate with Athletics to provide GAMEPLAN access to student-athletes, which covers several topics like Mental Health, LGBTQ Respect and Inclusion, and Social Justice.

Q 189: Have you sought assistance for your suicide attempt/thoughts in the past year		
Year	PIP – Yes	MSSU – Yes
2017 – 2018	37%	45%
2018 - 2019	37%	30%
2019-2020	38%	39%
2020-2021	38%	39%
2021-2022 Goal	To be Determined	>/39%

Year	2015 – 2016	2016 - 2017	2017 - 2018	2018- 2019	2019- 2020	2020- 2021	2021- 2022 Goal
Ask, Listen, Refer	204	221	1,058	928	732	671	>671

BUDGET:

Fall Semester

Item	Justification	Estimated Budget
Social norms posters	Goal #1, Tactic #3-Implement social norms campaign with printed materials	\$0
Food-meals/Coalition Meetings	Goal #4, Tactic #5- Maintain campus coalition \$125 x 2 meetings	\$250
Mental Health Awareness Week-Connect 2 U	Goal #6, Tactic #2-Programming for MHAW- Connect 2 U	\$300
E-Checkup Assessments-e-chug and e-toke	Goal #3, Tactics #1,2,3- Continued participation in E-Checkup Assessments	\$1,690
ThinkFast Game Show/or Similar programming if can be facilitated in a healthy and safe environment	Goal #2, Tactic #1-Late night alternative programming provided in conjunction with Athletics	\$1,200
GamePlan	Goals #3, #6- Online trainings modules in collaboration with Athletics- sponsoring the Alcohol and Mental Health sections	\$800
Total for Fall Semester		\$4,240

Spring Semester

Item	Justification	Estimated Budget
Healthy Relationship Contest	Goal #2, Tactic#1-Alternative activity, promotion of healthy relationships and importance to mental health	\$300
Meeting of the Minds	Goal #4, Tactic #1-Attendance at Meeting of the Minds- Hotel, Registration, and rental car	\$3,500
Cookies and Cocoa with a Cop/ Or Similar event-if can be held in a healthy and safe environment-	Goal # 5, Tactic #2, #3-Incentive for students to attend Pizza with Police events	\$300
DeStress Fest	Goal #6, Tactic #2-Programming for DeStress Fest	\$300
Promotional items	Goal #5, Tactic #2-MOSO PIP promotional items	\$610
Food-meals/Coalition Meetings	Goal #4, Tactic #5- Maintain campus coalition \$125 x 2 meetings	\$250
Professional Development Opportunities	Goal #4, Tactic #3-Funding for professional development opportunities	\$500
Total Spring Semester		\$5,760
Total Entire Year		\$10,000

