

MSSU Police Department



2014 Annual Report

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Message from the Chief

The U.S. Department of Justice, Bureau of Justice Statistics, has released the 2011-2012 Campus Law Enforcement survey report. This report contains a wealth of useful information on U.S. campus public safety agencies. Here is a link to the survey findings:

<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=5216>

Here are some of the highlights of the report:

- About 75% of the campuses were using armed officers, compared to 68% during the 2004-05 school year.
- About 9 in 10 public campuses used sworn police officers (92%), compared to about 4 in 10 private campuses (38%).
- Most sworn campus police officers were authorized to use a sidearm (94%), chemical or pepper spray (94%), and a baton (93%).
- Most sworn campus police officers had arrest (86%) and patrol (81%) jurisdictions that extended beyond campus boundaries.
- About 7 in 10 campus law enforcement agencies had a memorandum of understanding or other formal written agreement with outside law enforcement agencies.

If one has kept current with the MSSU Police Department, they will recognize that we are compliant with widely accepted “best practices” in the area of campus public safety agencies. The goal is to remain current in the future as the climate changes.

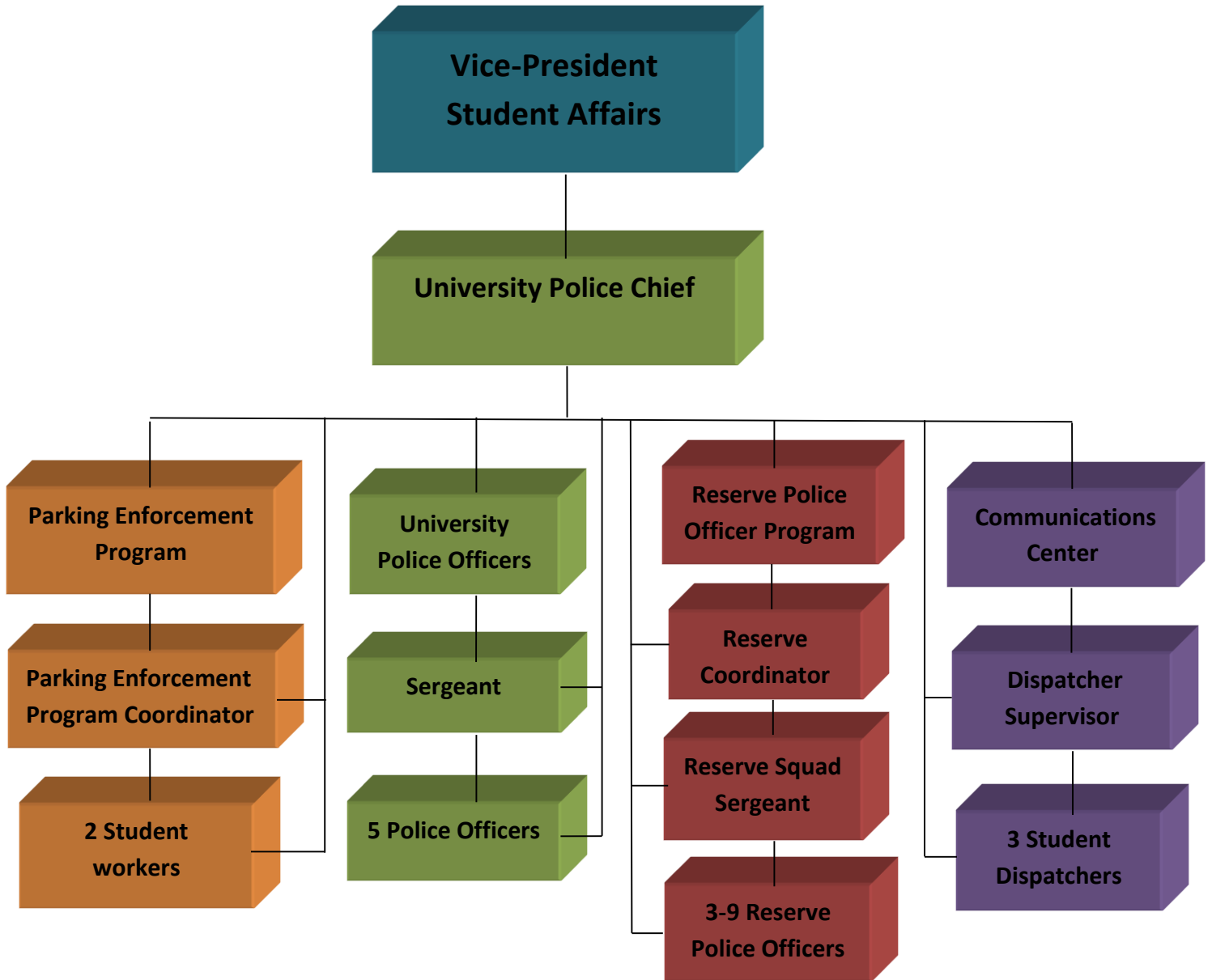
The Mission Statement for the University Police Department indicates that our goal is to “support academics through the maintenance of a peaceful and orderly community and through the provision of needed general and emergency services. The accomplishment of this purpose will be fulfilled through constant attention to the areas of public safety, security, law enforcement, and service assistance to various departments and offices of the University.” Programs such as R.A.D. (Rape Aggression Defense – self-defense for women) and A.L.I.C.E. (Alert, Lockdown, Inform, Counter, & Escape – active shooter training for classrooms) demonstrate the department’s dedication to that goal.

Another way the University Police Department attempts to ensure the safety of people on campus is the usage of Closed Circuit TV cameras monitored by police dispatchers. This system augments the constant random patrols by police officers on campus.

In 2014 the University Police Department tested its “emergency plan” by participating in an active shooter drill. While officers responded to a mock “active shooter” near the Taylor Education building, building captains were communicating with each other via a new radio system and securing the exterior doors of their buildings (simulated). During a debriefing, deficiencies were discussed from communication flaws to building captains who didn’t have the proper keys. Two fire alarm drills were also conducted in 2014 in the Residence Halls.

In 2014 MSSU PD became one of many agencies that purchased and utilize “body worn cameras.” Studies have shown that these cameras reduce use of force incidents and improve the opinion of the police by members of the community. They also reduce officer complaints.

MSSU Police Department



Department Overview



University police officers exist to prevent, discover, and deter the commission of crime, enforce university rules and regulations, promote personal and property security, and provide traffic law enforcement. They observe and make note of suspicious persons, possible violators, hazardous conditions, or unusual situations. Officers also check buildings, observe public or student gatherings, respond to emergency alarms and dispatched calls, assist in parking activities, perform traffic control duties, render first aid, and issue warnings or citations to drivers.

In addition, as police officers commissioned through the State of Missouri, they conduct criminal investigations, prepare court cases, and provide legal testimony in court. They may arrest individuals and take them into custody if situations warrant.

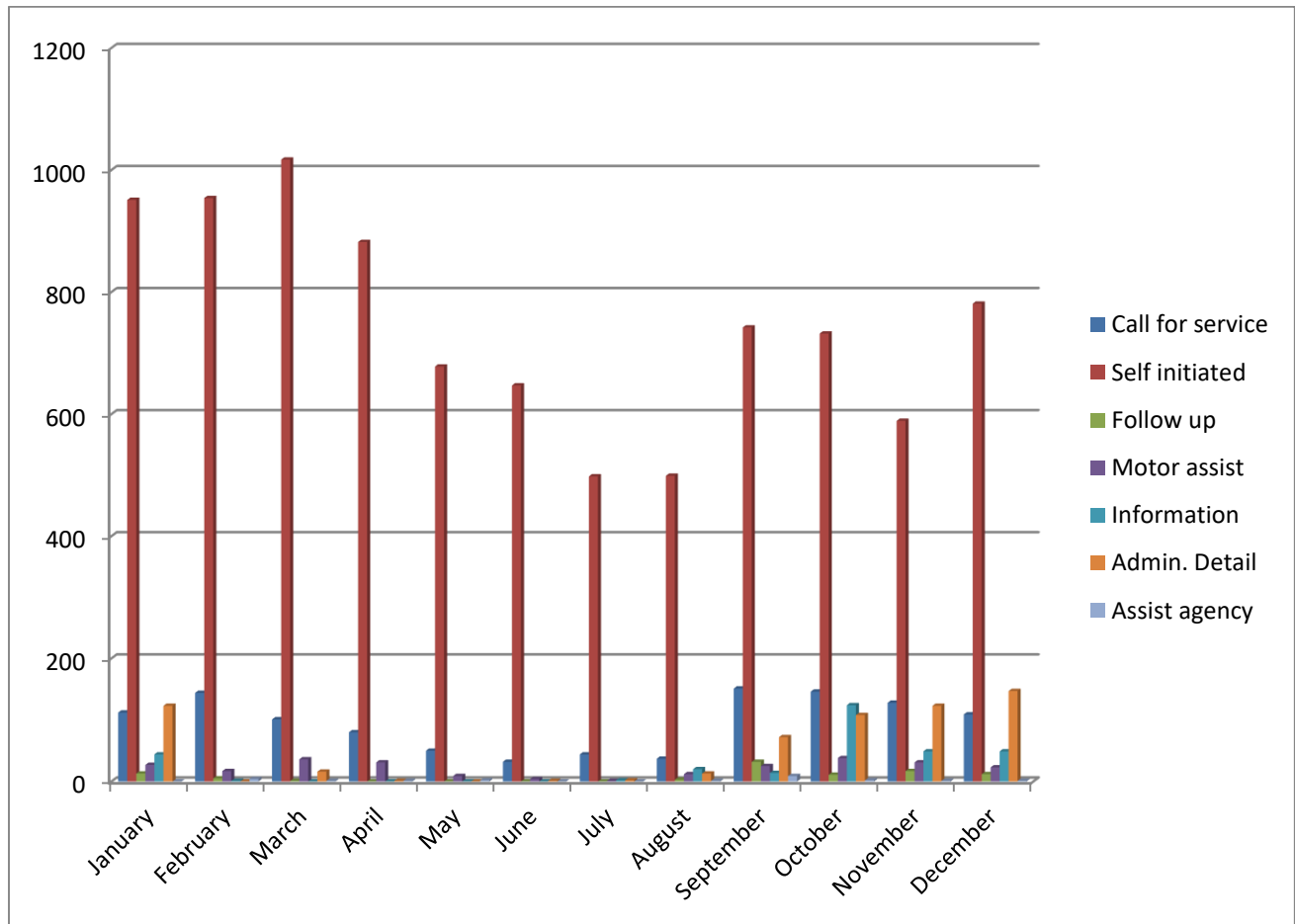
Reserve police officers (non-paid police officers) augment the services of the full time officers as back-ups and to help them with the workload during busy shifts or large events. Their only compensation is being commissioned through the state of Missouri, on-the-job police experience and as much training as they would like. They are also considered first for full-time vacancies.

Students who are chosen to serve with the Parking Enforcement Program issue administrative parking tickets on campus. They help the UPD with the large task of enforcing university parking rules, freeing up police officers for other duties. They also assist with Lion-backer parking at sports events.

Dispatchers are highly trained full time employees and student workers who accept calls for service and relay information to police officers. They also monitor CCTV cameras, log activity, handle walk-in traffic, and issue parking stickers. As of 2013 there is a MULES (Missouri Law Enforcement Entry System) terminal in the office to access data on driver and vehicle information, as well as details on wanted people and stolen items.

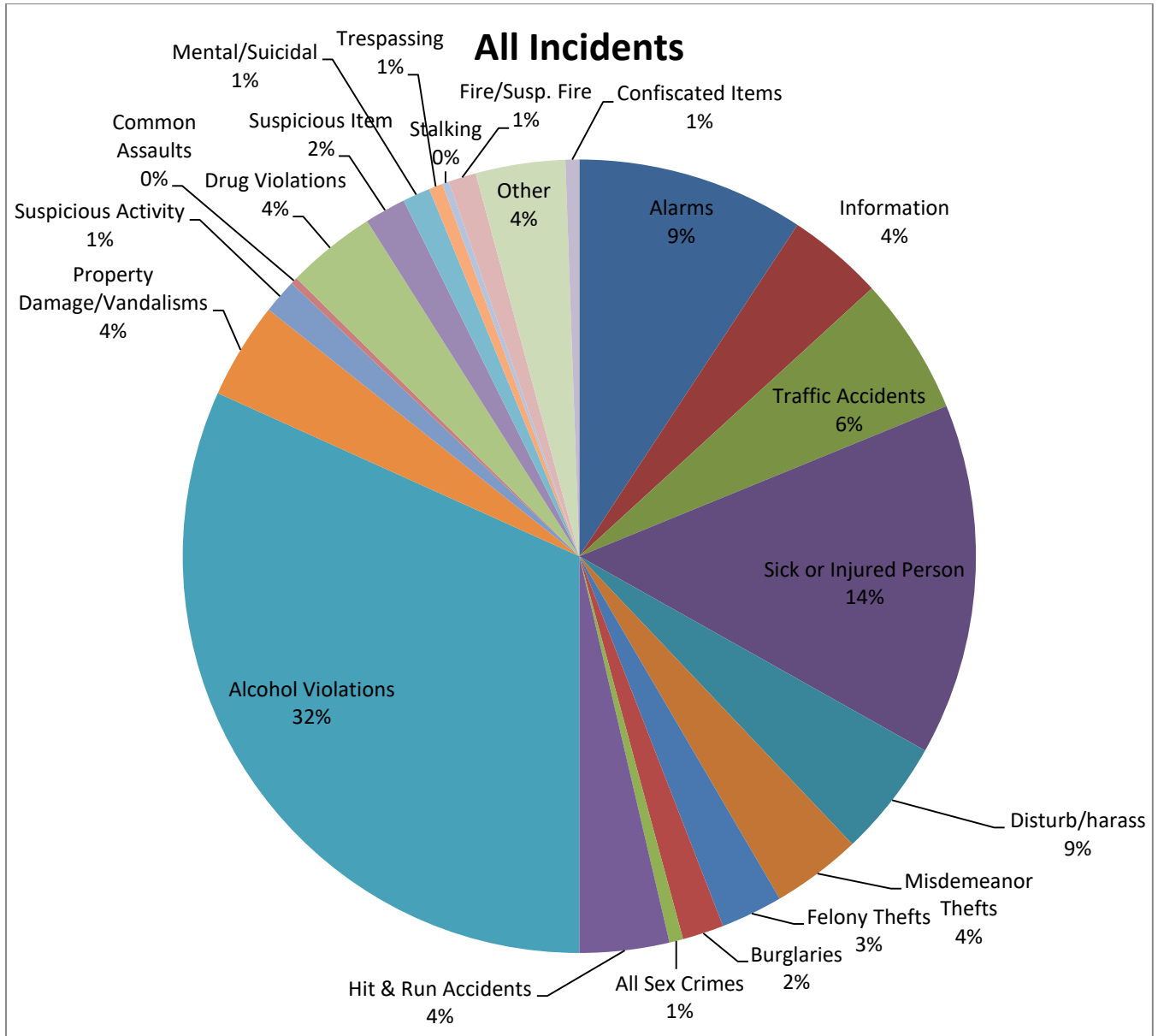
Activity Log

2014 (January-December)



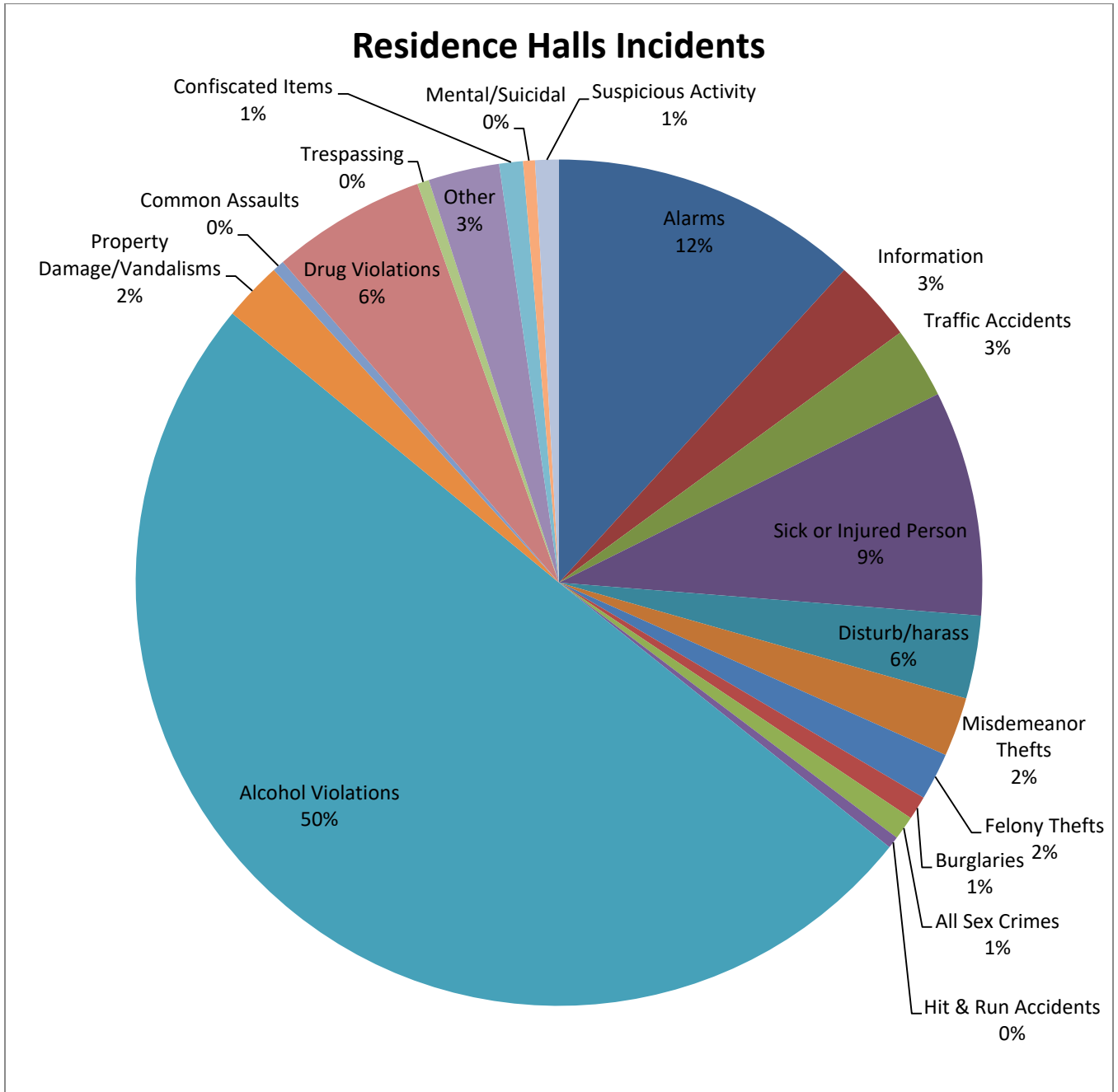
- Recorded officer activities for the year totaled 11,397.

Reports taken by UPD Officers



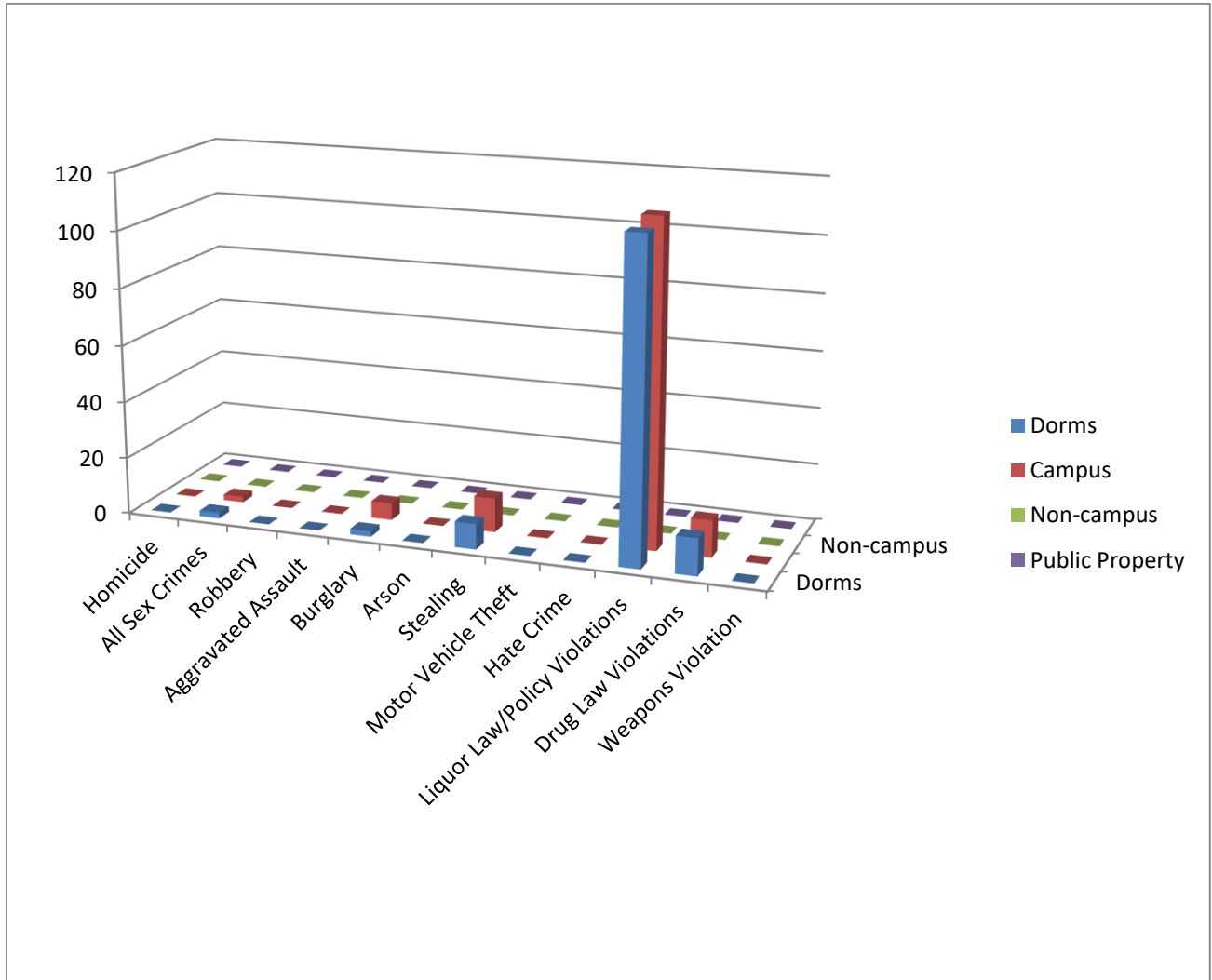
*Total reports taken - 240 for 2014 (not including housing staff write-ups).

Total Reports (continued)



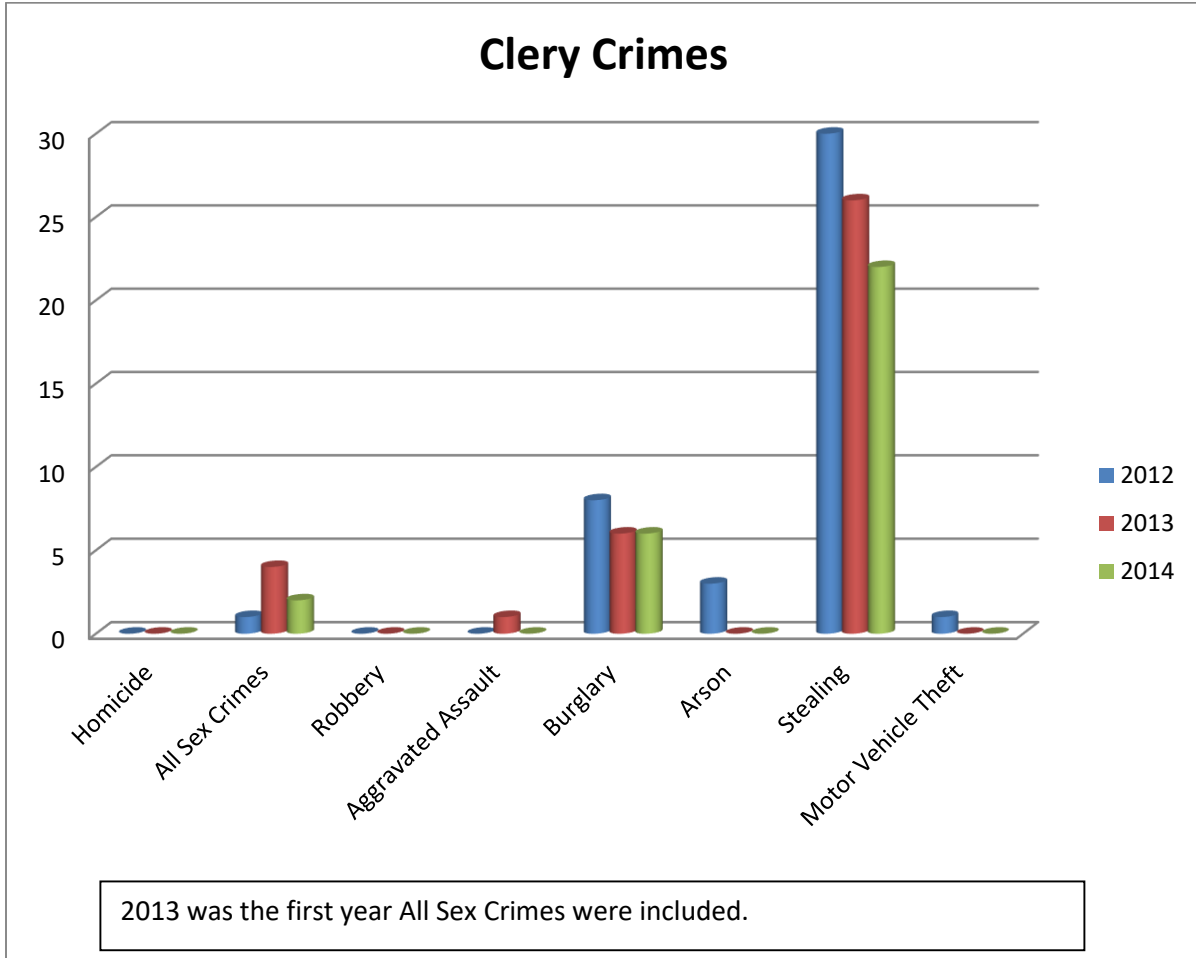
- Total Incident Reports taken in the Residence Halls was 97 (not including housing staff write-ups).

Clery Crime Statistics (By Classification 2014)

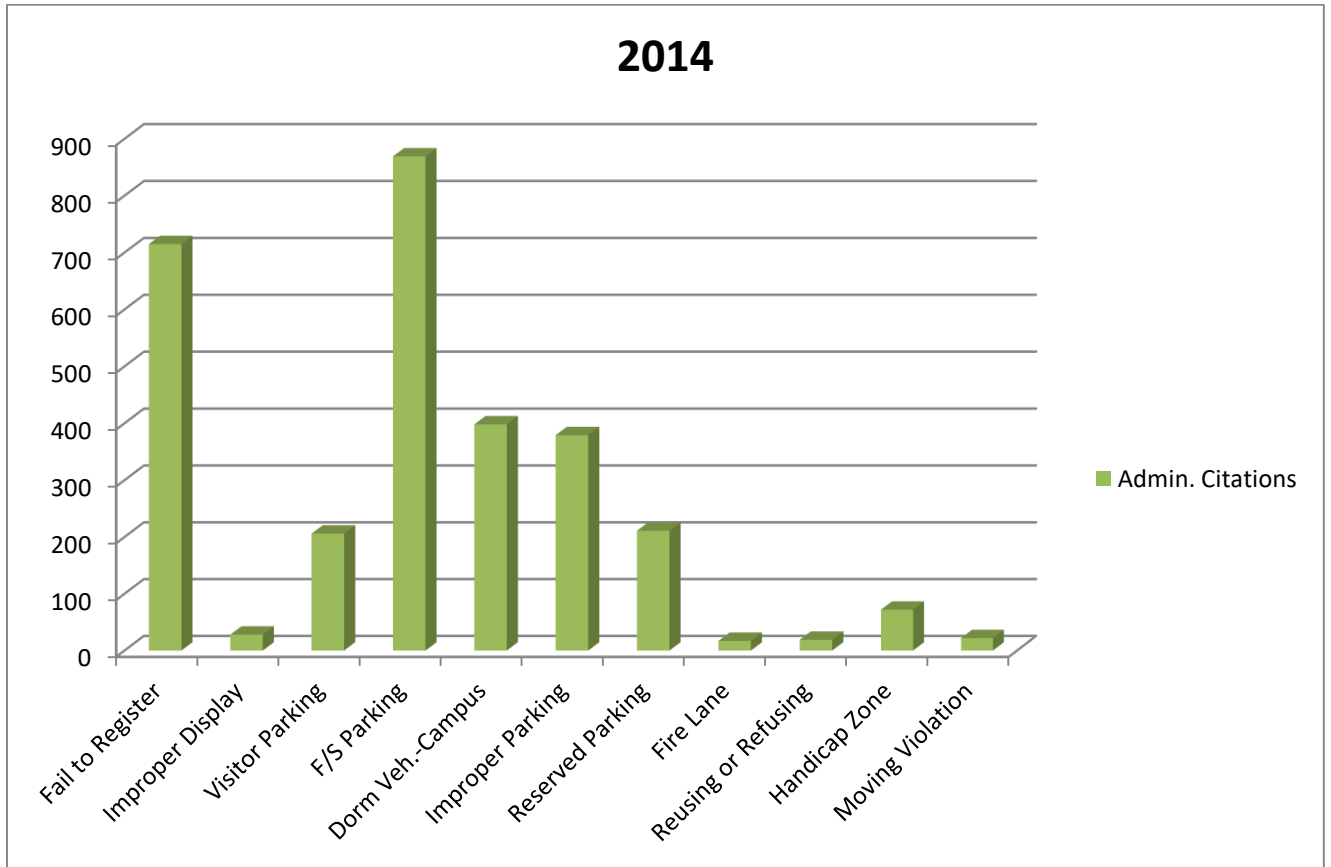


- Non-Campus and Public Property stats are not yet available for 2014.

Three Year Crime Comparison

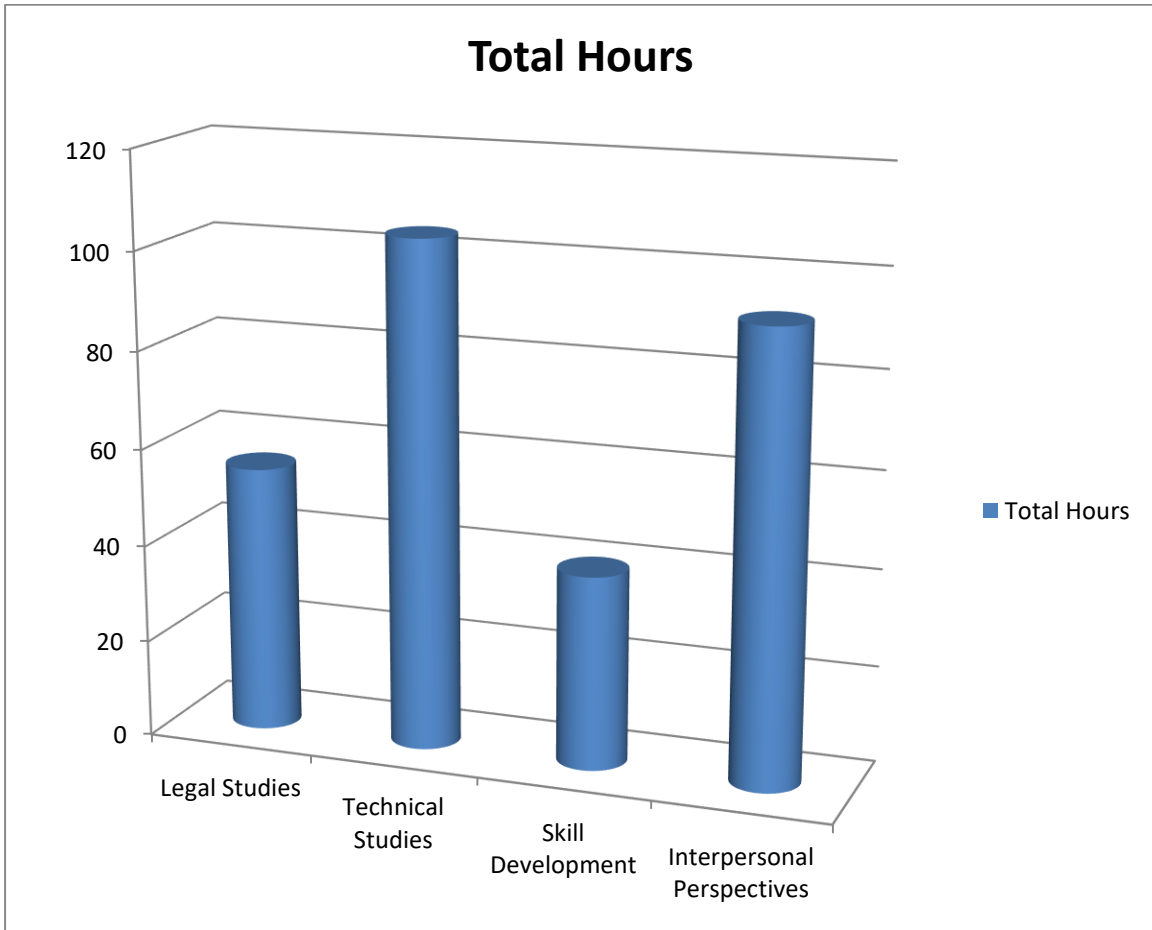


Administrative Traffic Citations



- **2,584 administrative citations were issued for the year – total value, \$56,697.00**

Police P.O.S.T. Training



Officers received a total of 291 hours of P.O.S.T. (Missouri Police Officer Standards Training) training in 2014. Officers must complete 48 hours of POST training for each 3 year period (Of those hours, 28 were firearms training and 39 were racial profiling).

Rape Aggression Defense Program (RAD)

The RAD Program



The Rape Aggression Defense program, known as RAD, is a self-defense course specifically and only for women. The program was founded in 1989 by a former campus police officer. Today the course is taught at more than four hundred colleges and universities and has trained more than three thousand instructors and more than one hundred thousand women. The program's instructional objective is "to develop and enhance the options of self-defense, so they become viable options to the woman who is attacked." The growing wide spread acceptance of this system is primarily due to the ease, simplicity and effectiveness of our tactics, solid research, legal defensibility, and unique teaching methodology.



This system of realistic defense will provide women with the knowledge to make an educated decision about resistance. We operate on the premise that a spontaneous violent attack will stimulate a natural desire to resist, on the part of the victim (supported by research). We educate women about the "Fight or Flight Syndrome," while showing them that enhancing their option of physical defense is not only prudent, but a necessity if natural resistance is to be effective.

The course differs from other self-defense programs in that it provides a foundation of risk reduction through avoidance strategies in addition to active defensive tactics. The R.A.D. System is a comprehensive course for women that begins with awareness, prevention, risk reduction and avoidance while progressing to the basics of hands-on self-defense training. R.A.D. is not a Martial Arts program. Because the class emphasizes awareness as well as self-defense, it addresses the threat from both a stranger and an acquaintance perspective.

At MSSU, the course is now being taught through the Kinesiology Department as a one hour class in the physical fitness category. Students currently meet on Tuesdays and Thursdays at noon for 50 minutes. In addition to the basic self-defense techniques, students now learn advanced techniques as well. At the beginning of each class, instructors will provide you with a workbook/reference manual that you will use throughout the course. The manual and the course syllabus outline the entire program. Each section begins with classroom discussion before moving into a studio for the practical component.

Sessions include discussion about confrontation, options in various types of situations, and how and why to make a decision to resist or not. They continue with confrontational dynamics and principles of self-defense. Students will systematically learn stances, yelling, punches, kicks, blocking, and escape methods along with many other defense techniques.

If you are interested in RAD training at Missouri Southern State University, contact MSSU Police Department at 417-625-9741(ask for Ken Kennedy). Chief Kennedy can also be reached through e-mail at: kennedy-k@mssu.edu. Female students may also enroll in the class through their assigned advisor.



A.L.I.C.E. Program

Preparing for the day that is **NOT** like yesterday...



This photo was taken by a Virginia Tech student in Holden Hall during the massacre in the adjoining building of Norris Hall. Why did these young American adults choose to stay close to lethal danger in an unsecured area? Because that is what they have been trained to do! This action has just as much potential to increase the casualty numbers as mitigating them. There cannot be only one strategy available when responding to extreme violence.

Our A.L.I.C.E. (Alert, Lockdown, Inform, Counter, Evacuate) program is a comprehensive approach, advocating integrated strategies incorporating Environmental Design, Technology & Communication, Law Enforcement Response, and the oft missing link - ACTION by those in immediate danger because they are the real First Responders. We teach Common Sense that isn't Common Knowledge.

A course is offered periodically to faculty/staff members to make them familiar with A.L.I.C.E. concepts. Many of the University Experience students are taught the same concepts, and actually get to run through a mock exercise of the “swarm” method or dealing with a violent person in a classroom.

For additional details, call Ken Kennedy at 417-625-9741.

MISSOURI SOUTHERN STATE UNIVERSITY

2015 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. Faculty and staff receive similar notifications. Hard copies of the report may also be obtained at no cost by contacting the University Police Department at 726 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 of Campus Security Personnel

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

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 of Student Affairs (Darren Fullerton, 417-625-3135), Dean of Students (Ron Mitchell, 417-625-9531), and the Director of Residence Life (Josh Doak).

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:

- Situations that pose imminent danger or while a crime is in progress should be reported to the University Police Department **417-626-2222** from any campus phone or cell phone. Although the UPD officers have primary jurisdiction, it does not preclude calling the Joplin Police Department (**911**) and 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, also make a report to one of the campus security authorities identified above.
- 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.
- If no contact can be made with the on-duty officer, individuals may call 417-623-3131 and the JPD Communications Center can dispatch a University Police Officer directly.
- Anonymous incident reports can also be made.

MSSU Police 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. Moreover, the University will withhold the identity of victims in publicly available records, to the extent permitted by law.

Any victim of a crime 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. With the victim's permission, 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 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 the Dean of Students for a Title IX investigation without the consent of the person being counseled.

MSSU does not have off-campus student organizations that are recognized by the institution. Additionally, 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.

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:

- Crime prevention programs are presented each semester by 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 isn’t possible.
- 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.
- 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.

- Faculty, and Staff receive yearly annual sexual misconduct prevention training on Title IX and VAWA. Faculty and Staff are required to attend 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.
- Students also receive yearly training on Title IX and VAWA in the form of an online class. The training for student includes all the same aspects as faculty/staff training with the added area of bystander information.
- These trainings are done in the fall of each school year.

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:

- Do not prop doors open or allow strangers into campus buildings that have been secured
- Do not lend keys or access cards to non-students and do not leave them unattended
- Do not give access codes to anyone 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 crews 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 MSSU Police at 626-2222 or simply 2222 from a phone on campus.

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 MSSU Police Department (417-626-2222) of any situation that poses such a threat.

The Crisis Incident Commander (Robert Harrington, 417-625-3191) will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the University’s response and for marshaling the appropriate local emergency response authorities for assistance. Depending on

the nature of the emergency, other University departments may be involved in the confirmation process.

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

The 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:

- “Big Voice” broadcasting speaker system
- Emails
- Emergency Early Warning System (ring down of office phones in each building)
- Text messages (through the Rave system)
- Posted notices
- Media sources

The Media Officer for the university (Cassie Mathes, 417-625-9365) or her designee will disseminate emergency information to the larger community; that is those outside of the campus community.

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 Housing and the Crisis Incident Commander 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 Housing (417-659-4460), the Dean of Students (417-625-9531) and/or the Vice-President of Student Affairs (417-625-3135). The MSSU Police 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 Dean of Students (417-625-9531). 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 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 immediately after the University has determined that the student has been missing for 24 hours.

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, 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 Title IX or the Clery Act. A full statement of the University's Title IX policy and the procedures for filing, investigating and resolving complaints for violations of that policy may be found at www.mssu.edu/emergency-information/sexual-assault-policy.pdf.

The following discusses the University's educational programs to promote the awareness of domestic violence, dating violence, sexual assault and stalking; provides information concerning procedures students should follow if they become a victim of one of these offenses; and advises students of services available in the event they do become a victim.

Educational Programs to Promote Awareness and Prevention of These Offenses:

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 foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention and see 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 training:

- *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, or intoxication, 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.
 See Missouri Revised Statutes § 556.061(5)

- *Domestic Violence* is abuse or stalking committed by a family or household member.
 - “Family or household member” means spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

See Missouri Revised Statutes § 455.010(1), (5), (7)

- “Domestic Assault” is also defined under the Missouri Law and includes conduct that is considered to be Domestic Violence.
 - A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member, including any child who is a member of the family or household.
See Missouri Revised Statutes § 565.072
 - A person commits the crime of domestic assault in the second degree if the act involves a family or household member, including any child who is a member of the family or household and he or she:
 - (1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
 - (2) Recklessly causes serious physical injury to such family or household member; or
 - (3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

See Missouri Revised Statutes § 565.073

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

See Missouri Revised Statutes § 565.074

- *Stalking* is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:
 - a. "Alarm" means to cause fear of danger of physical harm;
 - b. "Course of conduct" means a pattern of conduct composed of repeated acts over a period of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact; and
 - c. "Repeated" means two or more incidents evidencing a continuity of purpose.

See Missouri Revised Statutes § 455.010(13)

- *Dating Violence*: Based on good-faith research, we have determined that dating violence is not specifically defined in the Missouri Revised Statutes, though it is generally covered by the definitions of Domestic Violence and Domestic Assault. Also, in accordance with Federal law the University does collect statistics for these offenses using the definition contained in the Violence Against Women Act. That definition is listed later in this report under the section entitled "Crime Statistics."

- *Sexual Assault*: Based on good-faith research, we have determined that sexual assault is not specifically defined in the Missouri Revised Statutes.

The PPAP encourages positive and healthy behaviors by noting that the majority of sexual offenses that occur on 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 following are warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction. If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

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

- Remember that you owe sexual respect to the other person.
- Don’t make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t

be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.

- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.
- Instruction also addresses the warning signs of an abusive person. Some examples include:
 - Past abuse
 - Threats of violence or abuse
 - Breaking objects
 - Using force during an argument
 - Jealousy
 - Controlling behavior
 - Quick involvement
 - Unrealistic expectations
 - Isolation
 - Blames others for problems
 - Hypersensitivity
 - Cruelty to animals or children
 - “Playful” use of force during sex
 - Jekyll-and-Hyde personality

Bystander Intervention 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 safely do so, 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:

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

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

The University also has an Ongoing Prevention and Awareness Campaign for all students and faculty. This Campaign 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.

Examples of Ongoing Prevention and Awareness programs at MSSU include: Healthy Relationships week, Sexual Assault Awareness Week (Assisting Alpha Sigma Alpha students, Take back the night), and web resource "Student Health 101."

Restraining Orders

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 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.

Women's Self-defense Class

A women's self-defense class (Rape Aggression Defense) is now being offered at MSSU through the Kinesiology Program. In this class girls 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:

Victims of any of these offenses will be notified in writing of the procedures they are to follow. It will tell them to whom and how the alleged offense should be reported. The written notification also will advise victims that they have the option of notifying either on-campus or local police, of the option to be assisted by campus security authorities in notifying law enforcement, if requested by the victim, and of the option to decline to make such notification.

It is imperative that victims of sexual assault, dating violence, and domestic violence try to preserve evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. Therefore, victim's written notification will include information about where a forensic examination may be obtained. However, obtaining

such an examination does not require the victim to subsequently file a police report. In addition the notification will provide these guidelines:

- Do not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
- Don't bathe or wash, or otherwise clean the environment in which the assault occurred.
- Options for pressing charges can be deferred, if you will go to the local hospital emergency room and ask for an exam and for evidence of the sexual assault to be collected and sealed.

Victims of stalking should also preserve evidence of the crime to the extent possible, such as by saving text messages or e-mails or other communications from the stalker.

Finally, where applicable, the written notification to the victim will provide a statement of the victim's rights and the institutions responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Available Victim Services:

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

University Support Services

Wilcoxon University Health Center – Billingsly Student Center 242, Tel: 417-625- 9323 (Hours 8:00-5:00 M-F)

Counseling Department – Hearnest Hall 314, Tel.: 417-625-9324 (Hours 8:00-5:00 M-F)

Financial Aid

Hearnest Hall Room 109, Tel: 417-625-9325 (Hours 8:00-5:00 M-F)

Third Party Support Services

Lafayette House (Battered Women) – Tel: 417-782-1772

Ozark Center Crisis Services – Tel: 417-347-7720 or 800-247-0661

National Sexual Assault Hotline – Tel: 800-656-4673

SANE (Sexual Assault Nurse Practitioner) – 417-347-7263

MSSU will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If victims request these accommodations and they are reasonably available they will be provided, regardless of whether the victim chooses to report the crime to the University Police Department or not. Persons to contact include Josh Doak (Director of Residence Life 417-659-4460) or Ron Mitchell (Dean of Students 417-625-9531).

Maintenance of Confidentiality

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity. Moreover, the University will withhold the identity of victims in publicly available records, to the extent permitted by law. Additionally, the University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality will not impair the University's ability to provide them. If it is deemed necessary to disclose personal information in order to provide an accommodation, the victim will be notified in advance of the disclosure.

Procedures for Disciplinary Action:

At MSSU, the procedures for disciplinary action that will be used when there is an allegation of domestic violence, dating violence, sexual assault or stalking are different depending on whether the accused is a student or employee.

Procedures to be used when the accused is a student

Allegations of domestic violence, dating violence, sexual assault or stalking involving students will be processed through the office of the Title IX Coordinator/Dean of Students. Students and employees can file an informal or formal complaint to the Title IX Coordinator in the Dean of Student's Office located in Billingsly Student Center room 347, (417) 625-9531 or by emailing Mitchell-r@mssu.edu. MSSU will act promptly in response to information that an incident of sexual violence, sexual harassment, sexual assault, or stalking has occurred. Any conduct that may be in violation of the MSSU Sexual Violence policy will be investigated and addressed in a timely matter, typically within 60 calendar days.

Upon receipt of a complaint, the Title IX Coordinator or designee will open a formal case file and assign an Investigator who will direct the investigation and confer with other University Officials as necessary (e.g. with a need to know on interim action, accommodations for the alleged victim, or other necessary remedial short-term actions). In general, the Human Resource Office will investigate complaints against employees, and the office of the Dean of Students will investigate complaints against students. If the alleged conduct is also the subject of a criminal investigation, the campus may not wait for the conclusion of the criminal investigation to begin an investigation pursuant to this Policy. However, the University may need to coordinate its fact-finding efforts with the police investigation.

The University will conduct a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved.

When an initial educational meeting/conference is held, the possible outcomes include:

- A decision not to pursue the allegation based on a lack of or insufficient evidence. The matter should be closed and records should so indicate;

- A decision on the allegation, also known as an “informal” or “administrative” resolution to an uncontested allegation;
- A decision to proceed with additional investigation and/or referral for a “formal” resolution.

If a decision on the allegation is made and the finding is that the responding student is not responsible for violating the Code, the process will end. If the University’s finding is that the responding student is in violation, and the responding student accepts this finding the University considers this an “uncontested allegation.” The administrator conducting the initial educational conference will then determine the sanction(s) for the misconduct, which the responding student may accept or reject. If accepted, the process ends.

Notice of Alleged Violation

Any member of the Missouri Southern State University community, visitor or guest may allege a policy violation(s) by any student for misconduct:

Notice may also be given to the Dean of Students (or designee) and/or to the Title IX Coordinator, 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.

Investigation

The Dean of Students will appoint an investigator(s) to conduct a prompt and impartial investigation which will take the following steps:

- a. In coordination with the appropriate University officials, initiate any necessary remedial actions, and may recommend that interim protections or remedies for the parties or witnesses be provided by appropriate University officials. These protections may include separating the parties, placing limitations on contact between the parties, or making alternative working or student housing arrangements;
- b. Determine the identity and contact information of the complainant (whether that be the initiator, the alleged victim, or a University proxy or representative);
- c. Attempt to meet with the Complainant and finalize the complaint;
- d. Identify the correct policies allegedly violated;
- e. Prepare the notice of charges on the basis of the initial investigation;
- f. Meet with the Respondent. S/he will be provided a copy of the Complaint and given a full and complete written statement of the allegations, and a copy of this Policy. Also, the Respondent shall state whether s/he is "responsible" or "not responsible" for the alleged violation during the meeting;
- g. Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the accused individual, who may be given notice prior to or at the time of the interview;

- h. Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- i. Make a preliminary finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- j. Present the preliminary finding to the Respondent and Complainant as well as the appropriate University official(s).

Procedures to be used when the accused is an employee

Allegations of domestic violence, dating violence, sexual assault or stalking involving faculty and/or staff members will be processed through the appropriate University disciplinary system. They will be handled according to the MSSU Employee Handbook with regard to legal and administrative action. Go to <http://www.mssu.edu/offices/human-resources/faculty-staff-resources.php> and click on “employee handbook” on the menu at the right of the screen. It should be noted that all rights and privileges possessed by students will be given to F/S members as it pertains to domestic or dating violence and sexual assault cases.

Investigation

All reports of Sexual Misconduct will be promptly and thoroughly investigated by an investigator appointed by the University. The investigator will discharge his or her obligations fairly and impartially. If the investigator determines he or she cannot fairly and impartially investigate a report due to a conflict of interest, the investigator will recuse himself or herself and a new investigator will be appointed.

The investigator will commence the investigation as soon as practicable, but not later than seven (7) days after a report is made. The pendency of a criminal investigation does not relieve the University of its obligation to conduct an investigation. However, the University’s investigation may be delayed temporarily to avoid interfering with a criminal investigation.

The purpose of the investigation is to determinate whether it is more likely than not that the alleged behavior occurred and, if so, whether it constitutes Sexual Misconduct. During the course of the investigation, the investigator may receive counsel from University administrators, the University’s attorneys, or other parties as needed.

During the investigation, the complainant (i.e., the alleged victim of the Sexual Misconduct) will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent (i.e., the allege perpetrator of the Sexual Misconduct) will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The investigator will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information.

During the investigation process, the complainant and respondent will have equal rights. They include: equal opportunity to identify and have considered witnesses and other relevant evidence; similar and timely access to all information considered by the investigator; equal opportunity to review any statements or evidence provided by the other party; equal access to review and comment on information independently developed by the investigator.

During the investigation process, both a complainant and a respondent may ask a support person to accompany her or him to meetings with the investigator. In cases involving multiple complainants or respondents, the support person cannot be another complainant or respondent. The support person does not serve as an advocate on behalf of the complainant or respondent.

During the investigation, the University will make reasonable and appropriate efforts to preserve an individual's privacy and limit disclosure of information to those whose participation is necessary for a fair and thorough investigation and resolution. The University cannot guarantee the confidentiality of any report of Sexual Misconduct unless the report is made to a Confidential Reporter, in which case the report will not be forwarded for investigation without the reporting party's consent, unless otherwise required by law.

In the event an alleged victim requests confidentiality after making a non-confidential report, or requests that an investigation not proceed, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name not be disclosed to the alleged perpetrator, the University's ability to respond may be limited. The University reserves the right to initiate and proceed with an investigation despite a complainant's request for confidentiality in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community.

Interim Measures

At any time during the investigation, the investigator, in consultation with the Title IX Coordinator and appropriate administrators, may determine that interim remedies or protections for the parties involved or witnesses are appropriate. These interim remedies may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative class-placement or workplace arrangements. Failure to comply with the terms of these interim remedies or protections constitutes a separate violation of this policy.

Timing

The University will endeavor to conclude its investigation and resolution of the complaint within sixty (60) calendar days of receiving it. Both the complainant and the respondent will be given periodic updates regarding the status of the investigation.

Rights of the parties

Regardless which procedure is being used, both the victim and the individual accused of the offense are entitled to:

- A prompt, fair and impartial investigation and resolution. Any extension of timeframes will only be for good cause and each party will be given written notice of the delay and the reason for it.
- Proceedings conducted by officials who have no conflict of interest or bias for or against either the victim or the accused and 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.
- Timely notice of meetings at which one or the other or both may be present.
- Timely access, along with appropriate officials, to information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings.
- The same opportunities to have others present during any disciplinary hearing, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The University 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.
- Have the outcome determined by using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
- Simultaneous, written notification of the outcome of the proceeding, any procedures for either party to appeal the result, any change to the result and when the result becomes final. This includes any initial, interim or final decision by any official or entity authorized to resolve disciplinary matters and it includes information on any sanctions imposed by the institution and the rationale for reaching the result.

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*:

- 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 Dean of Students 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. 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 Housing and Residence Life. 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 Housing and Residence Life (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 Dean of Students 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. 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. 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].**
- 18) *Other Sanctions*: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Dean of Students or designee.

Employee Conduct Sanctions

PROGRESSIVE DISCIPLINARY ACTION

c) It is the duty and responsibility of every employee to be aware of and abide by existing rules and policies. Employees who do not perform satisfactory work or who violate any University rules or policies will be disciplined fairly, consistently, and in proportion to the seriousness of the circumstances. Depending upon its judgment of the action needed to address the employee's conduct in violation of appropriate standards, the University may impose any of the following disciplinary actions:

a. Verbal Warning

d) 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

e) 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.

OTHER DISCIPLINARY ACTIONS

f) Depending on the severity of the offense, other forms of disciplinary action may include:

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

Possible protective orders that may be implemented include:

- 1) Separation of alleged victim and respondent on campus; including but not limited to shared classes, residence halls, dining facilities, and public meeting areas.
- 2) No-Contact order – given as an interim/permanent measure to separate alleged victim and respondent.

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

Missouri Southern State University prohibits the unlawful manufacture, distribution, dispensing, possession 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 alcohol in the Residence Life area of campus. Students are generally receive an administrative violation for possession of an alcoholic beverage with graduated fines for each subsequent violations. After three violations the student could be suspended from classes at the discretion of the Dean of Students. The University Police Department 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.

Wellpalooza is the name of the education program used by Student Services to increase awareness of the dangers of drugs and alcohol among MSSU students.

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

1. For students, 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 will result in and 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.

Legal Sanctions

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.

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.

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.

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.

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 University Nurse,
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).

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, negligent manslaughter, sex offenses (rape, fondling, statutory rape and incest), robbery, aggravated assault, burglary, motor vehicle theft, and arson); (2) hate crimes (any of the previous offenses except negligent manslaughter 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 and are as follows:

PRIMARY CRIMES

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

Negligent manslaughter: The killing of another person through gross negligence.

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

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

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

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

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

Aggravated assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury, usually accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor vehicle theft: The theft or attempted theft of a motor vehicle.

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

HATE CRIMES

Hate crimes involve those crimes motivated by the following biases: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. As noted, hate crimes include those defined above (except negligent manslaughter) that were motivated by one or more of these biases. They also include a second category as follows:

Larceny-theft: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

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

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

Destruction/damage/vandalism of property: Willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control of it.

ARRESTS & REFERRALS FOR DISCIPLINARY ACTION

The third category of crime statistics disclosed related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs or liquor. For this purpose, the following definitions apply:

Arrest: A person processed by arrest, citation or summons.

Referral for disciplinary action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

VAWA CRIMES

Domestic violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is, 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 the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on the reporting party's statement and with consideration of the length, and type of relationship and the frequency of interaction between the persons involved in the relationship.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress.

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

Crime	On Campus			On-Campus Student Housing Facilities			Non-Campus Property			Public Property –		
	2012	2013	2014	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense-Forcible	1	4	2	1	3	2	0	0	0	0	0	0
Rape			1			1			0			0
Fondling			1			1			0			0
Sex Offense - Non-Forcible:	0	0		0	0		0	0		0	0	
Incest			0			0			0			0
Statutory Rape			0			0			0			0
Domestic Violence	N/A	0	1	N/A	0	1	N/A	0	0	N/A	0	0
Dating Violence	N/A	0	1	N/A	0	1	N/A	0	0	N/A	0	0
Stalking	N/A	0	0	N/A	0	0	N/A	0	0	N/A	0	0
Robbery	0	0	0	0	0	0	0	0	1	0	0	0
Aggravated Assault	0	1	0	0	0	0	0	0	0	0	0	0
Burglary	8	6	6	7	5	2	0	0	1	0	0	0
Motor Vehicle Theft	1	0	0	0	0	0	0	0	0	0	0	0
Arson	3	0	0	0	0	0	0	0	0	0	0	0
Arrests												
Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	2	4	0	2	1	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Weapons: Carrying, Possessing, etc.	1	1	0	1	1	0	0	0	0	0	0	0
Drug Law Violations	5	11	13	5	11	13	0	0	0	0	0	0
Liquor Law Violations	35	54	111	35	54	109	0	0	0	0	0	0

*There were no hate crimes reported for the years 2012, 2013, and 2014.

*During the previous three years there were no reported crimes investigated by law enforcement authorities and found to be false or baseless and therefore “unfounded.”

[End of Annual Security Report.]

2015 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 following information lists the housing facility and the time of the drill in the fall of 2014. The three halls listed are the largest facilities.

Spring 2014 Residence Hall Fire Drill Information

Blaine Hall - Friday April 4th 2014 at 7 p.m., we had 5 RA's present and about 50+ students. The fire drill took 3:31 to complete. East Hall- Monday April 7th 6:30 pm., took 5:51 to complete. McCormick Hall-Monday April 7th 7:00 pm., took 3:01 to complete.

Fall 2014 Residence Hall Fire Drill Information

- g) East 67 students, 3 staff in 3:55
- h) McCormick 37 students, 3 staff, 2:47
- i) Blaine 100 students, 3 staff, 5:45

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.

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 one of these individuals as much information as possible about the location, date, time and cause of the fire should be provided.

Plans for Future Improvements

Fire Safety is a top priority at MSSU. We are currently upgrading fire alarm systems throughout the campus. We are improving the warning and early detection systems in classroom buildings as well as our residence halls. We are currently 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 will all be meeting or exceeding 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

Statistics and Related Information Regarding Fires in Residential Facilities				
Residential Facilities	Address	2012 - Total Fires in Each Building	2013 – Total Fires in Each Building	2014 – Total Fires in Each Building
McCormick Hall	915 N. International Avenue	0	0	0
Blaine Hall	1015 N. International Avenue	0	0	0
Gockel Hall	1014 N. International Avenue	0	0	0
Stegge Hall	1016 N. International Avenue	0	0	0

Dishman Hall	1018 N. International Avenue	0	0	0
Dryer Hall	1020 N. International Avenue	0	0	0
Stone Hall	1022 N. International Avenue	0	0	0
Headlee Hall	1024 N. International Avenue	0	0	0
Maupin Hall	1026 N. International Avenue	0	0	0
Mitchell Hall	1028 N. International Avenue	0	0	0
Quad A	1010 N. International Avenue	0	0	0
Quad B	1008 N. International Avenue	0	0	0
Quad C	1004 N. International Avenue	0	0	0
Quad D	1002 N. International Avenue	0	0	0
Quad E	1000 N. International Avenue	0	0	0
Quad F	1006 N. International Avenue	0	0	0
East Hall	1017 N. International Avenue	0	0	0

Becoming an MSSU Police Officer

Qualified applicants must submit to rigorous testing to join the team of MSSU Police Officers. Even those aspiring to be non-paid reserve police officers must endure the exact same battery of exams.



The first phase of testing involves physical fitness. Officers run a mile and a half, bench press, sit and reach, and do sit-ups with results being judged according to gender and age. They then take a written exam (basic police knowledge) with approximately 100 questions to determine if they recall what they learned in the Police Academy. Applicants who pass both move on to the firearms phase.

The group will then participate in a standard PQC (pistol qualification course) and must pass with an 80%. Those who have passed all tests will participate in the oral board. This challenging event will involve applicants fielding questions from law enforcement professionals, allowing them to display that they know what modern professional policing is all about. Of that group the top qualifier will become a full-time police officer (according to vacancies) and the others (recommended by the oral board) will have the opportunity to become reserve police officers.

The perks of being a reserve police officer include being commissioned through the state, on the job experience with a law enforcement agency, keeping POST (Police Officer Standards in Training) hours current through specific training, and being given preference to others for full time vacancies.

Those interested in becoming a police officer at MSSU should contact Chief Ken Kennedy at 417-625-9741, or by email at kennedy-k@mssu.edu.

Visit the University Police home page to learn more about our services...

Emergency Response

- [Campus Security Act \(Clery Act\)](#)
- [A.L.I.C.E.](#)
- [Active Shooter - Booklet](#)
- [Active Shooter - Pocket Card](#)
- [Active Shooter - Poster](#)
- [Surviving an Active Shooter Event](#)

Resources

Student Safety Information

Staff and University Police Information

University Police

Welcome and thank you for visiting the web site for the University Police Department of Missouri Southern State University. It is our hope that by providing information regarding the services provided by this department the students, faculty/staff, parents and visitors will have a more positive experience.

The emergency and non-emergency number is **417-626-2222**. If you are unable to reach an officer call **417-623-3131 1-421#** (Joplin Police Department Communications) and a dispatcher will contact the University Police Officer on duty directly by radio.

If you would like to give the University Police Department a tip about a crime on Southern's campus you can send the information to UPD@mssu.edu.