

MISSOURI SOUTHERN STATE UNIVERSITY

2014 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.

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 mutual aid agreements with the Joplin Police Department, the Jasper County Sheriff’s Office and other small city agencies (Duquesne, Webb City, & Carterville). 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.

All crimes occurring on campus should be reported immediately to the MSSU Police. Police officers are available on campus 24 hours of every day. The emergency number to reach them is 626-2222 or just 2222 from a phone on campus. A dispatcher is scheduled to be in the office anytime classes are in session. When no one is in the office the phone automatically rolls to a cell phone carried by an on-duty officer on campus. If no contact can be made with the on-duty officer, people may call 417-623-3131 and the JPD Communications Center can dispatch a University Police Officer directly.

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 Housing (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 occurring on campus 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.
- 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.

Bystander Intervention:

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.

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.

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. Police officers secure the dorm buildings around midnight as well, performing random “walk-throughs” and vehicle patrols in 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.

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.

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.

Anyone 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 Various Sex-Related Offenses

Consistent with the requirements of Title IX of the Education Amendments of 1972, MSSU prohibits discrimination based on sex in its educational programs and activities, including sexual harassment and acts of domestic violence, dating violence, sexual violence 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. 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 prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. In that regard, the following definitions apply within the state of Missouri:

- *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* 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."

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.
- It is also important to be aware of the warning signs of an abusive person. Some examples include:
 - Past abuse
 - Threats of violence or abuse
 - Breaking objects
 - Using force during an argument
 - Jealousy
 - Controlling behavior
 - Quick involvement
 - Unrealistic expectations
 - Isolation
 - Blames others for problems
 - Hypersensitivity
 - Cruelty to animals or children
 - “Playful” use of force during sex
 - Jekyll-and-Hyde personality

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.

MSSU will provide primary prevention and awareness programs for new students and employees, as well as ongoing prevention and awareness campaigns. It is in the process of developing these educational programs. This programming will cover, among other things, the following:

- The University’s prohibition of sexual assault, domestic violence, dating violence and stalking;

- Definitions of consent, domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction (Missouri);
- Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against another person;
- Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and
- The University's policy and procedures that will be utilized when there is a complaint of sexual assault, domestic violence, dating violence, or stalking.

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 Offense:

If you are a victim of a sexual assault, go to a safe place and call the University Police Department (417-626-2222). You should also contact the University's Title IX Investigator (Ron Mitchell, Dean of Students, 417-625-9531). If requested by the victim, the University will assist the victim in notifying appropriate law enforcement authorities of the assault, although the victim also has 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. Therefore, victims should follow 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.

Available Victim Services:

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal 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)

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

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 campus security or local law enforcement.

Procedures for Disciplinary Action:

Allegations of domestic violence, dating violence, sexual assault or stalking involving students will be processed through the office of the Dean of Students.

Overview of the Conduct Process Student Conduct:

This overview gives a general idea of how the University's campus conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures are flexible, and are not exactly the same in every situation, though consistency in similar situations is a priority. The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of Missouri Southern State University rules.

NOTICE: Once notice is received from any source (victim, RA, 3rd party, online, etc.), the University may proceed with a preliminary investigation and/or may schedule an initial educational meeting/conference with the responding student to explain the conduct process to the responding student and gather information.

A. STEP 1: Preliminary Inquiry and/or Educational Conference

The University conducts a preliminary inquiry into the nature of the incident, complaint or notice, the evidence available, and the parties involved. The preliminary inquiry may lead to:

- 1) A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Code of Student Conduct, (e.g.: for reasons such as mistaken identity or allegations of behavior that falls outside the code);
- 2) A more comprehensive investigation, when it is clear more information must be gathered;
- 3) A formal complaint of a violation and/or an educational conference with the responding student.

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 (see immediately below);
- 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 within two days, 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.

If the administrator conducting the educational conference determines that it is more likely than not that the responding student is in violation, and the responding student rejects that finding in whole or in part, then it is considered a contested allegation and the process moves to Step 2.

Formal Conduct Procedures

Missouri Southern State University as Convener

The University is the convener of every action under this code. Within that action, there are several roles. The responding student is the person who is alleged to have violated the Code. The party bringing the complaint, who may be a student, employee, visitor, or guest, may choose to be present and participate in the process as fully as the responding student. There are witnesses, who may offer information regarding the allegation. There is an investigator(s) whose role is to present the allegations and share the evidence that the University has obtained regarding the allegations. 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 under this *Code*:

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.

The Dean of Students (or designee) will assume responsibility for the investigation of the alleged violation as described in the sub-section below.

Investigation

Investigation is referenced in both steps 1 and 2 above, with detailed investigation procedures described in this sub-section. The Dean of Students will appoint an investigator(s) for allegations under this *Code*. The investigator(s) will take the following steps, if not already completed by the Coordinator or designee:

- 1) Initiate any necessary remedial actions on behalf of the victim (if any);
- 2) Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a Missouri Southern State University proxy or representative;
- 3) Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;
 - a) If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim;

- b) Notify the victim of whether the University intends to pursue the complaint regardless of their involvement, and inform the victim of their rights in the process and option to become involved if they so choose;
- c) Preliminary investigation usually takes between 1-7 business days to complete;
- 4) If indicated by the preliminary investigation and authorized by the Dean of Students, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated University policy, and to determine what specific policy violations should serve as the basis for the complaint;
 - a) If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;
 - b) A comprehensive investigation usually takes between one day and two weeks;
- 5) Meet with the party bringing the complaint to finalize the Party bringing the complaint's Statement, which will be drawn up by the investigator or designee as a result of this meeting;
- 6) 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 responding student, who may be given notice of the interview prior to or at the time of the interview;
 - a) Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator(s);
- 7) Interview all relevant witnesses, summarize the information they are able to share and have each witness sign the summary to verify its accuracy;
- 8) Obtain all documentary evidence and information that is available;
- 9) Obtain all physical evidence that is available;
- 10) Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;
- 11) Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- 12) Present the investigation report and findings to the responding student, who may:
 - a) accept the findings,
 - b) accept the findings in part and reject them in part,
 - c) or may reject all findings;
- 13) Share the findings and update the party bringing the complaint on the status of the investigation and the outcome.

Special Provisions for Sexual Misconduct, Discrimination and Other Complaints of a Sensitive Nature

The past sexual history or sexual character of a party will not be admissible by the other parties in hearings. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, will always be relevant to the finding, not just the sanction

The party bringing any complaint alleging sexual misconduct, other behavior falling within the coverage of Title IX and/or a crime of violence will be notified in writing of the outcome of a hearing, any sanctions assigned and the rationale for the decision.

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

or more of the following methods: phone call requesting the hearing by the Dean of Students (or designee), in writing – delivered in person by the Dean of Students (or designee); mailed to the local or permanent address of the student as indicated in official Missouri Southern State University records; or emailed to the student’s Missouri Southern State University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. The letter of notice will:

- 1) Include notification of an alleged violation and notification of where to locate the *Code of Student Conduct* and Missouri Southern State University procedures for resolution of the complaint; and
- 2) Direct the responding student to contact the Dean of Students (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than two days from the date of delivery of the summons letter.

A meeting with the Dean of Students (or designee) may be arranged to explain the nature of the complaint and the conduct process. At this meeting, the responding student may indicate, either verbally or in writing, to the Dean of Students (or designee), whether they admit to or deny the allegations of the complaint.

Both the victim and the individual accused of the offense are entitled to:

- A prompt, fair and impartial investigation and resolution.
- Proceedings conducted by officials who at a minimum receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- 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 a majority vote of an impartial panel 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.

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

Following a final determination in the University’s disciplinary proceeding that one of the above offenses has been committed, the University may impose a range of penalties depending on the mitigating and aggravating circumstances involved. They include, but are not limited to assessment of financial penalties, suspension, probation or termination/expulsion.

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.

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.

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 and alcohol by students and employees in the workplace, on University property, or as part of any University activity.

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

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, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson); (2) hate crimes (any of the previous offenses 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:

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.

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

Sex offenses—non-forcible: unlawful, non-forcible sexual intercourse (i.e., incest or statutory rape).

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.

Domestic violence: Violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic violence law, or anyone else protected under domestic or family violence law.

Dating violence: Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type and frequency of interaction.

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.

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 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.

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.

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 –		
	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
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	0	1	4	0	1	3	0	0	0	0	0	0
Sex Offense - Non-Forcible:												
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0
Dating Violence	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0
Stalking	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	1	1	0	0	0	0	0	0	0	0
Burglary	8	8	6	8	7	5	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0	0	0	0
Arson	0	3	0	0	0	0	0	0	0	0	0	0
Arrests												
Weapons: Carrying, Possessing, etc.	1	0	0	1	0	0	0	0	0	0	0	0
Drug Law Violation	7	2	4	7	2	1	0	0	0	0	0	0
Liquor Law Violations	1	0	0	1	0	0	0	0	0	0	0	0
Disciplinary Referrals												
Weapons: Carrying, Possessing, etc.	0	1	1	0	1	1	0	0	0	0	0	0
Drug Law Violations	4	5	11	4	5	11	0	0	0	0	0	0
Liquor Law Violations	41	35	54	39	35	54	0	0	0	0	0	0

*There were no hate crimes reported for the years 2011, 2012, and 2013.

[End of Annual Security Report.]

2014 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 2013. The three halls listed are the largest facilities.

8/29/2013

7:00 East Hall, 109 people, time 3:21

7:30 McCormick Hall, 43 people, time 2:33

8:00 Blaine Hall, 78 people, time 4:47

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 each year
East Hall	x	x	x	x		1
McCormick Hall	x		x	x		1
Blaine Hall	x		x	x		1
Gockel Hall			x	x		0
Stegge Hall			x	x		0
Dishman Hall			x	x		0
Dryer Hall			x	x		0
Stone Hall			x	x		0
Headlee Hall			x	x		0
Maupin Hall			x	x		0
Mitchell Hall			x	x		0

*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	2011 - Total Fires in Each Building	2012 – Total Fires in Each Building	2013 – 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