



# **Annual Security and Fire Report**

## **Main Campus and University Farm Campus**

September 2015

Truman State University

Department of Public Safety

The Department of Public Safety is the campus police department, which protects the property and preserves the peace and good order on the campus. The Department of Public Safety staff serves the campus 24 hours a day, 365 days a year, providing both emergency and non-emergency assistance to students, employees, and visitors.

***All policies and procedures contained in this report apply to the Main Campus and the Farm Campus.***

The Department of Public Safety consists of the University Police Department, Parking Services and State Fleet Transportation Department. The University Police provides both emergency and non-emergency assistance to the University community. The Department offers escort services, houses the central lost and found, provides safekeeping for firearms and provides crime prevention programs, including rape aggression defense. The Department encourages everyone to report crimes that occur on campus to the University Police Department. For more information regarding the Department of Public Safety, visit the web page, [police.truman.edu](http://police.truman.edu). The Public Safety Building is located on the corner of Patterson and Franklin Street.

## **Preparing the Statistics for the Truman State University Annual Campus Safety and Security Report**

As required by federal law, Truman State University's yearly crime statistics for this report are compiled on a calendar-year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the 2012, 2013 and 2014 calendar years concerning reported crimes that occurred on campus. In addition, these statistics are gathered from reported crimes to the University Department of Public Safety (DPS), crimes reported to other campus officials with significant responsibility for student and campus activities (known as Campus Security Authorities). These statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, which are violations of liquor laws, drug laws, and illegal weapons offenses. Statistics are compiled for certain crimes that are also classified as Hate Crimes. This report also includes the number of reported incidents of Domestic Violence, Dating Violence, and Stalking beginning with the 2013

calendar year. Statistical information for certain off-campus buildings or property owned or controlled by Truman State University as well as public property within or immediately adjacent to and accessible from the campus are collected or requested from local police departments. The annual security report is prepared by DPS and future reports will be promulgated on October 1 of each year.

## **Geography**

### *Campus*

The Clery regulations found in 34 CFR 668.46 defines Campus ("On-Campus") property in the following manner:

*"Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and*

*Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)."*

### *Non-Campus Property*

The Clery regulations found in 34 CFR 668.46 define Non-Campus property in the following manner:

*"Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution."*

## *Public Property*

The Clery regulations found in 34 CFR 668.46 define public property in the following manner:

*"All Public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus."*

Public property refers to property owned by a public entity, such as a city or state government.

## **General Procedures for Reporting a Crime or Emergency**

All members of the University community are encouraged to report any crime committed on campus to the Department of Public Safety (DPS) in a timely manner. DPS shares a central dispatch center with the Kirksville Police Department (KPD) and the Adair County Sheriff's Department. In case of an emergency call 911, otherwise call (660) 665-5621. Dispatchers are available at these respective telephone numbers 24 hours a day to answer your call. Reported calls are investigated and referred to the appropriate department or office for action. Crimes should be reported to DPS to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

DPS works very closely with KPD and other law enforcement agencies to assist them with incidents, which may occur on or off campus. University police officers and Kirksville police officers enforce laws and University regulations, such as underage drinking and use of controlled substances and weapons. Alcoholic beverages are not permitted in the residence halls or on campus. Illegal drugs, firearms, and dangerous weapons of any type are not allowed on campus. Students who violate these regulations face University disciplinary sanctions through the Office of Citizenship and Community Standards and/or criminal charges.

The Department of Public Safety encourages anyone who is the victim or witness to any crime to promptly report the incident to the campus police. Because campus police reports are public records under state law, DPS cannot hold reports of crime in confidence. All reports will be investigated. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities, such as Residence Life staff, or other campus officials with significant responsibility for student

and campus activities. Incidents may also be reported anonymously via the “Silent Witness” program located on the DPS website at [police.truman.edu/forms/witness.asp](http://police.truman.edu/forms/witness.asp).

## Off-Campus Crime

If KPD is contacted about criminal activity occurring off-campus involving Truman State University students, KPD may notify DPS. However, there is no official KPD policy requiring such notification. Students in these cases may be subject to arrest by KPD and subject to university judicial proceedings through the Truman State University Office of Citizenship and Community Standards.

## Policy Statement Addressing Counselors

Campus “professional counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

Campus “professional counselors” are defined as: an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

## Emergency Response and Evacuation Procedures

The University has developed an Emergency Operations Plan that includes information about University operating status parameters, incident priorities and performance expectations, shelter-in-place and evacuation guidelines, and local contingency and continuity planning requirements. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The Truman State University Department of Public Safety (DPS) is responsible for developing, maintaining and testing the plan on an annual basis. The University is also a member of the Adair County/Kirksville Local Emergency Planning Committee which is responsible for developing,

maintaining and testing the Adair County/Kirksville Emergency Operations Plan.

The Truman State University Department of Public Safety (DPS) receives information from various offices/departments on and off campus. If DPS confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Truman community, DPS will collaborate with appropriate offices to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Truman community or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population. DPS 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 judgment of the first responders (including, but not limited to: DPS, other local law enforcement agencies, local fire and emergency medical services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident which poses a confirmed immediate threat, as determined by the Department of Public Safety, to members of the Truman State University community, the University has various systems in place for communicating information quickly to those individuals. Some or all of these methods of communication may be activated in the event of a confirmed immediate threat to the Truman campus community. These methods of communication include emergency phone notification, outdoor warning system, “TruAlert” emergency text messages that can be sent to a phone or PDA (individuals can sign up for this service on the TruView website), and emergency override on the University website: [www.truman.edu](http://www.truman.edu). The University will post updates during a critical incident on the University website at [www.truman.edu](http://www.truman.edu). Future improvements to the “TruAlert” system include the ability to post the emergency message to digital signage around campus, to University owned computers via a desktop alert, an audible alert and text to the audio visual controls in the classrooms and to display the emergency message over the University cable TV system. Members of the community at large who are interested in receiving information about emergencies on campus should monitor the Truman website.

Information on evacuation and other emergency procedures can be accessed via the Department of Public Safety website,

[police.truman.edu](http://police.truman.edu) and click on Emergency Response Guide. You can request a hard copy of this information by contacting DPS during normal business hours at (660) 785-4176, via email at [police@truman.edu](mailto:police@truman.edu) or in-person at the DPS Office.

## Timely Warnings

Truman State University will make every effort to provide a safe and secure environment for everyone. In the event a serious crime occurs on the campus, the University Department of Public Safety (DPS) will provide the university community with a timely warning via university-wide mailing, e-mail, text messaging, and posting throughout the campus. The same protocol will be followed for emergency situations. The timely warning will also appear on the DPS website at [police.truman.edu](http://police.truman.edu). The notice will provide information about the incident and crime prevention/safety information. The notice will withhold confidential the name(s) of victims. All crimes that are reported are entered in the daily crime log and reports are filed with a unique identification number. This daily log contains the nature of the crime, date, time, general location, and disposition of the complaint.

## Campus Police Authority and Jurisdiction

Truman State University Department of Public Safety (DPS) is a fully commissioned police department that works very closely with federal, state, county, and local law enforcement agencies to provide proactive law enforcement services to the Truman campus. Commissioned police force means that the police officers at DPS have the same arrest powers as other police officers in the State of Missouri. DPS is also a member of the Adair County E911 Central Dispatch Center.

DPS has complete police authority to apprehend and arrest anyone involved in illegal acts on campus. Violators are subject to criminal prosecution, fines, and imprisonment. DPS may also refer the violator to the Office of Citizenship and Community Standards or other appropriate University administrative offices.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations is monitored and recorded. This information is provided to the Office of Citizenship and Community Standards for any action or follow-up that may be required.

## Building and Grounds Security

The Physical Plant Department maintains the University buildings and grounds with a concern for safety and security. They inspect campus facilities regularly and promptly make repairs. The University campus is well lit, and further lighting improvements are being made in parking lot areas and along pathways frequently traveled by students. In addition to public access phones in each building, there are 20 emergency telephones strategically located throughout campus, directly connected to the Adair County E-911 Dispatch Center. Most of the University's academic buildings are opened weekdays by the Physical Plant staff members in the morning and locked by the Department of Public Safety in the evening. On weekends, the Department of Public Safety opens and closes buildings as needed. In addition, the University's locksmiths maintain strict control and are on call 24 hours a day. To report problems or concerns with University building or grounds, contact the Physical Plant Department at (660) 785-4200.

## Building Access Policy

All academic and administrative building on campus, are open to students, parents, employees, contractors, guests and invitees generally between the hours of 7 a.m. - 12 a.m., with the exception of Pickler Library which closes at 1 a.m. (subject to seasonal adjustments such as extended hours for finals week). Access between the hours of 12 a.m. - 7 a.m. is by key or those with prior written approval to a specific facility. Admit policies can be found at [police.truman.edu](http://police.truman.edu), click on Services and Information, then Building Admittance.

Residence Hall access is controlled via a card access system. Resident students are issued a proximity ID card (which is the same as their student ID card) that will allow access to the hall based on a schedule administered by Residence Life. All halls are open to students, parents, employees, contractors, guests and invitees between the hours of 6 a.m. - 10:30 p.m. All doors are locked between the hours of 10:30 p.m. - 6 a.m. Access between the hours of 10:30 p.m. - 12 a.m. is restricted to entrances designated by Residence Life policies and is limited to on-campus residents via proximity ID card and non-residents accompanied by an on-campus resident. Access between the hours of 12 a.m. - 6 a.m. is restricted to residents of the specific hall only; non-residents must be accompanied by a resident. All persons wanting

access to the hall between the hours of 12 a.m. - 6 a.m. must also check in with the night monitor and physically present their ID card. The night monitor is on duty from 11:30 p.m. - 6 a.m. More information can be found on the Residence Life website at [www.truman.edu/residence-life/rules-and-regulations/the-rules/#Night\\_Security/Night\\_Monitors](http://www.truman.edu/residence-life/rules-and-regulations/the-rules/#Night_Security/Night_Monitors).

Emergencies may necessitate changes or alterations to any posted schedule. Areas that are revealed as problematic have security surveys conducted on them. Administrators from Public Safety, Physical Plant, Student Affairs, Residence Life, and other concerned areas review these results. These surveys examine security issues such as lighting, landscaping, communications and other security concerns.

## Student and Employee Responsibility

The cooperation and involvement of students and employees are important to the success of a campus safety program. They must assume responsibility for their own personal safety and the security for their personal belongings by taking simple, common sense precautions. Precautions might include the use of the escort service when traveling alone at night. Room doors should be locked at night and whenever unoccupied. Valuable items such as stereos, TVs, and cameras should be marked with engraving instruments, which are available free of charge at Public Safety. Bikes should be registered with Public Safety and secured with a sturdy lock. Cars should be locked and parked in well-lit areas with valuables placed out of sight. All students, faculty and staff should report suspicious acting individuals or any unusual incidents to the Department of Public Safety.

## Crime Prevention

Throughout the academic year, the Department of Public Safety, along with the Residence Life staff and other University organizations, sponsor crime prevention programs for the University community, which teach individuals how to reduce their risk of being victimized. Some of the programs offered include: personal safety and awareness, sexual assault awareness, theft and burglary prevention, alcohol awareness, and bicycle safety and security. Information on security and reported incidents of crimes are provided to students and employees regularly through bulletins, crime watch (potential crime warnings), posters, brochures, and the student newspaper.

## Policy on Alcoholic Beverages

Truman State University prohibits public intoxication and the possession, use, and distribution of alcoholic beverages at any time on University premises, regardless of age. (University premises include university parking lots, sidewalks adjacent to campus, and some grassy areas near campus). The consumption of or being in the presence of alcoholic beverages on campus is prohibited by University policy as established by the Board of Governors. Missouri state law prohibits the possession of alcoholic beverages by persons under the age of 21 or "Minor in Possession." Missouri state law also prohibits those under the age of 21 to be a "Minor in Possession by Consumption." This is defined as any person under the age of 21 who is "visibly intoxicated" or has a detectable blood alcohol content of .02. Such laws are strictly enforced by the Department of Public Safety. Violators are subject to University disciplinary action, criminal prosecution, fines, and imprisonment. Organizations or groups violating alcohol policies or laws may be subject to sanctions by the University.

## Policy on Illegal Drugs

The possession, sale, use, manufacture or distribution of any controlled substance, drug paraphernalia, and/or other chemicals, without proper prescription or required license, is illegal under both state and federal laws. Such laws are strictly enforced by Public Safety. Violators are subject to University disciplinary action, criminal prosecution, fines and imprisonment.

## Alcohol and Substance Abuse Information

Students and employees seeking additional information about the effects of drug or alcohol use or seeking assistance for alcohol- or drug-related problems should contact the Student Health Center (660) 785-4182, or University Counseling Services, (660) 785-4014, for referral information.

### *Health Risks*

Students who engage in risky drinking may experience blackouts (for example, memory loss during periods of heavy drinking); fatal and nonfatal injuries, including falls, drowning, and automobile crashes; illnesses; missed classes; unprotected sex that could lead to a sexually transmitted disease or an unwanted pregnancy;

falling grades and academic failure; an arrest record; accidental death; and death by suicide. In addition, college students who drink to excess may miss opportunities to participate in the social, athletic, and cultural activities that are part of college life.

Drug and alcohol use in the workplace not only contributes to lost productivity, but also causes tremendous costs related to absenteeism, accidents, health care, loss of trained personnel, and employee treatment programs. Drug and alcohol abuse causes physical and emotional dependence. Users may develop a craving for these drugs or alcohol, and their bodies may respond to the presence of drugs in ways that lead to increased drug and alcohol use.

### *Alcohol*

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Alcohol can increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

### *Drugs*

Like many prescription drugs, "recreational" drugs come with potentially harmful side effects that can have serious and long-term effects on your health. High doses of many drugs, or impure or more dangerous substitutes for these drugs, can cause immediate life-threatening health problems such as heart attack, respiratory failure, and coma. Combining drugs with each other or with alcohol is especially dangerous.

## **Sexual Misconduct**

The term "sexual misconduct" means the involvement in any sexual act with another person without the acknowledged and informed

consent, particularly when the other person is incapacitated by drugs, alcohol, mental deficiency, other disability or age.

As Defined by Chapter 566 of the Missouri Revised Statutes, the following terms mean:

***Deviate sexual intercourse:*** any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the male or female sex organ or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

***Sexual conduct:*** sexual intercourse, deviate sexual intercourse or sexual contact;

***Sexual contact:*** any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

***Sexual intercourse:*** any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results.

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

For a complete copy of Truman's policy governing sexual misconduct, visit [eaaa.truman.edu/university-non-discrimination-policy](http://eaaa.truman.edu/university-non-discrimination-policy).

## **A. Definitions**

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

**Administrative Officer** - a trained administrator designated by the president or designee to investigate and enforce the University's Anti-Discrimination Policies. The Administrative

Officer serves as the University's Title IX Coordinator, Section 504 Coordinator, Institutional Compliance Officer, and Chief Equity Officer/Affirmative Action Officer. The Administrative Officer is:

Jamie Ball  
Human Resources  
McClain Hall 101  
Truman State University  
100 East Normal Avenue  
Kirksville, MO 63501  
660) 785-4031  
[jball@truman.edu](mailto:jball@truman.edu)

**Proceeding** - a course of, or continuing of, an action

**Result** - the consequence of a particular action, operation, or course.

**Consent** (*University Non-Discrimination Policy*) -

Consent must be knowing, clear and voluntary. Someone who is incapacitated cannot consent. Silence or absence of resistance does not establish consent. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity with one person does not imply consent to engage in sexual activity with another. Consent must be obtained at the time of the specific activity and can be withdrawn at any time. Lack of consent or withdrawal of consent may be communicated by words or non-verbal acts. Coercion and force, or threat of either, invalidates consent.

**Missouri State Law (RSMo 556.061) defines consent as follows:** Consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

- 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
- It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
- It is induced by force, duress or deception.

### *Sex Offenses (FBI NIBRS)*

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**A. 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 (FBI UCR).

**Corresponding Missouri Statutes**

566.030 *Rape 1st Degree* - sexual intercourse without consent or by force

566.031 *Rape 2nd Degree* - sexual intercourse knowing there is no consent

**B. Sodomy** - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity. (FBI NIBRS)

**Corresponding Missouri Statutes**

566.060 *Sodomy 1st Degree* - deviate sexual intercourse without consent or by force

566.061 *Sodomy 2nd Degree* - deviate sexual intercourse knowing there is no consent

566.062 *Statutory Sodomy 1st Degree* - deviate sexual intercourse with someone under age 14

566.064 *Statutory Sodomy 2nd Degree* - a person 21 years old or older has deviate sexual intercourse with someone under age 17

**C. Sexual Assault with an Object** - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of another person, 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 or physical incapacity (An "object" or "instrument" is anything used by the offender other than the offenders genitalia, e.g., a finger, bottle, handgun, stick)(FBI NIBRS)

**Corresponding Missouri Statutes**

Same as those listed above for Sodomy

**D. 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 or physical incapacity. (FBI NIBRS)

**Corresponding Missouri Statutes**

566.100 *Sexual Abuse 1st Degree* - subjects another person to sexual contact when the person is incapacitated, incapable of or lacks the capacity to consent, or by use of forcible compulsion

566.101 *Sexual Abuse 2nd Degree* - purposely subjects another person to sexual contact without that persons consent

566.068 *Child Molestation 2nd Degree* -

subjects another person to sexual contact who is less than 17 years of age

**Non-Forcible Sex Offenses (FBI NIBRS)**

Unlawful, non-forcible sexual intercourse.

**A. Incest** - Non-forcible sexual intercourse between persons who are related to each other in the degrees wherein marriage is prohibited by law. (FBI NIBRS)

**Corresponding Missouri Statutes**

569.020 *Incest* - marries or purports to marry or engages in any sexual intercourse or

deviate sexual intercourse with someone who is known to be related by whole blood or half-blood or is a stepchild.

**B. Statutory Rape** - Non-forcible sexual intercourse with a person who is under the statutory age of consent. (FBI NIBRS)

**Corresponding Missouri Statutes**

566.032 *Statutory Rape 1st Degree* - sexual intercourse with a person under age 14

566.034 *Statutory Rape 2nd Degree* - a person 21 years of age or older has sexual intercourse with a person under 17 years of age

## Federal Law Violence Against Women Act (VAWA) Crime Categories Additions

Definitions in this section are from the Violence Against Women Act of 1994 [42 U.S.C. 13925 (a)]

**Domestic Violence** - includes felony or misdemeanor crimes 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 cohabiting with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of a victim under the domestic violence or family violence laws of the jurisdiction receiving grant monies, 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.

For the purpose of this definition, domestic violence is any act of violence between a person and a family or household member. Missouri defines family or household member as a spouse, former spouse, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

**Dating Violence** - means violence committed by a person

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship.
2. The type of relationship.
3. The frequency of interaction between the persons involved in the relationship.

For the purpose of this definition, dating violence includes, but is not limited to, sexual or physical abuse or threats of such abuse. Dating violence does not include acts covered under the definition of domestic violence

**Stalking** - engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

- (A) fear for his or her safety or the safety of others; or  
(B) suffer substantial emotional distress.

For the purpose of this definition -

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

**Sexual Assault** - means any non-consensual sex act proscribed by Federal, tribal or State law, including when the victim lacks capacity to consent.

## Education and Prevention Programs

As part of its effort to prevent sexual misconduct, the University is dedicated to educating the University community about dating violence, domestic violence, sexual assault, and stalking.

The University has developed an annual educational program consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the spring and fall faculty orientation program; presenting programs throughout the year on at least a quarterly basis, may include sessions such as: skits, a residence hall speaker series, and annual poster series.

These education and prevention programs consist of:

**Awareness Programs** - programs, initiatives, and strategies designed to increase students' knowledge regarding resources to prevent sexual harassment, promote safety, and reduce engagement in high-risk behavior.

### Ongoing Prevention and Awareness

**Campaign** - Programs, initiatives, and strategies that are sustained over time and which focus on increasing the understanding of topics relevant to, and skills for, addressing inappropriate behavior by utilizing a variety of strategies with targeted audiences across campus.

**Primary Prevention Programs** - evidence-based programs, initiatives, and strategies designed to prevent/reduce the likelihood of inappropriate/high-risk behaviors before they occur through the promotion of positive and healthy behaviors, which facilitate healthy, mutually respectful relationships and other socially appropriate behaviors

**Risk Reduction** - identifying, assessing, and preventing/reducing engagement in high-risk behaviors and bystander inaction by providing educational programming that addresses/facilitates empowerment of students/individuals in an effort to promote safety and reduce high-risk situations.

## Education and Prevention Programs in 2014

Date	Program Name	Program Sponsor(s)	Audience
01-21-2014	Active Shooter Response	Department of Public Safety	Faculty/Staff
01-30-2014	Violent Incident Survival Training	Department of Public Safety	Faculty/Staff
02-13-2014	Violent Incident Survival Training	Department of Public Safety	Staff
02-22-2014	Self Defense	Department of Public Safety	Students
02-26-2014	Let's Talk About Sex Baby	Residence Life	Students
02-27-2014	Violent Incident Survival Training	Department of Public Safety	Faculty/Staff
02-27-2014	Violent Incident Survival Training	Public Safety/Residence Life	Fac/Staff/Students
03-02-2014	Risk Management	Department of Public Safety	Students
03-18-2014	Violent Incident Survival Training	Department of Public Safety	Staff
03-21-2014	Violent Incident Survival Training	Department of Public Safety	Students
03-22-2014	Visit Day Services Fair	Department of Public Safety	Visiting Families
03-22-2014	Self Defense	Department of Public Safety	Students
03-30-2014	Self Defense	Department of Public Safety	Students
04-14-2014	Self Defense	Department of Public Safety	Students
04-28-2014	Let's Talk About Sex Baby	Residence Life	Students
04-26-2014	Visit Day Services Fair	Department of Public Safety	Visiting Families
05-01-2014	Violent Incident Survival Training	Department of Public Safety	Students
06-02-2014	Freshman Orientation	Public Safety/Student Affairs	Students
06-06-2014	Freshman Orientation	Public Safety/Student Affairs	Students
06-11-2014	Freshman Orientation	Public Safety/Student Affairs	Students
06-16-2014	Freshman Orientation	Public Safety/Student Affairs	Students
06-19-2014	Freshman Orientation	Public Safety/Student Affairs	Students
06-27-2014	Self Defense	Department of Public Safety	Students
08-11-2014	Emergency Procedures	Department of Public Safety	Faculty
08-11-2014	About Public Safety	Department of Public Safety	Staff
08-13-2014	Clery Act Requirements	Department of Public Safety	Res Life/ Student Staff
08-15-2014	Freshman Orientation	Department of Public Safety	Students
08-17-2014	Consent, Coercion, Consequences	Student Affairs/Public Safety	Students (8 sessions)
08-18-2014	Freshman Week Presentation	Department of Public Safety	Students
08-18-2014	Consent, Coercion, Consequences	Student Affairs/Public Safety	Students (2 sessions)
08-18-2014	Bystander Intervention	Student Affairs/Res Life	Students (9 sessions)
08-19-2014	Consent, Coercion, Consequences	Student Affairs/Public Safety	Students
09-09-2014	Title IX Compliance and Classroom Emergency Response	Department of Public Safety	Faculty
09-11-2014	Faculty/Staff Fair	Department of Public Safety	Faculty/Staff
09-30-2014	Bystander Intervention	Student Affairs	Students
10-04-2014	Self Defense	Department of Public Safety	Students
10-06-2014	Mock Press Conferences	Department of Public Safety	Students
10-13-2014	Self Defense	Department of Public Safety	Students
10-14-2014	Self Defense	Department of Public Safety	Students
10-16-2014	Campus Security Authority Training	Department of Public Safety	Faculty/Staff
10-29-2014	Campus Safety Issues	Department of Public Safety	Students
11-02-2014	Risk Management	Department of Public Safety	Students

11-03-2014	Self Defense	Department of Public Safety	Students
11-08-2014	Fall Showcase	Department of Public Safety	Visiting Families
11-14-2014	Active Shooter Exercise (Activation of Emergency Operations Plan with Policy Group and Operations Group	Department of Public Safety	Faculty/Staff
11-17-2014	Tobacco-Free Policy Awareness	Stu Aff/Rec Center/Stu Health	Students
12-03-2014	Self Defense	Department of Public Safety	Staff
Spring 2014	Rape Aggression Defense (R.A.D.)	Department of Public Safety	Students
Fall 2014	Suicide Prevention	UCS/Stu Health/Res Life	Students
Fall 2014	Sexual Assault Panel	University Counseling Services	Students
Fall 2014	Campus Safety for Women	University Counseling Services	Students
Fall 2014	Women's Resource Center Training	Center for Student Involvement	Students/Staff
Fall 2014	Rape Aggression Defense (R.A.D.)	Department of Public Safety	Students
Fall 2014	Organizational Risk Management Training	Office of Citizenship & Community Standards/Student Involvement	Students
Fall 2014	Alcohol and Drug Abuse	University Counseling Services	Students
Fall 2014	Sexual Harassment	University Counseling Services	Students
Fall 2014	Women's Resource Center Program	University Counseling Services	Students
Fall 2014	Depression and Suicide Information	University Counseling Services	Students

## Bystander Intervention Information

A bystander is someone other than the victim who is present when an act of sexual assault, dating violence, domestic violence, or stalking is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse.

Be an intervener! Stop these incidents before they occur and talk to your friends about it so that they will intervene as well!

### 1. Notice the Incident

Bystanders first must notice the incident taking place. Obviously, if they don't take note of the situation, there is no reason to help.

### 2. Interpret Incident as Emergency

Bystanders also need to evaluate the situation and determine whether it is an emergency—or at least one in which someone needs assistance. Again, if people do not interpret a situation as one in which someone needs assistance, then there is no need to provide help.

### 3. Assume Responsibility

Another decision bystanders make is whether they should assume responsibility for giving help. One repeated finding in research studies on helping is that a bystander is less likely to help if

there are other bystanders present. When other bystanders are present, responsibility for helping is diffused. If a lone bystander is present, he or she is more likely to assume responsibility.

### 4. Attempts to Help

- Whether this is to help the person leave the situation, confront a behavior, diffuse a situation, or call for other support/security.
- The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.
- Educate yourself about interpersonal violence AND share this info with friends.
- Confront friends who make excuses for other people's abusive behavior.
- Speak up against racist, sexist, and homophobic jokes or remarks.

### *Tips for intervening in a situation potentially involving sexual assault, relationship violence, or stalking:*

- Approach everyone as a friend
- Do not be antagonistic
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police

For additional info on intervening techniques, see [wellness.truman.edu/index.php/prevention/bystander-intervention/](http://wellness.truman.edu/index.php/prevention/bystander-intervention/).

## Warning Signs of an Abusive Person

This is a list of behaviors that are seen in people who abuse their partners. The first four behaviors (past abuse, threats of violence, breaking objects and any force during an argument) are almost always seen in an abusive person. If someone exhibits more than three of any of these warning signs, there is a strong potential for abuse in the relationship. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.

- **Past Abuse:** An abuser may say, "I hit someone in the past, but she made me do it." An abusive person who minimizes what happened with a previous partner is likely to be violent with their current partner. Abusive behavior does not just go away; long-term counseling and a sincere desire to change are necessary.
- **Threats of Violence or Abuse:** Threats can involve anything that is meant to control the victim. For example, "I'll tell your parents about your drug use if you don't do what I want." Healthy relationships do not involve threats, but an abusive person will try to excuse this behavior by saying that "everybody talks like that."
- **Breaking Objects:** An abuser may break things, beat on tables or walls or throw objects around or near the victim. This behavior terrorizes the victim and can send the message that physical abuse is the next step.
- **Use of Force During an Argument:** An abuser may use force during arguments, including holding the victim down, physically restraining the victim from leaving the room, and pushing and shoving. For example, an abuser may hold a victim against the wall and say, "You're going to listen to me."
- **Jealousy:** An abuser will say that jealousy is a sign of love. In reality, jealousy has nothing to do with love. It is a sign of insecurity and possessiveness. An abuser may question the victim about whom they talk to or be jealous of time spent with other people. As the jealousy progresses, the abuser will call the victim frequently, stop by unexpectedly or monitor the victim's activities.
- **Controlling Behavior:** An abuser will claim that controlling behavior is out of concern for the victim's welfare. They will be angry if the victim is late and will frequently interrogate the victim. As this behavior gets worse, the abuser will control the victim's appearance and activities.
- **Quick Involvement:** An abuser will often pressure someone to make a commitment



after a very short amount of time. The abuser comes on quickly, claiming “love at first sight,” and will tell the victim flattering things such as “You’re the only person I could ever love.”

- **Unrealistic Expectations:** The abuser is dependent on the victim for everything and expects perfection. The victim is expected to take care of everything for the abuser, particularly all emotional support. The abuser will say things like, “You’re the only person I need in my life.”
- **Isolation:** The abuser will attempt to diminish and destroy the victim’s support system. If a female victim has male friends, she is accused of being a “whore.” If she has female friends, she is accused of being a “lesbian.” If she is close to her family, she is accused of being “tied to the apron strings.” The abuser will accuse people who are close to the victim of “causing trouble.”
- **Blames Others for Problems:** Abusers will rarely admit to the part they play in causing a problem. They will blame the victim for almost anything that goes wrong.
- **Blames Others for Their Feelings:** An abuser will tell the victim, “I hurt you because you made me mad,” or “You’re hurting me when you don’t do what I ask.” Blaming the victim is a way of manipulating them and avoiding any responsibility.
- **Hypersensitivity:** An abuser can be easily insulted. The slightest setbacks are seen as personal attacks. An abuser will rage about the everyday difficulties of life as if they are injustices — such as getting a traffic ticket or not doing well on an exam.
- **Cruelty to Animals or Children:** An abuser may brutally punish animals or be insensitive to their pain or suffering. Pets can be used to control the victim or to emotionally abuse them.
- **“Playful” Use of Force During Sex:** The abuser may like to hold the victim down during sex. They may want to act out sexual fantasies in which the victim is helpless. An abuser may show little concern about whether the victim wants to have sex and use sulking or anger to manipulate the victim into compliance. They may demand sex or start having sex with the victim when they are sleeping or very intoxicated.
- **Rigid Sex Roles:** Male abusers often expect women to serve and obey them. They view women as inferior to men and believe that a woman is not a whole person without a relationship with a man.
- **“Jekyll-and-Hyde” Personality:** Explosiveness and mood swings are typical

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

Adapted from Wilson, K.J. *When Violence Begins at Home: A Comprehensive Guide to Understanding and Ending Domestic Abuse*. Alameda, CA: Hunter House Publishers, (1997).

## Help Reduce Your Risk and Avoid Potential Attacks

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help

reduce your risk and how to avoid potential attacks.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911).
- Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

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## Procedures Victims Should Follow if an Incident of Domestic Violence, Dating Violence, Sexual Assault or Stalking has Occurred

The first priority of a victim of sexual assault, dating violence, or domestic violence is to get to a place of safety, then to obtain necessary medical attention as soon as possible. Northeast Regional Medical Center has certified emergency room hospital staff members who are authorized to perform medical/legal examinations. An assault or stalking should be reported directly to one of the following:

- Truman State University Police Department (DPS), 660-665-5621 or 911; or
- Kirksville Police Department (KPD), 660-665-5621 or 911; or
- Dean of Students Office, 660-785-4111; or
- Student Health Center, 660-785-4182; or
- Director of Residence Life, 660-785-4227; or if applicable,
- Director of a student’s residence hall.

Truman State University strongly encourages any victim of sexual assault, dating violence, domestic violence or stalking to report the incident to Truman’s Police Department in a timely manner. However, it is the victim’s choice to make such a report, and the victim has the right not to involve the police. During an investigation, the University may not be able to guarantee victim confidentiality in instances involving:

- Use of a weapon
- Use of physical force or violence

- When the victim is a minor
- There is a pattern by the same perpetrator
- There is a significant risk to the university community.

The victim of sexual assault, dating violence, domestic violence or stalking may choose for the investigation to be pursued through the criminal justice system and/or the University Non-Discrimination Policy. Victims also have the option of contacting the Administrative Officer or one of the other campus security authorities (CSA) to discuss reporting options. One of these university representatives will guide the victim through the available options and support the victim in his/her decision. A victim may also choose to speak confidentially to a Truman Counselor at the University Counseling Services located in the McKinney Center, or may speak with a representative from the local Victim Support Services or local ministry.

As time passes, evidence begins to degrade or may become lost or unavailable making investigation, possible prosecution, disciplinary procedures, or obtaining orders of protection related to the incident more difficult. If a victim chooses to not make a complaint or report the incident to law enforcement, they should still consider speaking with the Truman State University Police Department or other law enforcement agency to preserve evidence in

the event the victim changes their mind at a later date or needs an order of protection in the future.

**Preserving Evidence for Sexual Assaults**

- Physical evidence is crucial in helping to prosecute assailants in cases of rape or sexual assault. Physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical/legal examination, victims of rape or sexual assault should not bathe, change clothes, douche, use the toilet (if possible), or smoke. If the offense occurred within the past 96 hours, victims should not clean the bed/linen/area where they were assaulted so that evidence may be preserved. If victims do not opt for forensic evidence collection, health care providers can still treat for injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

**Preserving Evidence for Victims of Violence -**

Victims of violence should not bathe or change cloths prior to documentation of physical evidence. Preserved evidence may be necessary to prove criminal acts of domestic violence, dating violence or stalking. It may also be useful in obtaining an Order of Protection. If victims do not opt for forensic evidence collection, health care providers may still treat injuries.

**Preserving Evidence for Victims of Stalking**

- Victims of stalking are encouraged to preserve evidence by saving text messages, instant messages, social network pages, other communications, and keeping any pictures, logs or other copies of documents they have that may be useful.

**Reporting an Incident to Other Campus Security Authorities**

- It is be the role of the campus security authority (CSA) to be there for a student as someone to whom they can report crimes, look to for guidance if they have been victims of a crime, or simply need advice as to what the next step should be. If an individual chooses not to report a crime to the university police and chooses to report to any of the other local police, CSA's can assist an individual in contacting other law enforcement agencies such as the Kirksville Police Department or Adair County Sheriff's Office both of which can be reached at (660) 665-5621. If the crime occurred on campus but is reported to local police, it may be referred to the University Police as DPS has jurisdiction for crimes occurring on Truman State University property. CSA's will not be responsible for taking any

actions in regards to reported perpetrators of a crime, nor are they to make any judgment as to whether or not a crime took place; they are simply responsible for reporting crimes to Truman's Police Department for inclusion in the *Annual Security Report*.

If it is determined by Truman State University that the alleged perpetrator(s) poses a serious and immediate threat to the University community, the University is obligated by law to make Timely Warnings to protect the campus. The statistical information and Timely Warnings should not contain any names or exact locations in order to maintain the confidentiality of a victim.

The following list of programs and offices have CSA's that can assist a victim of sexual assault, domestic violence, dating violence or stalking:

Office\Program	Location	Phone
Athletics athletics@truman.edu	Pershing Bldg 212	(660) 785-4236
Center for Academic Excellence	Kirk Bldg 112	(660) 785-4409
Student Affairs Office stuaff@truman.edu	Student Union 1110	(660) 785-4111
Truman DPS police@truman.edu	General Services Building 100	911 (Emergency) (660) 665-5621 (Dispatch) (660) 785-4176 (Office)
Residence Life reslife@truman.edu	Missouri Hall 1100	(660) 785-4227
Center for Student Involvement	Student Union 2000	(660) 785-4222
Student Health Cntr	McKinney Cntr 4011	(660) 785-4182
Human Resources hrstaff@truman.edu	McClain Hall 101	(660) 785-4031

**Procedures for Institutional Action in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, Stalking, Gender-Based Misconduct and Retaliation** - If the offender is a student, student organization, employee or visitor, regardless of criminal or civil action, campus administrative action may be initiated through the University's Non-Discrimination Complaint Reporting and Resolution Procedure.

**Filing A Complaint**

Any student, employee, volunteer or visitor who believes that a student, organization, employee, volunteer or visitor has violated the University's Non-Discrimination Policies should contact the Administrative Officer (identified in previous section) to file a Complaint. Upon receipt of a report or complaint of discrimination, harassment, or sexual misconduct, the Administrative Officer will begin the procedures detailed herein. In order to foster reporting and participation, the University may provide amnesty to Complainants, Respondents, and witnesses for minor conduct violations ancillary to the reported policy violations.

Individuals may also contact the University's Department of Public Safety (DPS) at (660) 665-5621 if the alleged conduct may also constitute a crime. A report to DPS will be considered a report to law enforcement. Though DPS can assist victims of sexual misconduct in accessing services and/or contacting the Administrative Officer, DPS may also proceed with pursuing a criminal investigation and/or criminal charges with or without the Complainant's consent.

Although the University strongly advocates that victims of sexual misconduct report the incident to DPS or other law enforcement in a timely manner, in most cases, it is the victim's choice to make such a report and the victim has a right to decline involvement with law enforcement. However, the Administrative Officer is legally obligated to notify law enforcement of alleged sexual misconduct where the victim is a minor or there is a significant threat to the health and/or safety of others. For all other offenses that may constitute a crime, the Administrative Officer retains discretion to notify law enforcement of the alleged misconduct without the victim's consent, but is not obligated to do so. That decision should be made in accordance with applicable law and, in most cases, after consultation with legal counsel. In making this decision, the Administrative Officer will attempt to balance the victim's request for privacy with the interests of the campus and community, and exercise good judgment in light of all the circumstances.

**Mandated Reporters.** With the exception of employees who are Confidential Reporters, *all employees of the University who become aware of a potential violation of the University's Non-Discrimination Policies are Mandated Reporters*, regardless of whether the reported victim of the alleged conduct is

a student, employee, volunteer or visitor of the University. *A Mandated Reporter must promptly report potential violations of the University's Non-Discrimination Policies to the Administrative Officer, regardless of whether the reported victim of the alleged conduct requests confidentiality and regardless of how the Mandated Reporter becomes aware of the alleged conduct* (personal observation, direct information from the reported victim, indirect information from a third party, etc.). If the reported victim requests confidentiality or that the Complaint not be pursued, the mandated reporter should notify the individual that, at this stage in the process, the Mandated Reporter must report all known information to the Administrative Officer.

#### **Content of Mandated Report to**

**Administrative Officer.** Mandated Reporters must report all details that they possess to the Administrative Officer. This includes names of the parties, if known, and all other information in the Mandated Reporter's possession.

### **Protective/Remedial Measures**

Upon receipt of a Complaint of prohibited discrimination, the Administrative Officer, in cooperation with appropriate University officials, may provide protective measures or interim remedies including, but not limited to, one or more of the following:

- A. Referral and facilitating access for Complainant to counseling and medical services;
- B. Implementing contact limitations on the Respondent or on all parties;
- C. Referral of Complainant to victim advocacy and support services on and off campus;
- D. Referral of Complainant to academic support services and/or any other services that may be beneficial to the Complainant;
- E. Adjusting the courses, assignments, and/or exam schedules of the Complainant and/or the Respondent;
- F. Adjusting the work schedules, work assignments, supervisory responsibilities, supervisor reporting responsibilities and/or work arrangements of the Complainant and/or the Respondent;
- G. Altering the on-campus housing assignments, dining arrangements, or other campus services for the Complainant and/or the Respondent;
- H. Altering the extracurricular activities of the Complainant and/or the Respondent;

- I. Providing transportation accommodations for the Complainant, when reasonably available;
- J. Informing the Complainant of her/his right to notify law enforcement authorities of the reported incident and offering to help facilitate such a report;
- K. Suspending, on an interim basis, the Respondent from University housing, classes, the University campus/facilities/events and/or all other University activities or privileges for which the Respondent might otherwise be eligible, when the Administrative Officer finds and believes from the available information that the presence of the Respondent on campus would seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community.

The appropriate procedure to determine this future status of the Respondent will be initiated within seven business days.

1. In all cases in which an interim suspension is imposed, the Respondent will be given the opportunity to meet with the Administrative Officer prior to such suspension being imposed, or as soon thereafter as reasonably possible, to show cause why the suspension should not be implemented.
2. At the discretion of the Administrative Officer, when the Respondent is a student, alternative coursework options may be pursued to ensure as minimal an impact as possible on the Respondent.
3. The Administrative Officer has sole discretion to implement or stay an interim suspension and to determine its conditions and duration.
4. Violation of an interim suspension under this policy will be grounds for expulsion.
- L. In cases where the Respondent is a campus organization, suspending, on an interim basis, the Respondent organization's operations, University recognition, access to and use of the University campus/facilities/events and/or all other University activities or privileges for which the Respondent organization might otherwise be eligible, pending the completion of the Complaint resolution process.
- M. Institute leave from work with or without pay for the Complainant and/or Respondent. The Administrative Officer will determine which protective measures or interim remedies, if any, are appropriate to each specific case. Factors to consider will be the status of the Complainant and Respondent (student, employee, volunteer or visitor),

the particular circumstances, and the needs of the Complainant, Respondent and the campus community. For Complaints of sexual misconduct, the University will provide protective measures or interim remedies if the Complainant requests them and they are reasonably available, regardless of whether the Complainant chooses to report the incident to DPS or local law enforcement.

### **Immediate Obligations to Victims of Sexual Misconduct**

Upon receipt of a Complaint of sexual misconduct, the Administrative Officer will:

- A. Provide the Complainant with access to medical care if appropriate;
- B. Assess the immediate safety needs of the Complainant;
- C. Provide the Complainant with contact information for local law enforcement and assist the Complainant with contacting local law enforcement if the Complainant requests;
- D. Inform the Complainant of the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus;
- E. Assess the need to implement protective measures or interim remedies, and provide those remedies if they are reasonably available and requested by the Complainant, regardless of whether the Complainant chooses to report the alleged sexual misconduct to law enforcement (see Section IV in Non-Discrimination Policy); and
- F. Provide the Complainant with a copy of the University Non-Discrimination Policy and this procedure, and inform the Complainant regarding time frames for inquiry, investigation, and resolution.

### **Complaint Investigation**

**A. Determination of Jurisdiction** - Prior to proceeding with the investigation and resolution process, the Administrative Officer will determine whether the report or Complaint alleges conduct that is prohibited by the University's Non-Discrimination Policies. If the Administrative Officer believes that the allegations, if proven, would not constitute a violation of the Non-Discrimination Policies, the Complainant will be advised of other available remedies and support options as

appropriate, and no further investigation will be pursued under this procedure. If new information is later provided, the Administrative Officer may reevaluate the applicability of this procedure. If the Administrative Officer believes that the allegations, if proven, would constitute a violation of the University's Non-Discrimination Policies, the investigation and resolution process described herein will be followed.

**B. Participation of the Complainant** - The Administrative Officer should inform and obtain consent from the Complainant before proceeding with the Complaint resolution process detailed herein. If the Complainant requests confidentiality or asks that the Complaint not be pursued, the Administrative Officer should take all reasonable steps to investigate and respond to the Complaint consistent with the request for confidentiality or the request not to pursue an investigation. If a Complainant insists that identifiable information, such as the Complainant's name, not be disclosed to the Respondent, the Administrative Officer should inform the Complainant that the University's ability to respond to the Complaint may be limited. The University will inform the Complainant if it cannot ensure confidentiality.

The Administrative Officer should evaluate the Complainant's request for confidentiality and/or that a Complaint not be pursued in the context of providing a safe and nondiscriminatory environment for all students, employees, volunteers and visitors. The University reserves the right to pursue this Complaint resolution process even when a Complainant chooses not to participate in the process, when necessary to protect the University community or others and provide a safe and nondiscriminatory environment. If, after due deliberation, the Administrative Officer decides the University will not pursue the Complaint, the Administrative Officer should consider other steps to limit and remedy the effects of the alleged misconduct and prevent its re-occurrence. If, after due deliberation of the Complainant's request, the Administrative Officer decides not to proceed with the procedures detailed herein, such a decision should be well-reasoned and documented. In addition, the Administrative Officer should consider other steps to limit the effects of the reported discriminatory behavior, prevent its recurrence, and remedy its effects on the victim and the University community.

**C. Notice of Charges** - If the Administrative Officer determines that the allegations, if proven, would constitute a violation of the University's Non-Discrimination Policies, the Administrative Officer will send a Notice of Charges letter to the Complainant and Respondent with the following information:

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

The Notice of Charges will be made in writing and will be delivered in person, or mailed to the local address of each respective party as indicated in official University records or emailed to the party's University-issued email account. If there is no local address on file, mail will be sent to the party's permanent address. Once delivered in either manner indicated herein, notice will be deemed to have been provided.

**D. Conflict Resolution** - The Administrative Officer will determine if Conflict Resolution is appropriate, based on the willingness of the Complainant and Respondent, the nature of the conduct at issue, and the susceptibility of the conduct to Conflict Resolution. Conflict Resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal investigation and resolution process. Conflict Resolution is used only if both the Complainant and Respondent agree. In a Conflict Resolution meeting, the Administrative Officer will facilitate a dialogue with the Complainant and Respondent to reach an effective resolution, if possible.

Sanctions and appeals are not possible as the result of Conflict Resolution, though the parties may agree to appropriate remedies. The Administrative Officer will keep records of any resolution that is reached, and failure to abide by the resolution reached through this process can result in appropriate responsive actions.

Conflict Resolution will never be used in cases alleging sexual assault and will not be the primary or default resolution mechanism used to address Complaints of sexual misconduct or

violent behavior of any kind. However, Conflict Resolution may be used after an investigation is completed should the Complainant and Respondent both wish to pursue it, and if the Administrative Officer believes it could be beneficial. Conflict Resolution is optional, and either party can stop the Conflict Resolution process at any time and proceed with an investigation and determination by the Administrative Review Panel.

## **E. Investigation**

**1. Scope of Investigation.** The Administrative Officer is authorized to contact any and all individuals with potentially relevant information and access and/or request records or any additional evidence, outside of those legally protected as confidential or privileged, relevant to the Complaint. The nature and scope of the investigation is within the discretion of the Administrative Officer. The Complainant and Respondent will be asked to identify all relevant evidence they would like the Administrative Officer to consider, as well as witnesses they would like the Administrative Officer to interview. Both the Complainant and the Respondent may provide, if they wish, a list of questions they would like the Administrative Officer to ask of particular witnesses or of each other. The Complainant and Respondent will not be permitted to question or cross-examine each other during the course of the investigation. The Administrative Officer will consider all evidence he/she deems necessary to complete a prompt, thorough, and impartial investigation, but is not required to interview all witnesses identified by the Complainant or Respondent or ask the questions provided by the Complainant or Respondent. However, in determining whether to interview witnesses or ask particular questions, the Administrative Officer should consider such factors as equity, fairness, and impartial treatment of both parties.

**2. Equal Rights of Parties.** To the extent permitted by law, the Complainant and Respondent will be afforded the same rights and opportunities throughout the investigation, including the right to receive timely notice of meetings in which they are a participant; the right to receive timely and equal access to information relied on as part of the investigation; and the opportunity to recommend witnesses and submit evidence.

**3. Advisors.** Complainant and Respondent are entitled to the same opportunities to have an advisor of their choice present at

any interviews or meetings related to the investigation and resolution process provided under this procedure. The role of the advisor is solely to support the individual. The advisor is not permitted to ask or answer questions, serve as a witness, or make a statement on behalf of the Complainant or Respondent. The University is not responsible for providing the Complainant or the Respondent with an advisor. The Administrative Officer may terminate meetings and proceed with the investigation based on information otherwise available if advisors refuse to comply with these requirements.

- 4. Admission of Wrongdoing.** If at any point during the investigation, the Respondent acknowledges that he/she engaged in the conduct at issue in the Complaint and accepts responsibility for violating the University's Non-Discrimination Policies, the Administrative Officer may refer the matter to the Administrative Review Panel for a determination regarding sanction(s), discipline, and/or other action(s) in accordance with this procedure.
- 5. Truthful Information.** All participants in the investigation are expected to cooperate fully by providing complete, accurate, and truthful information. Participants will not be deemed to have provided false or misleading information if their factual allegations are intended to be truthful and are made in good faith, regardless of whether the conduct complained of is ultimately found to constitute a policy violation. Participants in the investigation will be expected to keep the content of the interview and investigation confidential. Should a Complainant or Respondent fail to cooperate with the Administrative Officer, the investigation may proceed, a finding may be reached, and sanctions/remedial actions may be imposed based on the information available.
- 6. Timelines.** The investigation will ordinarily be completed within forty-five (45) days from the time a report or Complaint is made to the Administrative Officer. This time period may be shorter or longer depending on the circumstances, including, but not limited to, the complexity of the case, the academic calendar, and the availability of witnesses and other relevant individuals. If either the Complainant or Respondent would like to request an extension of this time frame, a request with a description of the reasons for the request should be directed to the Administrative Officer. The Administrative Officer will notify the other party, make a

decision, and inform the parties and any other individual who needs to know of that decision. If extenuating circumstances are present, the Administrative Officer may decide independently to extend the forty-five (45) day time frame, and will inform the Complainant and Respondent, and any other individual who needs to know, of any such decision.

- 7. Access to Evidence.** At the conclusion of the investigation, to the extent permitted by law, the Complainant and Respondent may review the witness statements and other relevant materials. This includes the statements of both the Respondent and Complainant. Both will have an opportunity to respond to this information in writing within seven (7) days. If at any stage following the submission of these responses new relevant evidence is gathered, it will be shared with both parties, who will have an opportunity to submit a written response within a time frame determined by the Administrative Officer.
- 8. Effect of Criminal Proceedings.** In accordance with federal law, the Administrative Officer will not wait for the conclusion of a criminal investigation or criminal proceeding to begin the Complaint resolution process set forth in this procedure. The University may undertake a short delay (several days to weeks) to allow evidence collection by a law enforcement agency and to avoid interference with that criminal investigation when criminal charges on the basis of the same behaviors that invoke this procedure are being investigated. The Administrative Officer will implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of the Complainant and the campus community and the avoidance of retaliation. University action will not typically be altered or precluded on the grounds that civil cases or criminal charges involving the same incident or alleged conduct have been filed or that charges have been dismissed or reduced.
- 9. Concerns about Bias.** If a Complainant or Respondent is concerned that the Administrative Officer, or other University official involved in the investigation and/or resolution process may be biased or have a conflict of interest, the person should inform the Appellate Officer of that concern immediately. The Appellate Officer will consider this concern and determine if any bias or conflict of interest exists.

**10. Investigation Report.** Within three (3) business days after conclusion of the investigation, the Administrative Officer will prepare an Investigation Report. The Investigation Report will include a summary of the evidence considered and a recommended finding on whether a violation of the University's Non-Discrimination Policies occurred. The recommended finding will be based on the preponderance of evidence standard (i.e., whether it is more likely than not that a policy or policies was violated).

## Administrative Review Panel Determination

### A. Procedures Applicable to All Complaints.

1. An Administrative Review Panel (ARP) will be convened, usually within one to two weeks of the completion of the investigation.
2. Participants will include the Panel Chair, the two other members of the Administrative Review Panel, and may include the Administrative Officer who investigated the Complaint, the Complainant, the Respondent (or up to three organizational representatives in a case where an organization is charged), Advisors to the parties, and any called witnesses. The University reserves the right to have its attorney or attorneys present during the ARP process.
3. The Administrative Officer will submit a copy of the Investigation Report to the ARP Chair.
4. The ARP is not bound by the Investigation Report. The ARP may accept or reject the Administrative Officer's recommended finding in whole or in part. Before making a determination, the ARP may request additional relevant information and may consult with other individuals as appropriate and permitted by law.
5. Prior to the ARP's determination, the Complainant or Respondent may choose to meet individually with the ARP. If either the Complainant or Respondent requests to meet with the ARP, the other party will be notified of this request and will also be given the opportunity to meet with the ARP. The ARP may also request individual meetings with both the Complainant and the Respondent.
6. Questioning or evidence about the Complainant's prior sexual conduct is not permitted, though the ARP may grant a limited exception in regards to the sexual history between the Complainant and Respondent.
7. In any proceedings before the ARP, the Respondent may not directly question the

- Complainant, and the Complainant may not directly question the Respondent. However, either party may submit questions to the ARP Chair, and those questions deemed appropriate and relevant will be asked on behalf of the requesting party.
8. After review of the Investigation Report and any additional relevant information provided by the parties, the ARP shall make a determination as to whether a violation of the University's Non-Discrimination Policies occurred. The ARP's determination will be based on a preponderance of the evidence standard (i.e., whether it is more likely than not that a policy or policies was violated).
  9. Absent extenuating circumstances, the ARP's deliberations should normally be concluded within 14 days after receipt of the Investigation Report. The 14-day period may be extended if the ARP determines that further information or investigation is needed. If this timeline is extended, the Complainant and Respondent will be notified of the extension and the reason for the extension in writing.
  10. The ARP Chair will prepare a written report and deliver it to the Administrative Officer detailing the finding, how each member voted, the information cited by the panel in support of its determination and any information the ARP excluded from its consideration and why. The report should conclude with a determination regarding what sanctions/remedial actions will be imposed. This report should not normally exceed two pages in length and is typically submitted to the Administrative Officer within two (2) business days of the end of deliberations. Any deviation from the two business-day period must be for good cause and will be communicated to the Complainant and Respondent in writing along with the expected time of completion. The Administrative Officer may assist in the preparation of the report.
  11. Factors considered when determining a sanction/remedial action may include:
    - The status of the Complainant and Respondent (student, employee, volunteer or visitor);
    - The nature, severity and circumstances surrounding the violation;
    - The disciplinary history of the Respondent;
    - Any other information deemed relevant by the ARP;
    - The need for sanctions/remedial actions to bring an end to the prohibited discrimination;

- The need for sanctions/remedial actions to prevent the future recurrence of prohibited discrimination;
- The need to remedy the effects of the prohibited discrimination on the Complainant and the University community.

**B. Complaints Against Students.** For cases involving Complaints or reports against students, the following process will be followed after the ARP has made a determination:

1. If the ARP finds that a student has engaged in conduct that violates the University's Non-Discrimination Policies, the ARP will determine the appropriate sanctions/remedial actions. Prior conduct may be taken into account in this determination. Sanctions/remedial actions could include warnings, written reprimands, probationary status, official suspension, or expulsion from any or all University program(s) in which the student is enrolled or participating. It may also include other action as deemed appropriate under the circumstances (e.g., long-term protective measures to address the needs of the Complainant, including but not limited to room changes, class changes, building restrictions, extracurricular activity restrictions, modification of no contact orders, and other actions deemed necessary to maintain a safe environment for the Complainant and/or other members of the University community). Failure to comply with any sanction or other action issued by the ARP may be grounds for further discipline.
2. For investigations following Complaints or reports of sexual misconduct against students, the Complainant and the Respondent will be simultaneously notified in writing of the determination of the investigation and resolution process, any sanctions/remedial actions imposed, the right to appeal, any changes to the result of investigation and resolution process, and when such results become final. For investigations following Complaints or reports of a crime of violence or non-forcible sex offense (as defined in 34 C.F.R. § 99.39) against students, the Complainant will be notified of the name of the Respondent (if not already known), the determination of the investigation and resolution process, and any sanctions/remedial actions imposed. For investigations following all other Complaints or reports of discrimination or harassment against students, the Complainant and the

Respondent will be notified in writing of the determination of the investigation and resolution process, any sanctions/remedial actions imposed (the Complainant will only be notified of those that directly relate to the Complainant, like an order that the Respondent stay away from the Complainant), and the right to appeal.

**C. Complaints Against Employees.** For cases involving Complaints or reports against employees, the following process will be followed after the ARP has made a determination:

1. If the ARP finds that a staff or faculty member has engaged in conduct that violates the University's Non-Discrimination Policies, the ARP will make a recommendation regarding discipline or other appropriate action to the appropriate cabinet level supervisory authority for the area. After review of the ARP's recommendation, the supervisory authority may impose disciplinary action, including verbal warnings, written warnings, written reprimands, suspension, termination of employment, or other action as deemed appropriate under the circumstances. If the supervisory authority decides to terminate the employment of a faculty member, the termination and appeal procedures in Chapter 6 of the Board of Governors Code of Policies will be followed. Failure to comply with any discipline or other action issued by the appropriate supervisory authority may be grounds for further discipline.
2. For investigations following Complaints or reports of sexual misconduct against employees, the Complainant and the Respondent will be simultaneously notified in writing of the determination of the investigation and resolution process, any disciplinary or other action(s) imposed, the right to appeal, any changes to the result of investigation and resolution process, and when such results become final. For investigations following all other Complaints or reports of discrimination or harassment against employees, the Complainant and the Respondent will be notified in writing of the determination of the investigation and resolution process, any disciplinary or other action(s) imposed (the Complainant will only be notified of those that directly relate to the Complainant, like an order that the Respondent stay away from the Complainant), and the right to appeal.

## Withdrawal Prior To Resolution

**A. Withdrawal/Resignation While Charges Pending.** Should a Respondent decide to withdraw as a student or resign as an employee from the University and not participate in the investigation and/or resolution process, these procedures will nonetheless proceed in the Respondent's absence to a reasonable resolution and, if the Respondent is found responsible, the Respondent will not be permitted to return to University unless all sanctions/remedial actions have been satisfied.

**B. Emergency Withdrawal, Suspension, or Expulsion (Students).** The University reserves the right, notwithstanding and apart from the procedures described above, on an emergency basis, to temporarily or permanently suspend, expel or require to withdraw any student whose presence is determined by University authorities (e.g., Administrative Officer, ARP, President) to pose a danger to the community or its members or to be unduly disruptive of University life, or who appears to be unwilling or incapable of effectively and/or safely participating in academic or other programs and/or the residential life of the University. In cases of emergency suspension or required withdrawal, the conditions and procedures for readmission will be determined and communicated in writing to the student once the circumstances surrounding the student's departure have been clarified.

## Appeal Process

**A. Right to Appeal.** Except in cases involving Complaints or reports of sexual misconduct, the right of appeal is only available to a Respondent or Complainant who participated in the investigation and resolution process.

**B. Grounds for Appeal.** Both the Complainant and Respondent are allowed to appeal the decision of the ARP, but appeals are limited to the following:

1. A procedural error occurred that significantly impacted the outcome of the investigation or ARP determination (e.g., substantiated bias, material deviation from established procedures, etc.)
2. To consider new evidence, unavailable during the investigation, or ARP determination that could substantially impact the original finding and/or sanctions/remedial actions.

3. The sanctions/remedial actions fall outside the range typically imposed for this offense, or for the cumulative conduct record of the Respondent.

**C. Requests for Appeal.** Either the Complainant or Respondent or both may submit a request for appeal to the Appellate Officer. The University's Appellate Officer is:  
Sally Herleth  
McClain Hall, 101  
Human Resources  
Truman State University  
100 East Normal  
Kirksville, Mo 63501  
(660) 785-4031  
sallydet@truman.edu

All requests for appeal must be submitted in writing to the Appellate Officer within three (3) business days of the delivery of the written finding of the ARP. The Appellate Officer has the discretion to grant an extension of five (5) business days to both the Complainant and Respondent to file a request for appeal for good cause shown. Requests must specify the ground(s) upon which the appeal is based. Requests that do not meet these requirements will be denied without full consideration on the merits. This helps ensure the efficient and timely operation of the appellate process. Accordingly, when the Complainant and/or Respondent submits an appeal, they are deemed to have "requested" that their appeal be heard, and the Appellate Officer will review the appeal to determine if it meets the requirements for an appeal.

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

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

remedial action.

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

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

1. Decisions by the Appellate Officer are to be deferential to the original decision, making changes to the finding only where there is clear error and to a sanction/remedial action only if there is a compelling justification to do so.
2. Appeals are not intended to be full re-hearings of the Complaint. In most cases, appeals are confined to a review of the written documentation, record of the ARP, and pertinent documentation regarding the grounds for appeal. Appeals granted based on new evidence should normally be remanded to the Administrative Officer or ARP for reconsideration.
3. Sanctions/remedial actions imposed are implemented immediately unless the ARP or Appellate Officer stays their implementation pending the outcome of the appeal.
4. Absent extenuating circumstances, the decision of the Appellate Officer will ordinarily be issued within 14 days after receipt the appeal. If this timeline is extended, the Complainant and Respondent will be notified of the extension and the reason for the extension in writing. The decision of the Appellate Officer is final.
5. For appeals involving Complaints or reports of sexual misconduct or a crime of violence or non-forcible sex offense (as defined in 34 C.F.R. § 99.39) against students, the Complainant and the Respondent will be simultaneously notified in writing of the result of the appeal and any changes in the sanction(s) or other action(s) imposed. For appeals involving all other Complaints or reports of discrimination or harassment, the Complainant and the Respondent will be notified in writing of the result of the appeal and any changes in the sanction(s) or other action(s) imposed (the complainant will only be notified of changes that directly relate to the complainant, like an order that the Respondent stay away from the complainant).

Once an appeal is decided, the outcome is final. Further appeals are not permitted. The University will maintain documentation of these procedures.

## Training

The Administrative Officer, members of the Administrative Review Panelist Pool, the Appellate Officer, and other University officials involved in the investigation and/or resolution of Complaints pursuant to this procedure are trained annually on issues related to domestic violence, dating violence, sexual assault, and stalking and are taught how to conduct these procedures in a way that protects the safety of the Complainant and promotes accountability. These individuals also receive training on the University's Non-Discrimination Policies, handling complaints of prohibited discrimination, procedures for reporting and responding to Complaints, and confidentiality requirements.

## Rights Of The Parties

Both Complainant and Respondent shall have the right to:

- A. Be treated with respect by University officials;
- B. Have access to available campus support resources (such as counseling and mental health services and University health services);
- C. Have an Advisor of their choice accompany them to all interviews, meetings, and proceedings throughout the Complaint resolution process;
- D. Receive timely notice of interviews, meetings, and proceedings in which they are a participant;
- E. Have an equal opportunity to present a list of potential witnesses and provide evidence and have timely and equal access to information throughout the Complaint resolution processes, to the extent permitted by this procedure and applicable law;
- F. Be free from retaliation;
- G. Have Complaints resolved in substantial accordance with this procedure;
- H. Participate in the Complaint resolution process (this is true even if the Complainant is not the reporting party);
- I. Be informed of the outcome of the investigation and the ARP determination in writing, to the extent permitted by this procedure and applicable law;
- J. Request reasonable protective measures or interim remedies consistent with this procedure;

- K. Request a no contact directive between the parties;
- L. Have equal opportunity to appeal the Administrative Review Panel's determination;
- M. Have the names of witnesses who provided information during the investigation within three (3) business days following the conclusion of the investigation; and
- N. Have copies of all pertinent documentary evidence, to the extent permitted by law, within three (3) business days following the conclusion of the investigation.

Conduct records are protected by the Family Education Rights and Privacy Act (FERPA). Conduct records are released only as required by law. Typically, release of information to a third party will occur with the knowledge and/or written permission of the respondent and, in some cases, the complainant.

## How to File for an Order of Protection

In Adair County, a Petition for an Order of Protection can be filed at the Adair County Circuit Clerk's Office located in the Adair County Courthouse at 106 W. Washington St., Kirksville, MO. The Missouri Adult Abuse Act, under RSMo 455.025, requires the Clerk's Office to explain "the procedures for filling out all forms and pleadings necessary for the presentation of their petition to the court." In addition, most counties in Missouri have victim advocates to assist you in the process of filing for an Order of Protection, and they may even go to court with you. You are not required to have an attorney to file a petition but may seek the assistance of one if you choose. After the petition is completed and returned to the clerk, the clerk will present the petition to the judge as soon as possible. The judge will review your petition and decide what action to take. The clerk will contact you and let you know what action was taken. You may be asked to testify at a hearing at some time during the process. All duties performed by the Circuit Clerk's Office are done without cost to the petitioner.

## University Responsibilities in Regards to Orders of Protection

All DPS officers are fully commissioned police officers and hold a dual commission through the state and the City of Kirksville. DPS officers have full arrest authority and shall enforce any

violation of an Ex Parte Order of Protection or Full Order of Protection by a respondent in the same manner as any police officer in any jurisdiction. A violation of any type of protective order in Missouri is considered a class A misdemeanor (up to 1 year incarceration and/or \$1,000 fine) for the first offense and a class D felony (up to 4 years imprisonment and/or \$5,000 fine) for any subsequent offense occurring within 5 years of a previous guilty plea or guilty finding of violating a protective order per RSMo 455.085. Any person who obtains an Order of Protection from Missouri or any other state should provide a copy of the order to DPS so they may properly enforce the order if necessary. A copy may be needed by the Administrative Officer in the event arrangements must be made for the daily routine of the parties involved. Depending on the terms and conditions specified in the Order of Protection the University may make arrangements with both parties that permit access to classrooms, library, cafeteria, or any other public place. These arrangements shall be made to ensure normal access to public areas that do not violate the terms or conditions of the court order.

## Criminal Trespass Warnings (CTW)

If through investigation, there is enough reason to believe that an individual is likely to cause harm to any member of the University community, DPS officers can issue a written Criminal Trespass Warning (CTW). Any individual found on campus after a CTW has been issued against them is subject to immediate arrest by DPS. A CTW can be issued against any member of the Truman State University community or the public. CTW's can be issued by DPS for an indefinite period. A violation of a CTW is a class B misdemeanor punishable by up to 6 months incarceration and/or, \$500 fine per RSMo 569.140

## Confidential Reporters

Though the University encourages students and employees to bring reports of prohibited discrimination to the attention of the Administrative Officer for further investigation pursuant to these procedures, individuals who wish to maintain confidentiality may contact the following resources:

For students, contact University Counseling Services at (660) 785-4014. After hours, call the Dispatch at (660) 665-5621 and ask for the on-call Truman counselor.



For employees, contact Human Resources at (660) 785-4031 and ask for information regarding the Employee Assistance Program.

These employees are Confidential Reporters. Absent the reporting party's consent and/or situations where they perceive a serious risk or threat of injury to any person or property, Confidential Reporters are not required to report information learned in the course of confidential communication to the Administrative Officer for further investigation pursuant to these procedures. However, if the information is not learned in the course of confidential communication (e.g. behavior observed in class), then a Confidential Reporter has the same obligation as a Mandated Reporter. Furthermore, at the request of the reporting party, Confidential Reporters can assist individuals in contacting the Administrative Officer to report prohibited discrimination. Individuals who wish to maintain confidentiality may also speak with off-campus counselors and off-campus members of the clergy and chaplains, all of whom have the right to maintain confidentiality.

## Additional Information

Truman State University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the school and in the community.

### Other Resources

Resource	Phone Number
Victim Support Services	(660) 665-1617
Legal Services	(800) 767-2018
Kirksville Housing Authority	(660) 665-8539
Division of Family Services	(660) 785-2440
Preferred Family Health Care	(660) 665-1962
Truman DPS	911 (Emergency) (660) 665-5621 (Non-emergency)
Kirksville Police Department	(660) 665-5621
Adair County Sheriff's Office	(660) 665-5621
Adair County Ambulance	(660) 665-5621
Adair County E911 Center	(660) 665-5621
Adair County Juvenile Office	(660) 665-4224
Adair County Prosecutor's Office	(660) 627-3625
Missouri State Highway Patrol	(660) 385-2132
Women's Resource Center	(660) 785-7224

## Sex Offender Registration

Under the provisions of the Jacob Wetterling Crimes Against Children and Sexual Offender Registration Act, any person who is required to register under a state sex offender registration program must notify the state when she/he enrolls at an institution of higher education or is employed at such an institution, and must notify the state of any change in enrollment or employment at an institution of higher learning. Sex offender registration information is to be transmitted from each state to the law enforcement entities where the registered sex offenders reside. Missouri maintains a website containing sex offender registration information. This information can be accessed 24 hours a day at [www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html](http://www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html). A link to this site is also located on the Truman State University Department of Public Safety website at [police.truman.edu/](http://police.truman.edu/).

## Unfounding Reports

If through investigation, a law enforcement agency determines a report to be false or baseless, and that no offense occurred or was attempted, then the report is considered to be unfounded. Only sworn or commissioned law enforcement personnel may unfound a crime.

Main Campus	Farm Campus
2014 – None	2014 - None

(Federal law required statistics for unfounded reports beginning with the 2014 calendar year.)

## Missing Students Who Reside on Campus

If a member of the Truman State University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Truman State University Department of Public Safety (DPS) at (660) 665-5621. DPS will generate a missing person report and initiate an investigation.

After investigating the missing person report, should DPS determine that the student is missing and has been missing for more than 24 hours, Truman State University will notify 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 an emancipated individual, Truman State University will notify the student's parent or legal guardian immediately after DPS has determined that the student has been

missing for more than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Truman State University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Truman State University will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so through Residence Life. DPS will be contacted to initiate an investigation even if the student does not identify a missing person contact.

## Main Campus Crime Statistics 2012-2014

<i>Offense (Reported By Hierarchy)</i>	<i>Year</i>	<i>On Campus</i>	<i>Non-Campus</i>	<i>Public Property</i>	<i>Total</i>	<i>Residential Facilities</i>
Murder	2014	0	0	0	0	0
Non-Negligent Manslaughter	2013	0	0	0	0	0
	2012	0	0	0	0	0
Negligent Manslaughter	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Sex Offenses, Forcible						
Rape	2014	6	2	0	8	6
Fondling	2014	1	0	0	1	1
(2012/2013 did not require separation of Rape and Fondling)	2013	1	2	0	3	1
	2012	0	0	0	0	0
Sex Offenses, Non-Forcible						
Statutory Rape	2014	0	0	0	0	0
Incest	2014	0	0	0	0	0
(2012/2013 did not require separation of Statutory Rape and Incest)	2013	0	0	0	0	0
	2012	0	0	0	0	0
Robbery	2014	1	0	0	1	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Aggravated Assault	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	1	2	3	0
Burglary	2014	10	1	0	11	2
	2013	5	4	0	9	3
	2012	0	1	0	1	0
Motor Vehicle Theft	2014	0	0	0	0	0
	2013	1	0	0	1	0
	2012	0	0	0	0	0
Liquor Law Arrests	2014	38	0	1	39	33
	2013	37	1	0	38	28
	2012	36	2	9	47	33
Drug Law Arrests	2014	12	0	2	14	10
	2013	12	0	2	14	12
	2012	1	0	0	1	1
Weapons Law Arrests	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2014	15	0	0	15	14
	2013	5	0	0	5	5
	2012	9	0	0	9	7
Drug Law Violations Referred for Disciplinary Action	2014	0	1	0	1	0
	2013	7	0	0	7	7
	2012	2	0	0	2	2
Weapons Law Violations Referred for Disciplinary Action	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Theft (not required, reported for information only)	2014	48	1	0	49	13
	2013	47	7	1	55	10
	2012	49	2	5	56	5
Arson	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Domestic Violence*	2014	0	0	0	0	0
	2013	0	0	0	0	0
Dating Violence*	2014	0	0	0	0	0
	2013	2	0	0	2	1
Stalking*	2014	1	0	0	1	1
	2013	0	0	0	0	0

\*Federal law required statistics for incidents of Domestic Violence, Dating Violence and Stalking to be reported beginning with the 2013 calendar year.

3 Rapes reported in 2014 occurred in 2012 & 2013. No hate crimes were reported for 2012, 2013, or 2014.

## University Farm Campus Crime Statistics 2012-2014

<i>Offense (Reported By Hierarchy)</i>	<i>Year</i>	<i>On Campus</i>	<i>Non-Campus</i>	<i>Public Property</i>	<i>Total</i>	<i>Residential Facilities</i>
Murder/Non-Negligent Manslaughter	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Negligent Manslaughter	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Sex Offenses, Forcible						
Rape	2014	0	0	0	0	0
Fondling	2014	0	0	0	0	0
(2012/2013 did not require separation of Rape and Fondling)	2013	0	0	0	0	0
	2012	0	0	0	0	0
Sex Offenses, Non-Forcible						
Statutory Rape	2014	0	0	0	0	0
Incest	2014	0	0	0	0	0
(2012/2013 did not require separation of Statutory Rape and Incest)	2013	0	0	0	0	0
	2012	0	0	0	0	0
Robbery	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Aggravated Assault	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Burglary	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Motor Vehicle Theft	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Liquor Law Arrests	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Drug Law Arrests	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Weapons Law Arrests	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Theft (reported for information only, not required to report)	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Arson	2014	0	0	0	0	0
	2013	0	0	0	0	0
	2012	0	0	0	0	0
Domestic Violence*	2014	0	0	0	0	0
	2013	0	0	0	0	0
Dating Violence*	2014	0	0	0	0	0
	2013	0	0	0	0	0
Stalking*	2014	0	0	0	0	0
	2013	0	0	0	0	0

\*Federal law requires statistics for incidents of Domestic Violence, Dating Violence, and Stalking to be reported beginning with the 2013 calendar year  
**There were no hate crimes reported for 2014, 2013, or 2012.**

## Annual Fire Safety Report

If a fire occurs on Truman campus property, community members should immediately notify Central Dispatch by calling 911. Central Dispatch will initiate a response by the Kirksville Fire Department and the Department of Public Safety (DPS). If a member of the Truman community finds evidence of a fire that has been extinguished, and the person is not sure whether DPS has already responded, the community member should immediately notify DPS to investigate and document the incident by contacting Central Dispatch at (660) 665-5621.

The fire alarms alert community members of a potential hazard, and community members are required to heed their warning and evacuate a building immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit

to leave the building immediately. Community members should familiarize themselves with the exits in each building. When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. All emergency phones in elevators on campus ring directly to Central Dispatch.

Burning of candles and incense is prohibited in residence halls, apartments or any campus building. Tobacco is not allowed on Truman's campus.

DPS publishes this report as part of its annual Fire Safety Report, which contains information with respect to the fire safety practices and standards for Truman State University. This report includes statistics concerning the number of fires, the cause of each

fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire. Information on Fire Safety can be accessed at [police.truman.edu/](http://police.truman.edu/) and click on *Emergency Response Guide*. You can request a hard copy of this information by contacting DPS during normal business hours at (660) 785-4176, via email at [police@truman.edu](mailto:police@truman.edu) or in-person at the DPS Office.

Fire Safety information related specially to the Residence Halls can be accessed via the Res Life website at [www.truman.edu/residence-life/rule-and-regulations/the-rules/#Evacuation](http://www.truman.edu/residence-life/rule-and-regulations/the-rules/#Evacuation) (*Bomb Threats & Fire Alarms*).

Electrical Appliance Information can be accessed at [www.truman.edu/residence-life/rule-and-regulations/the-rules/#Appliances\\_or\\_Electronic\\_Devices](http://www.truman.edu/residence-life/rule-and-regulations/the-rules/#Appliances_or_Electronic_Devices).

## Residence Hall Fire Report

<i>Residence Hall</i>	<i>Fire Alarm Monitoring by Central Dispatch</i>	<i>Partial Sprinkler System (1)</i>	<i>Full Sprinkler System (2)</i>	<i>Number of Fire Smoke Detection</i>	<i>Evacuation Extinguisher Devices</i>	<i>Evacuation Plans/Placards</i>	<i>(Fire) Drills Each Academic Year</i>
BNB	Yes	n/a	Yes	Yes	Yes	Yes	2
Centennial	Yes	n/a	Yes	Yes	Yes	Yes	2
Dobson	Yes	n/a	Yes	Yes	Yes	Yes	2
Grim	Yes	No	n/a	Yes	Yes	Yes	2
Missouri	Yes	n/a	Yes	Yes	Yes	Yes	2
Ryle	Yes	n/a	Yes	Yes	Yes	No	2
West Campus	Yes	n/a	Yes	Yes	Yes	No	2
Fair Apts.	No	No	n/a	Yes	Yes	No	0
Randolph Apts.	No	No	n/a	Yes	Yes	No	0
Campbell Apts	Yes	n/a	Yes	Yes	Yes	No	2
Patterson House	No	No	n/a	Yes	Yes	No	0
Farm Hall	No	No	n/a	Yes	Yes	No	0

(1) Partial sprinkler system is defined as having sprinklers in the common areas only

(2) Full sprinkler system is defined as having sprinklers in both the common areas and individual rooms

## Residential Facilities 2014 Fire Statistics

Facility Name	Street Addresses (all addresses are in Kirksville, MO)	Total Number of Fires		Date	Time	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to the Fire	Value of Property Damage Caused by Fire
		in Each Building	Fire Number						
Campbell Apts	1601 S Florence	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Fair Apts	300 E Patterson	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Randolph Apts	516 E Randolph	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #1	1816 S LaHarpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #2	1816 S LaHarpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Blanton/Nason/Brewer	1009 S Mulanix	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Centennial Hall	1000 S Franklin	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dobson Hall	1111 S Mulanix	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
E.C. Grim Hall	208 E Patterson	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ryle Hall	1215 S Mulanix	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Missouri Hall	809 S Mulanix	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
West Campus Suites	215 W Normal	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Patterson House	200 E Patterson	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A

## Residential Facilities 2013 Fire Statistics

Facility Name	Street Addresses (all addresses are in Kirksville, MO)	Total Number of Fires		Date	Time	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to the Fire	Value of Property Damage Caused by Fire
		in Each Building	Fire Number						
Campbell Apts	1601 S Florence	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Fair Apts	300 E Patterson	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Randolph Apts	516 E Randolph	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #1	1816 S LaHarpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #2	1816 S LaHarpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Blanton/Nason/Brewer	1009 S Mulanix	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Centennial Hall	1000 S Franklin	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dobson Hall	1111 S Mulanix	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
E.C. Grim Hall	208 E Patterson	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ryle Hall	1215 S Mulanix	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Missouri Hall	809 S Mulanix	1	1	4/28/13	12:22	Negligence (burnt toilet paper)	0	0	\$2
West Campus Suites	215 W Normal	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Patterson House	200 E Patterson	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A





*Emergency:*

**911**

*Central Dispatch (non-emergency):*

**(660) 665-5621**

*Department of Public Safety:*

**(660) 785-4176**

*Website:*

**<http://police.truman.edu>**



Department of Public Safety  
100 East Normal  
Kirksville, MO 63501