

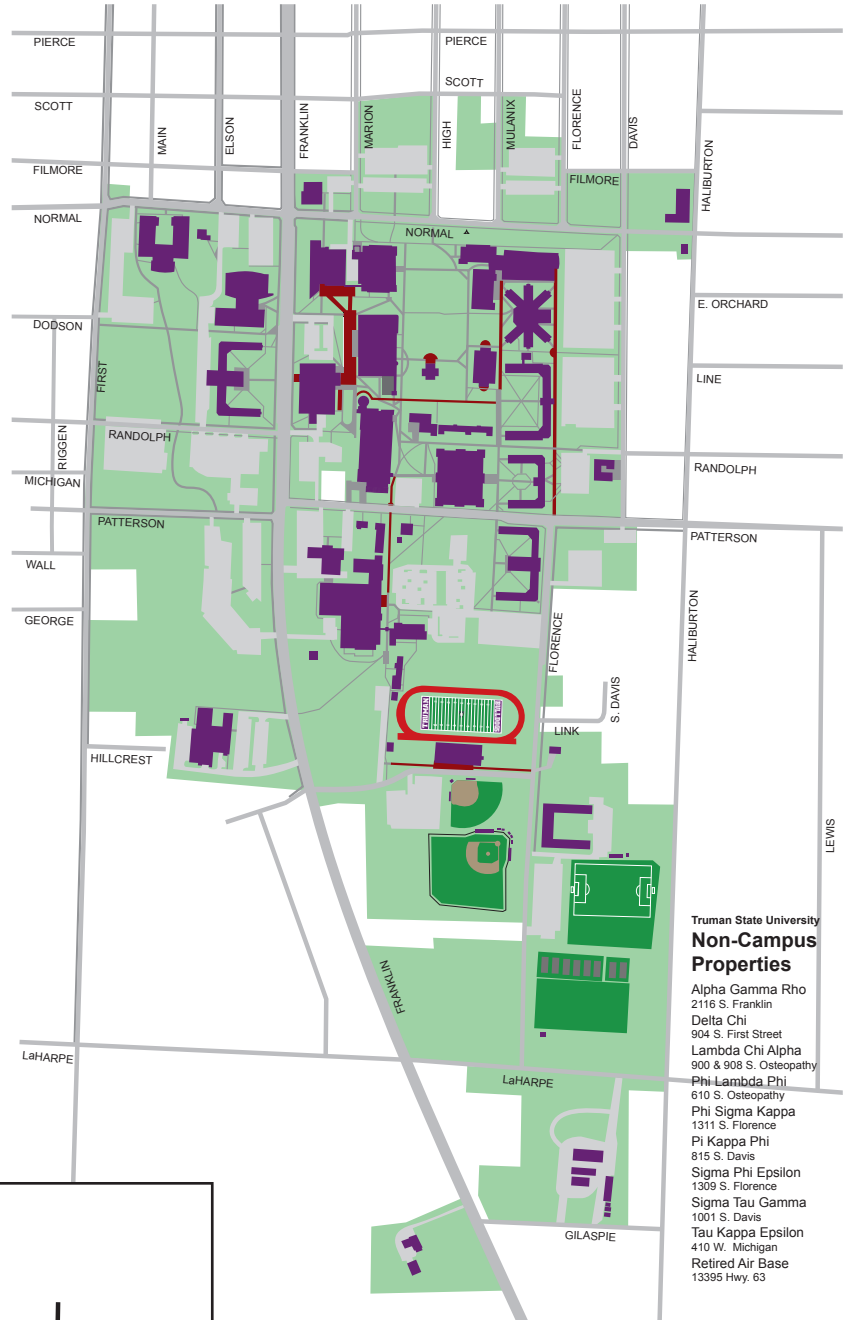
Annual Security and Fire Report

Main Campus and University Farm Campus

October 2023

Truman State University Department of Public Safety

Main Campus



Farm Campus



- Shaded areas are designated by the Clery act as on-campus property
- Non-campus properties are listed in the bottom right corner of the main campus map
- Public Property is the streets and sidewalks contiguous to the shaded area of the map.

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, <http://police.truman.edu/>. The Public Safety Building is located on the corner of Patterson and Franklin streets.

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 2020, 2021 and 2022 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.

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.

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 <http://police.truman.edu/silent-witness-program/>.

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. The University will post updates during a critical incident on the University website at www.truman.edu. The "TruAlert" system includes 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, <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 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 <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.

Security Considerations in the Maintenance of Facilities

Physical Plant and Truman State University Police personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells. Facility entries and exits are checked for pathway debris and door functionality on a routine basis.

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. 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 buildings 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 <http://police.truman.edu/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.

Exterior doors lock at 10:30 p.m. and unlock at 6:00 a.m. Students may use their Truman ID card to enter their residence hall via any door labeled as an "ID Access Door." Guests must be escorted by a resident of the building. Guests are expected to carry identification while in the building.

Non-compliance with these procedures poses a security risk to the building. Such actions will result in a conduct meeting. In extreme circumstances of security risk, Residence Life reserves the right to lock down the residential facilities.

More information can be found at the Residence Life website at <http://www.truman.edu/residence-life/rules-and-regulations/the-rules/>

Video surveillance

Truman State University currently operates 76 security cameras throughout campus. Cameras are located mainly in the parking lots and almost all public spaces on campus. Campus police personnel who are on-duty monitor the cameras for unusual activities. Video footage recorded from security cameras is automatically deleted after 30 days, unless manually saved. If saved, the video goes into a database that can be used for the investigation of crimes and identification of suspects and witnesses. As a general rule, cameras are used as a means of retroactive surveillance.

Student and Employee Responsibility

The cooperation and involvement of students and employees is 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.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

- Campus security, emergency procedures, and fire safety procedures are discussed during new student orientation (via Truman Week presentations). University Police, University Counseling Center, Office of Student Affairs, Residential Life, and the Title IX Coordinator participate in forums, town hall meetings, and programs in residence halls to address students to explain University security, public safety, and fire safety measures and procedures. Security awareness and emergency procedures information is also offered to all incoming international students and employees.
- Truman Week programming includes information about services such as Safe escorts, sexual/relationship violence, alcohol and drug policies, emergency procedures, and general safety. Students are encouraged to sign up for TruAlerts as well.
- Crime prevention and sexual/relationship violence prevention programs are offered on an ongoing basis. These sessions are provided by staff of University Police, University Counseling Services, and the Institutional Compliance Office. Additional crime prevention awareness sessions to educate the campus community about personal safety, services offered, and keep them informed of crime prevention strategies. Information is also disseminated via brochures, the University Police website, and social media.

Policy on Alcoholic Beverages

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.

Residents of West Campus Suites and Campbell Apartments who are 21 years or older may possess and consume alcohol responsibly in their room and in compliance with all other related policies. The following limitations will be enforced:

1. All residents of the room/suite/apartment must be 21 years or older, and they must indicate their willingness to permit alcohol possession and consumption to occur in the living unit on the Roommate Agreement
2. Individuals (including residents and guests) under the age of 21 may not possess alcohol in any area of the residence hall or apartments.
3. Anyone possessing or consuming alcohol shall possess valid photo identification as proof of age, and comply with a request to show such identification when requested by residence life staff and/or any member of law enforcement agencies.
4. Open containers are prohibited in all areas (regardless of a person's age), except within the residence hall room or apartment of a student who is 21 years of age or older.
5. Any use of alcohol that may be considered binge drinking per the Student Conduct Code is prohibited. (Binge drinking is not considered responsible drinking.)
6. Public intoxication, regardless of age, is a violation of the Student Conduct Code. Indicators of intoxication include, but are not limited to, demonstrations of the inability engage in self-control and self-care.
7. Parties, defined as more than 6 people in the room/suite/apartment, are prohibited.
8. Doors to the hallway, adjoining rooms, and sidewalks must be kept closed while alcohol is consumed.
9. All guests must comply with the residence hall alcohol policy. Example: If a 21-year-old guest visits a room where the residents are not 21, no alcohol is permitted, even by the 21-year-old guest. Residents are responsible for the

behavior of their guests.

10. Alcohol may only be purchased and stored by a resident who is 21 years or older. Students under the age of 21 who are in the presence of alcohol, or are consuming alcohol, will be considered in violation of campus alcohol policies, even in rooms of residents who are of legal drinking age.
11. Anyone present in a room where an alcohol infraction has occurred will be considered in violation of the alcohol policy, regardless of age.
12. Alcohol is not permitted at any time in any public area of a residence hall or apartment, except when residents of legal drinking age are transporting closed containers from the building entrance to residence hall room/apartment. A public area may be a hallway, lounge, lobby, laundry room, courtyard or outside area, or any other area not contained in a specific residence hall room/apartment.
13. Alcohol may only be transported to the resident's room/apartment by someone who is 21 or older. Alcohol containers must be closed, completely covered from open view, transported discreetly and be taken directly to the resident's room. Disposal of empty alcohol containers should be done within community expectations regarding recycling and trash disposal.
14. Use or possession of common source containers such as kegs, beer balls, handles of distilled spirits, etc. are prohibited. Drinking games and devices associated with the rapid or excessive consumption, such as beer bong, beer pong tables, tap devices, funnel devices, etc. are also prohibited.
15. A student of legal drinking age may not possess more than the total fluid ounce equivalent of one case of beer (30 count max), or two liters of wine, or one liter of distilled spirits.
16. Students cannot "share" possession of larger alcohol containers such as a handle of distilled spirits, a pony keg of beer, etc., even with roommates/suitemates.
17. Possession of any alcohol manufacturing materials such as distilleries, beer kits, etc. is prohibited.

Other alcohol and/or controlled substances policies are specifically outlined in the Student Conduct Code and on the Residence Life website. All students will be

responsible for reading and understanding these policies.

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 including marijuana. Such laws are strictly enforced by Public Safety. Violators are subject to University disciplinary action, criminal prosecution, fines and imprisonment.

Responsible Action Policy

The welfare of our students is of the highest importance to Truman State University. There will be times when individual students, both on and off campus, may have knowledge of a situation that may present a significant threat to the health and welfare of themselves or others. Truman wants to eliminate any hesitation that students or student organizations might have in obtaining help due to concern that their own behavior might be a violation of University policy.

The University will take into consideration the positive impact of reporting an incident on the welfare of students when determining the appropriate response for policy violations by the reporter of the incident. Any possible negative consequence for the reporter of the problem will be evaluated against the positive consequences of the intervention for the student in need. Responsible citizens recognize and accept the duty to make ethical and moral decisions about the health and safety of themselves or others even when to do so might result in personal inconvenience. At a minimum, Truman hopes that a student or student organization would make an anonymous report that would put the student in need in touch with professional helpers. If charged and found responsible for a violation of the Code, sanctions imposed, if any, will be less severe when students or student organizations appropriately report dangerous circumstances than if students or student organizations fail to report.

Alcohol, other Drug and Victims of Violent Crimes Amnesty

If a person needs emergency medical attention, particularly resulting from the use of alcohol or other drugs, it is critical

that students take responsible action by calling an ambulance or other appropriate emergency response personnel (ambulance, police, fire, etc.) to gain that assistance. Responsible action includes:

- a. CALL for help. In medical emergencies, immediate action should be taken by calling 9-1-1 either off campus or on campus.
- b. STAY with the person until help arrives and you have been told your assistance is no longer needed.
- c. COOPERATE with responding staff or emergency personnel, including all requests for information and assistance.

Students/student organizations who take such responsible action by seeking emergency medical attention, or for whom such action is taken, will not be subject to the Student Conduct process for charges related to alcohol or drug use, nor will the incident become part of the student's conduct record. However, all students [including the student(s) needing assistance and reporter(s)] may be required to complete educational measures and pay any costs associated with those measures. Students and student organizations who do not take responsible action will be subject to the full extent of the Conduct Code.

Students requiring medical assistance, and student organizations hosting events where medical attention is sought will be limited to one application of medical amnesty. Individuals who engage in responsible action (call, stay, cooperate) will not be limited in the number of applications of medical amnesty where they serve as the person calling for help. The application of medical amnesty does not preclude the university from pursuing charges against a student or student organization for allegations of code violations other than drug or alcohol policies. Possession with intent to deliver is not covered under medical amnesty.

The University provides amnesty to students who have experienced violent crimes and who may be hesitant to file a complaint because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident.

Educational options may be explored, but no conduct proceedings against the complainant or conduct record will result.

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 <http://titleix.truman.edu/university-non-discrimination-policy/>.

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 Non-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:

Ryan Nely
Institutional Compliance
Violette Hall 1308
Truman State University
100 East Normal Avenue
Kirksville, MO 63501
(660) 785-4031
titleix@truman.edu

Consent (as it relates to sexual activity) (Mo. Rev. Stat. § 566.061(14)) Consent or lack of consent may be expressed or implied. Assent does not constitute consent if: (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or (b) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or (c) It is induced by force, duress or deception.

Rape, Fondling, Incest, Statutory Rape

For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Missouri law are as follows:

- Rape in the First Degree (**Mo. Rev. Stat. § 566.030.1**): A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.
- Rape in the Second Degree (**Mo. Rev. Stat. § 566.030.1**): A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.
- Fondling: The institution has determined, based on good-faith research, that Missouri law does not define the term fondling.
- Incest (**Mo. Rev. Stat. § 568.020.1**): A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her: (1) Ancestor or descendant by blood or adoption; or (2) Stepchild, while the marriage creating that relationship exists; or (3) Brother or sister of the whole or half-blood; or (4) Uncle, aunt, nephew or niece of the whole blood.
- Statutory Rape, First Degree (**Mo. Rev. Stat. § 566.032.1**): A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age.
- Statutory Rape, Second Degree (**Mo. Rev. Stat. § 566.034.1**): A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has sexual intercourse with another person who is less than seventeen years of age.

Other crimes under Missouri law that may be classified as a "sexual assault" include the following:

- Sodomy in the First Degree (**Mo. Rev. Stat. § 566.060.1**): A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a

substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

- Sodomy in the Second Degree (**Mo. Rev. Stat. § 566.061.1**): A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.
- Statutory Sodomy, First Degree (**Mo. Rev. Stat. § 566.062.1**): A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.
- Statutory Sodomy, Second Degree (**Mo. Rev. Stat. § 566.064.1**): A person commits the offense of statutory sodomy in the second degree if being twenty-one years of age or older, he or she has deviate sexual intercourse with another person who is less than seventeen years of age.
- Child Molestation, First Degree (**Mo. Rev. Stat. § 566.067.1**): A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense.
- Child Molestation, Second Degree (**Mo. Rev. Stat. § 566.068.1**): A person commits the offense of child molestation in the second degree if he or she: (1) Subjects a child who is less than twelve years of age to sexual contact; or (2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.
- Child Molestation, Third Degree (**Mo. Rev. Stat. § 566.069.1**): A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.
- Child Molestation, Fourth Degree (**Mo. Rev. Stat. § 566.071.1**): A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.
- Sexual Misconduct Involving a Child (**Mo. Rev. Stat. § 566.083.1**): A person commits the offense of sexual misconduct

involving a child if such person: (1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child; (2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; (3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; or (4) Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.

- **Sexual Misconduct, First Degree (Mo. Rev. Stat. § 566.093.1):** A person commits the offense of sexual misconduct in the first degree if such person: (1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm; (2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or (3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.
- **Second Degree Sexual Misconduct (Mo. Rev. Stat. § 566.095.1):** A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.
- **Sexual Abuse in the First Degree (Mo. Rev. Stat. § 566.100.1):** A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.
- **Sexual Abuse, Second Degree (Mo. Rev. Stat. § 566.101.1):** A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.

Federal Law Violence Against Women Act (VAWA) Crime Categories

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

Dating Violence

The institution has determined, based on good-faith research that Missouri law does not define the term dating violence.

Domestic Violence

Missouri's protective order statutes provide the following definitions (**Mo. Rev. Stat. § 455.010**):

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

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

- **Domestic Assault, First Degree (Mo. Rev. Stat. § 565.072):** A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section 565.002.
- **Mo. Rev. Stat. § 565.002(6)** indicates that a "domestic victim" is a household or family member as the term "family" or "household member" is defined in 455.010, including any child who is a member of the household or family.
- **Domestic Assault in the Second Degree (Mo. Rev. Stat. § 565.073):** A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she: (1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or

strangulation; or (2) Recklessly causes serious physical injury to such domestic victim; or (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.

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

Stalking

- **Stalking, First Degree (Mo. Rev. Stat. § 565.225):** A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and: (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members,

or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or (2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or (6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

- Stalking, Second Degree (*Mo. Rev. Stat. § 565.227.1*): A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.
- As used in the definitions of stalking above, the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

Sexual Assault

The institution has determined, based on good-faith research, that Missouri's criminal statutes do not define the term sexual assault.

However, Missouri's protective order statutes indicate that "sexual assault" means causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent. (*Mo. Rev. Stat. § 455.010(1)(e)*).

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

Consistent with applicable laws, the University prohibits dating violence,

domestic violence, sexual assault, and stalking. The University's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- **Non-Discrimination policy:** <http://titleix.truman.edu/university-non-discrimination-policy/>

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

Primary Prevention and Awareness Programs:

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

Other Information Covered by the PPAP

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

Ongoing Prevention and Awareness Campaign:

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic

violence, sexual assault and stalking.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity:

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others, and to inform them about the prevention of crimes. These programs are discussed below.

- Campus security, emergency procedures, and fire safety procedures are discussed during new student orientation during Truman Week. University Police, Office of Student Engagement, Residential Life, and the Title IX Coordinator participate in forums, and programs are provided in residence halls to address students to explain University security, what to do in case of an active shooter, and go over fire safety measures and procedures. Security awareness and emergency procedures information is also offered to all incoming transfer students and new faculty & staff.
- Orientation programming includes information about services such as SAFE escorts, alcohol and drug policies, emergency procedures, and general safety. The mobile app and Telus counseling app, is shared as well as information on weapons storage and self-defense courses.
- Crime prevention and sexual/relationship violence prevention programs are offered on an ongoing basis. These sessions are provided by the staff of University Police and the Office for Title IX/Equity. Additional crime prevention awareness sessions are offered to educate the campus community about personal safety, services offered, and keep them informed of crime prevention strategies. Information is disseminated via tabling events, University Police website, and social media. Bystander training is reinforced during NCAA mandatory training, sexual violence prevention training, and various other in person presentations throughout each school year.

Monitoring Off Campus Locations of Recognized Student Organizations

The University monitors and records, through local police agencies, any criminal activity in which students have engaged at off-campus locations of student organizations officially recognized by the University, including student organizations with off-campus housing facilities.

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

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

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

Risk Reduction

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.

If you are being abused or suspect that someone you know is being abused, speak up or intervene:

- Contact University Counseling Services and request to meet with a counselor for support.
- Look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
- Consider getting a protective order.
- Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family

members about ways you can be supported.

- Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.

Sexual Assault Prevention (From RAINN)

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from un-opened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- It's okay to lie. If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened.
- Be a good friend. Trust your instincts. If you notice something that doesn't feel right, it probably isn't.
- Social media safety: <https://www.rainn.org/articles/social-media-safety>
 - Turning off geolocation
 - Pause before you post
 - Do not post pics of yourself incapacitated, which predators look for.

Sexual Assault Prevention (From RAINN)

- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

Traveling around campus

- Make sure your cell phone is easily accessible and fully charged

- Avoid dimly lit places and notify University Police if lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Walk with a friend
- Carry a noisemaker (like a whistle) on your keychain
- Carry a small flashlight on your keychain
- If walking feels unsafe, contact University Police for an escort

Bystander Intervention

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

- 1. Notices 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 an emergency:** Bystanders also need to evaluate the situation and determine whether it is an emergency—or at least one in which someone needs assistance.
- 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.

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
- Title IX Coordinator, 660-785-4031

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 Center 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 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. A forensic examination can be obtained from Northeast Regional Medical Center in Kirksville.

Preserving Evidence for Victims of Violence

- Victims of violence should not bathe or change clothes 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 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 Building 212	(660) 785-4236
Center for Academic Excellence	Pickler Memorial Library 109	(660) 785-4409
Student Affairs Office stuaff@truman.edu	Student Union 3100	(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
Union & Involvement Services	Student Union 2000	(660) 785-4222
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.

Reporting Prohibited Discrimination

A. Students, Faculty, Staff, Contractors and Visitors.

Any student, faculty, staff, contractor, or visitor who is aware of or has been subjected to any form of discrimination in violation of University Antidiscrimination Policies is encouraged to promptly report the incident to the Administrative Officer.

B. Mandated Reporters. All employees of the University, except Confidential Reporters and Privacy Personnel, who become aware of a potential violation of University Antidiscrimination Policies in the course and scope of their employment are Mandated Reporters.

C. Require Reporting. A Mandated Reporter is required to promptly report all details of the alleged discriminatory conduct to the Administrative Officer. This includes the names of the parties, if known, even if the reported victim of the alleged conduct requests that the Mandated Reporter keep the information confidential and regardless of how the Mandated Reporter became aware of the alleged conduct.

D. Confidential Reporter. Employees and contractors of the University that have a legal obligation or privilege of confidentiality (including health care providers, counselors, lawyers) are not considered Mandated Reporters when they become aware of confidential information in the course of confidential communication. Not all communication exchanged between Confidential Reporters and individuals is confidential and protected. At the request of the reporting party, Confidential Reporters can assist individuals in contacting the Administrative Officer to report prohibited discrimination.

E. Privacy Personnel. Consistent with the law, the University may designate nonprofessional counselors and advocates as "Confidential Reporters" for purposes of effectuating the purposes of this Procedure. The University has identified individuals that provide peer support at the Women's Resource Center as Privacy Personnel.

F. Law Enforcement. It is the Complainant's choice whether to make a report to the University Department of Public Safety (DPS) or another law enforcement agency

if the alleged conduct constitutes a crime. A report of criminal discriminatory conduct to DPS will be considered a report to law enforcement and will be reported to the Administrative Officer. Though DPS can assist victims 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.

Contact Inquiry

A. Contact with Complainant. Following receipt of a report of prohibited discrimination or a formal complaint, the Administrative Officer will promptly communicate with the Complainant to:

1. Assess the immediate safety needs of the Complainant;
2. Inform the Complainant of available counseling, health services, mental health services, victim advocacy, legal assistance, visa and immigration assistance, and other services on or off campus and to assist with scheduling if the Complainant makes a request;
3. Assess the need to implement other supportive and protective measures;
4. Explain the Grievance Procedure and process to file a formal complaint;
5. Provide the Complainant contact information for local law enforcement and, if requested, assist the Complainant with contacting local law enforcement;
6. Consider the Complainant's wishes with respect to the outcome.

B. Timely Warning. The Administrative Officer or designee will conduct an initial assessment of the reported conduct. The Administrative Officer is legally obligated to notify law enforcement of certain crimes, including sexual assault, where the victim is a minor or there is an immediate threat to the health and/or safety of the campus community. Generally, Complainant and Respondent's names and identities will not be disclosed to DPS without Complainant's permission. If a report discloses serious or immediate threat to the campus community, Truman will issue a timely notification to the community to protect the health or safety of the community. The timely notification will not include any identifying information about the Complainant.

C. Confidentiality. If the Complainant requests confidentiality or asks that the

University not pursue the reported violation of the University's Antidiscrimination Policies, the Administrative Officer will evaluate the request. The Administrative Officer shall honor a Complainant's confidentiality request unless doing so would be unreasonable in light of known circumstances. The Administrative Officer's evaluation balances the Complainant's request against the University's responsibility to provide a safe and nondiscriminatory environment for all students, faculty, staff, contractors and visitors.

The Administrative Officer should inform the Complainant that the University's ability to respond to the reported conduct will be limited if confidentiality is granted. The University will timely inform the Complainant if the University cannot honor the Complainant's confidentiality.

D. Inquiry. The Administrative Officer may initiate an inquiry to gather information after receiving a report of alleged discrimination. This may occur before or after meeting with the reporting party and/or Complainant, before determining whether to accept or dismiss a formal complaint, or before the Administrative Officer decides to initiate a formal complaint in response to a report of discriminatory conduct which, if true, would be in violation of University Antidiscrimination Policies or as part of a concern for systemic disparate and/or differential treatment.

Supportive/Protective/ Remedial Measures

Upon receipt of a report of prohibited discrimination, including Title IX Sexual Harassment, the Administrative Officer will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report which may include the provision of supportive, protective or remedial measures.

A. Supportive Measures. The Administrative Officer or designee shall provide individualized services as appropriate and reasonably available to Complainants and Respondents for the purpose of restoring and/or preserving their equal access to their education program or activity or to protect the safety of the parties and/or the campus community or to stop sexual harassment. Supportive measures shall be offered before or after filing a formal complaint

or where no formal complaint is filed and regardless of whether an investigation is pending or ever occurs. The University shall not impose a fee or charge to the Complainant or Respondent and supportive measures shall not unreasonably burden the other party. Supportive measures include, but are not limited to the following:

1. Referral to counseling and medical services;
2. Referral to advocacy and support services on and off-campus;
3. Limiting and/or scheduling access of individual buildings;
4. Limiting and/or scheduling access to programs, activities and organizations;
5. Access to escort service or other transportation to allow movement safely between classes, buildings and campus activities;
6. Mutual no-contact order;
7. Campus no-trespass order;
8. Increased security and monitoring in areas of campus;
9. Adjust class or work schedule, methods of participation in campus activities to minimize interactions between parties and witnesses;
10. Academic support, such as extensions of deadlines, flexibility in exam or other course-related adjustment;
11. Changes in work location;
12. Adjust line of supervision and/or reporting line;
13. Leaves of absence;
14. Adjustment or modifications to work schedules, work assignments, supervisory responsibilities, supervisor reporting responsibilities and/or work arrangements of Complainant and/or Respondent;
15. Relocating or altering the on-campus housing and dining assignments, dining arrangements, or other campus services for Complainant and/or Respondent; and
16. Adjustment to extracurricular activity schedules.

B. Protective Measures. The Administrative Officer shall provide protective measures, as necessary and appropriate, to protect the safety of the parties and/or the campus community. Protective measures include, but are not limited to the following:

1. Mandatory corrective training;
2. Restrictions on movement;
3. Mutual or one-way no-contact order;
4. Campus no-trespass order;
5. Referral to court system for Ex Parte Order;
6. Increased security and monitoring in areas of campus;
7. Change in work location;
8. Adjust line of supervision and/or reporting line;
9. Leave of absence; and
10. Reassignment.

C. Emergency Removal. The Administrative Officer may, on emergency basis, remove a Respondent from University or University-recognized employment, classes, programs or activities, including removal from campus. This may occur before or after the filing of a formal complaint. Emergency removals are not punitive nor corrective.

- 1. Basis.** The Administrative Officer shall conduct a safety and risk analysis that focuses on the specific known circumstances and facts surrounding the Respondent and arising from the allegations of discriminatory conduct. The Administrative Officer may elect to consult with campus officials to assist in this analysis. An emergency removal is justified and warranted when Respondent's participation and/or presence on campus constitutes an imminent and immediate threat to the:
- a. Physical health of the Complainant;
 - b. Physical health of the Respondent;
 - c. Physical safety of the Complainant;
 - d. Physical safety of the Respondent;
 - e. Health of any student or individual as a result of the allegations of sexual harassment contained in the formal complaint; and/or
 - f. Safety of any student or individual as a result of the allegations of sexual harassment contained in the formal complaint.

2. Procedure.

- a. The Administrative Officer shall promptly provide a written Notice of Emergency Removal to the Respondent. The Notice shall describe the conduct and/or known facts with specificity including

dates, locations, and individuals that establish that Respondent's continued participation and/or presence on campus constitutes an imminent and immediate threat. Further, the notice should include conditions, if any, and the duration of the removal, if known.

- b. Should the Respondent believe the emergency removal decision was incorrect, they may file a written appeal with the Administrative Officer within seven (7) days from delivery of notice of the emergency removal and show cause why the emergency removal was not correct.
 - c. 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.
 - d. The Administrative Officer has sole discretion to implement or stay an emergency removal and to determine its conditions and duration.
 - e. Violation of an emergency removal directive under this Grievance Procedure will be grounds for sanctions.
3. In cases where the Respondent is a campus/student organization, an interim suspension of the Respondent organization's operations, University recognition, and 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 Grievance Procedure.

D. Administrative Suspension. After the filing of a formal complaint, the Administrative Officer may place a Respondent student-employee, faculty or staff member on administrative suspension, during all or a portion of the Grievance Procedure.

The Administrative Officer will consider whether the Respondent's continued presence in the workplace is likely to create a danger to the safety and well-being of co-workers, students and/or the public, is destructive to University business, is disruptive and/or detrimental to the work environment or is harmful to the integrity of the investigation.

Depending on the allegations of the formal complaint, the Administrative Officer may

consult with the Respondent student-employee, faculty or staff member's supervisor, but in all cases will inform the cabinet level supervising authority and Human Resources.

At the discretion of the Administrative Officer, when the Respondent is a student-employee alternative financial arrangements and coursework options may be pursued to ensure as minimal an impact as possible on the Respondent.

E. Confidentiality. The provision of supportive, protective and remedial measures is confidential. In an effort to prevent incidents of retaliation, the disclosure of the identity of any individuals who are involved in or recipients of supportive, protective and remedial measures is prohibited. Confidential information includes, but is not limited to, the existence and substance of the formal complaint, the names of the Complainant, Respondent, and witnesses, and what measures are provided and to whom.

Intake and Notice

A. Formal Complaint. Formal complaints must be filed with the Administrative Officer. The formal complaint may be filed in person, by mail, by email to titleix@truman.edu or through the online portal <https://titleix.truman.edu/make-a-report/> at any time of day, including during non-business hours using the contact information for the Administrative Officer.

The Administrative Officer has the discretion to initiate the Grievance Procedure when failing to do so would be deliberately indifferent to the University's obligation to maintain a safe and discrimination-free living, learning and working environment. The decision of the Administrative Officer to file a formal complaint shall be thoughtful, intentional and only reached after consideration of a variety of factors. Specific factors that warrant signing a complaint include, but are not limited to, when there is a pattern of alleged misconduct by the particular Respondent; when violence, threatening behavior, or the use of a weapon is alleged; or when the Administrative Officer believes that with or without the Complainant's cooperation, given the known facts and circumstances, it would be unreasonable and inconsistent with the University's commitment to provide a safe and discrimination-free environment if an investigation was not pursued.

When the Administrative Officer signs a formal complaint on behalf of the

University, the Administrative Officer is not the Complainant nor a party during the Grievance Procedure.

The Administrative Officer may consolidate formal complaints as to allegations of prohibited discrimination when the allegations arise out of the same facts or circumstances. When this results in more than one Complainant and/or Respondent, the singular references, rights and responsibilities referred to in this Grievance Procedure are applicable in the plural.

B. Notice to Parties. The Administrative Officer will promptly provide a written Notice of Charges to the known parties. The Notice shall include the following information:

1. A description of the alleged discriminatory and/or harassing conduct, with sufficient details to include the identities of the Complainant and Respondent, if known, and the date and location of the alleged incident(s);
2. A description and copy of the Grievance Procedure, including Informal Resolution;
3. A statement that the parties will have the opportunity to inspect and review any evidence obtained during the investigation that is directly related to the alleged discriminatory conduct including inculpatory and exculpatory evidence;
4. A statement that the Complainant and Respondent may have the assistance of an Advisor of their choosing, who may or may not be an attorney, at any or all meetings, interviews, and proceedings;
5. A statement that the Complainant is presumed to be have acted in good faith;
6. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will not be issued until the conclusion of the Grievance Procedure;
7. A statement that the parties are expected to be truthful and forthcoming when making statements or offering evidence and that making false or misleading information is prohibited and may subject the party to disciplinary actions;
8. A statement that the University prohibits the personal recording, both video and audio, of meetings,

interviews, and all proceedings under this Grievance Procedure;

9. A statement that the University will direct all correspondence to the Parties' University-issued email accounts; and
10. A statement that Retaliation is prohibited.

The Notice of Charges will be sent to the parties' official University-issued email. If the party does not have a University-issued email address, the Notice of Charges will be sent to the local address of each respective party as indicated in official University records. If there is no local address on file, mail will be sent to the party's permanent address. Once sent in any manner indicated herein, notice will be deemed to have been provided.

Dismissal and Withdrawal of Formal Complaint

The Administrative Officer will evaluate the formal complaint to determine if the University has jurisdiction to take action pursuant to the Grievance Procedure.

A. Title IX Sexual Harassment Mandatory Dismissal. For formal complaints alleging Title XI Sexual Harassment, either upon initial review or during the course of the investigation, the Administrative Officer shall dismiss the formal complaint if:

1. The conduct, as alleged, does not meet the definition of Title IX Sexual Harassment,
2. The alleged conduct did not occur in University sanctioned or University controlled employment, classes, programs or activities;
3. The alleged conduct did not occur against a person in the United States;
4. The Complainant is not participating in or attempting to participate in University employment, classes, programs or activities.

B. Title IX Sexual Harassment Permissive Dismissal. For formal complaints alleging Title XI Sexual Harassment, either upon initial review or during the course of the investigation, the Administrative Officer may dismiss the formal complaint if:

1. The Complainant requests in writing to withdraw or dismiss a formal complaint or any allegations, therein;
2. The Respondent is no longer enrolled at or employed by the University; or
3. Specific circumstances exist which

would prevent or deny the University from gathering sufficient relevant evidence to reach a determination regarding responsibility.

C. Notice of Dismissal. If a formal complaint is dismissed for any of the above reasons, the Administrative Officer will provide the Complainant and Respondent written Notice of Dismissal and the reason(s) for dismissal.

D. Appeal. Either party may, within five (5) days of delivery of the Notice of Dismissal, submit a written appeal of the dismissal of a formal complaint based on the following grounds for appeal:

1. Procedural irregularity or deviation that materially affected dismissal determination; or
2. New evidence that was not known to the party or not available at the time of the determination that could reasonably affect the dismissal determination; or
3. The Administrative Officer acted upon a conflict of interest or bias to the benefit or detriment of the Complainant or Respondent that affected the dismissal determination.

The President shall appoint a cabinet level supervisory authority to serve as the Appellate Officer to evaluate appeals of the dismissal of a formal complaint. Within five (5) days, the Appellate Officer shall provide a written decision to the Administrative Officer. The Administrative Officer shall provide notice and a written decision as to whether the appeal had been granted or denied and the rationale simultaneously to the parties.

If an appeal of a dismissal is granted, the formal complaint will proceed consistent with this Grievance Procedure.

E. Requests for Appeal. The written appeal must be received by the Administrative Officer within five (5) days of the date the Notice of Dismissal was sent. The appeal should be directed to:

Administrative Officer
Title IX Coordinator/Section 504
Coordinator
Violette Hall 1308
Truman State University
100 East Normal
Kirksville, MO 63501
Telephone Number: (660) 785-4354
Email Address: titleix@truman.edu

F. Review of the Request for Appeal. The Appellate Officer will make an initial review

of the appeal request(s). The original dismissal is 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 warrant acceptance of the formal complaint.

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

G. Referral to Other University Office for Action. Dismissal of a formal complaint does not preclude action under other policies or codes of conduct of the University. If the conduct, as alleged, would constitute a violation of Title VII Sexual Harassment or other discriminatory conduct prohibited by University Antidiscrimination Policies, this Grievance Procedure may continue in accordance with these procedures provided the parties are provided a revised written Notice of Charges reflecting the dismissal and the corrected charge.

If the conduct, as alleged, would constitute a violation of the Student Conduct Code, the Administrative Officer will inform the Complainant of their right to consult with other University offices for further action. The Administrative Officer will further make available to the Complainant a release to facilitate the transfer of a copy of the formal complaint and any supporting documents.

H. Re-Open Formal Complaint. If new information is uncovered or made available after a dismissal, the Administrative Officer may reevaluate the dismissal of a formal complaint. If the Administrative Officer believes that the allegations, if proven, would constitute a violation of the University's Antidiscrimination Policies, the formal complaint will be re-opened. The parties will be provided appropriate written notice of acceptance of the formal complaint and a rationale explaining why the complaint was reopened and the formal

complaint will be processed consistent with these Grievance Procedures.

Informal Resolution

The parties may voluntarily elect to participate in alternate dispute resolution processes. The parties shall document their decision to participate in Informal Resolution in writing, and if successful, shall document the settlement agreement. Participation in Informal Resolution is not a condition of participation in the Grievance Procedure, a condition of continued employment, or a condition of continued admission, and either Party may withdraw at any time prior to execution of a written resolution agreement. The parties' voluntary decision to enter into a resolution agreement will halt further processing of the formal complaint although the University may take prevention and/or remedial actions.

In support of forthright communication during conflict resolution processes, information exchanged as part of the alternate dispute resolution process is confidential and not subject to disclosure to the Investigator during the investigation nor to the Hearing Officer during adjudication unless the Investigator and/or Hearing Officer become independently aware of the evidence.

Informal Resolution and all alternate resolution processes contained herein are not available to formal complaints alleging that an employee sexually harassed a student as defined in Section II, Definitions, Title IX Sexual Harassment.

The Administrative Officer or designee shall, through consultation with the parties, determine the appropriate method(s) of conflict resolution. The Administrative Officer may serve as the Facilitator. Disclosures made to the Facilitator during alternate dispute resolution processes are confidential and not subject to release except as required in any civil or criminal legal proceeding. The Facilitator or any otherwise identified individual responsible for conducting alternate dispute resolutions processes under this section may not serve as a witness and offer testimony regarding information offered during any alternate dispute resolution process in any proceeding of this Grievance Procedure. Possible processes include:

A. Mediation. Process where the Facilitator helps the parties discuss and try to resolve the issues in dispute. Most times, the mediation will start with a joint session. The parties will have the opportunity to identify

their individual interests and desired outcomes either directly to the other party or through the Facilitator. The Facilitator will assist the parties in finding a mutually acceptable resolution. The Facilitator does not have the authority to make decisions on behalf of the parties.

B. Shuttle Diplomacy. Process in which Facilitator assists the parties who do not wish to interact with one another to resolve the dispute. The Facilitator will “shuttle” between the parties and/or groups to find a mutually acceptable resolution. The Facilitator does not have the authority to make decisions on behalf of the parties.

C. Facilitation. Process in which Facilitator assists the parties or groups to define and analyze the issues in dispute, develop alternatives and execute an agreed upon solution. The Facilitator will facilitate consensus building and decision-making to reach resolution. The Facilitator does not have the authority to make decisions on behalf of the parties.

D. Restorative Justice. Process that brings together individuals who were impacted by or affected by a reported incident with those who are responsible for the conduct or believed to be responsible for the conduct. The Facilitator meets in advance with the parties to identify harms, needs and obligations in order to develop an outcome to repair the harm and restore the relationship(s). The Facilitator may use victim surrogates in face-to-face dialogue. The Facilitator does not have the authority to make decisions on behalf of the parties.

E. Neutral Fact Finding. Process where neutral third party reviews the investigative report and exhibits, hears from the parties upon the request of either or both the Fact Finder or parties, and makes a determination of responsibility consistent with University Antidiscrimination Policies and applicable law.

Investigation

The University bears the burden of gathering evidence sufficient to reach a determination as to whether University Antidiscrimination Policies have been violated.

A. Scope of Investigation. The Investigator is authorized and expected 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 allegations raised in the formal complaint. The nature

and scope of the investigation is within the discretion of the Investigator.

The Investigator will consider all evidence they deem necessary to complete a prompt, thorough, and impartial investigation, but is not required to interview all witnesses identified by the Complainant or Respondent or to ask every question provided by the Complainant or Respondent. However, in determining whether to interview witnesses or ask particular questions, the Investigator should consider such factors as equity, fairness, and impartial treatment of both parties.

The Investigator has the right to reject or disregard information that is not directly related to the allegations when drafting the investigative report.

B. Conflict of Interest. Parties have the opportunity to raise the issue of a potential conflict of interest within five (5) days of being advised of the identity of the Investigator. The Administrative Officer or designee will determine whether a conflict of interest exists. No Investigator or Appellate Officer will make findings or determination in a case in which they have a conflict of interest.

C. 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 initiate this Grievance 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 supportive and protective measures during the law enforcement agency’s investigation period to provide for the safety of the Complainant and the campus community and to avoid 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.

D. Participation of the 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 an investigation free of bias, conflict of interest, stereotypes and consideration

of a person’s status as complainant or respondent or on a person’s membership in a protected class as listed in the University Antidiscrimination Policies.

The parties will have the opportunity to respond to and identify and present witnesses, including expert witnesses; to provide information directly related to the allegations, including inculpatory and exculpatory evidence; to participate in any scheduled meeting, proceeding or hearing; and to refuse to participate in any meeting, proceeding or hearing. Failure to participate will not stop the Grievance Procedure.

E. Recording Prohibited. As a matter of course, the University creates an audio recording of scheduled meetings, interviews and other proceedings. To protect the confidentiality of the process, the personal recording by any person involved in any meeting, interview or other proceeding of this Grievance Procedure is not permitted.

F. Truthful Information. All participants in the investigation are expected to cooperate during the investigation. 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. 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 credible evidence otherwise obtained.

G. Timelines. The investigation will ordinarily be completed within (60) days from the time a formal complaint is received by the Administrative Officer.

Temporary delays or limited extensions of time may be granted by the Administrative Officer for good cause. Good cause may include, but is not limited to, the absence of a party, a party’s advisor or a witness; activity in a pending concurrent law enforcement activity; or the need for reasonable accommodation for a disability.

If either the Complainant or Respondent would like to request a delay or extension of time, a written request with a description of the reason(s) should be directed to the Administrative Officer. The Administrative Officer will inform the parties of the request and the decision. If extenuating circumstances are present, the Administrative Officer may decide independently to extend the sixty (60) day

time frame, and will inform the Complainant and Respondent of the decision.

H. Gather Evidence. An impartial Investigator will gather evidence to ascertain the facts and circumstances surrounding the allegations of the formal complaint.

The Investigator will timely schedule a meeting/interview with each party. The purpose of the meeting is to review the Grievance Procedure, receive any written response to the notice of formal complaint letter, and to interview the parties. The parties are expected to meet with the Investigator, although they may refuse to participate, to respond, or to answer some or all of the questions asked.

The Investigator will provide the parties the same time periods and opportunities during the evidence gathering. The parties may present witnesses, including fact and expert witnesses, and other evidence. The Investigator may conduct interviews, collect statements, collect documents, collect social media, video, audio and electronic evidence, collect physical evidence, collect medical evidence and any other relevant evidence from the parties or other reliable sources.

I. Review of Relevant Evidence. At the conclusion of the investigation, but prior to the completion of the investigative report and recognizing confidentiality laws, the parties and their advisors, will be afforded the opportunity to inspect and review any evidence that is directly related to the allegations of the formal complaint, including, evidence that may not be relied upon and inculpatory evidence and exculpatory evidence, in either electronic or hard copy format as determined by the Administrative Officer. A copy of this evidence shall be available for inspection and review at hearing. The parties will have ten (10) days from the last date of review of the evidence to submit any new or additional documentation, evidence or written response.

J. Investigative Report. The Investigator shall draft an investigative report that synthesizes, analyzes and summarizes all relevant evidence obtained during the investigation. The Investigator will consider the written responses provided by the parties following review of the relevant evidence, and any credibility assessments. The Investigator may conduct further investigation in response to the parties' written responses.

The Administrative Officer will distribute

the investigative report to the parties and their advisors at least ten (10) days before the first scheduled hearing date. The investigative report shall be in hard copy or electronic form.

The parties have the option to respond to the investigative report. If a party elects to respond, the response should be directed to the Administrative Officer and, if known, the Hearing Officer.

If at any time before the start of the hearing the Administrative Officer becomes aware of new evidence that was not made known to the Investigator or did not exist at the time of the investigation, and which the Administrative Officer believes would substantially alter the outcome of the investigative report, and it would be clearly unreasonable to disregard, the Administrative Officer may re-open the investigation. If this occurs, the revised final investigative report shall be distributed to the parties and the parties will have the opportunity to respond.

Adjudication

The University bears the burden of proof to reach a determination as to whether University Antidiscrimination Policies have been violated.

A. Title IX Sexual Harassment. This process is required for adjudicating Title IX Sexual Harassment formal complaints and in situations where there are allegations of both Title IX Sexual Harassment and allegations of other protected status discriminatory conduct covered by the University Antidiscrimination Policies.

1. Hearing Officer. The University shall secure a neutral Hearing Officer to hear and decide whether the evidence establishes that a violation of the University Sexual Harassment Policy occurred. The Hearing Officer shall not be affiliated with the University.

The parties will be provided a list of five individuals from a pool of Title IX Sexual Harassment trained mediators and arbitrators experienced in conducting hearing from which to select a single Hearing Officer. The parties will have ten (10) days from the date they receive written notice to utilize a striking process to select a single Hearing Officer. The parties shall each strike names alternately from the list, with the first to strike being from the Complainant. After each party has used two strikes, the remaining name

on the list shall be the Hearing Officer. If such person is unable to serve for any reason, the parties shall repeat this process until a Hearing Officer is selected.

a. Responsibilities and Authority. The Hearing Officer is responsible and has the authority to:

- 1) Convene, facilitate, suspend, and postpone the hearing;
- 2) Set reasonable time periods and time limits for the hearing, but may allow deviations that are fair and equitable;
- 3) Manage live, oral, direct, real time questioning of parties and witnesses;
- 4) Determine relevancy of questioning, both direct and follow-up;
- 5) Determine relevancy and admissibility of statements, documents and other evidence offered;
- 6) Disclose to the parties in advance of the hearing any bias or conflict of interest known to the Hearing Officer;
- 7) Remove from the hearing any person, including a party, that violates the Standards of Decorum and/or is disruptive to the orderly process of the hearing. While it is desirable that the Hearing Officer first provides a warning, it is not required;
- 8) Call witnesses;
- 9) Issue written determination of responsibility that addresses each allegation of Title IX Sexual Harassment submitted to the tribunal. The written decision shall include:
 - a) Identification of each allegation of Title IX Sexual Harassment as defined by the University Sexual Harassment Policy and this Grievance Procedure;
 - b) Description of procedural history including all supportive measures provided to each party, notifications to parties, and appellate actions taken;
 - c) Findings of fact relevant to the determination(s) of responsibility;

- d) Credibility assessments and inculpatory and exculpatory evidence;
- e) Statement of rationale for each allegation, including determination of responsibility;
- f) Any disciplinary sanctions imposed;
- g) Any recommended remedies to preserve or restore Complainant's access to employment, admission, programs and activities.

2. Hearing Schedule and Option for Virtual Hearing.

The hearing will be scheduled as soon as reasonably possible, but no sooner than ten (10) days after the parties receive the final investigative report. The Administrative Officer will notify the parties of the hearing date, time, location and participants in writing with sufficient time for the parties to prepare to participate.

At the request of either party, the hearing will be conducted using video-conferencing or other distance method or technology so that the parties are not in the same room simultaneously at any time during the hearing but can otherwise see and hear the other hearing participants and fully participate in the hearing.

The hearing will be closed to the public.

3. Advisor. The parties may have an Advisor present to conduct cross-examination. If a party does not have an Advisor, a University-Provided Hearing Advisor will be present. If a party elects to not attend the hearing, their Advisor may be present and ask questions on their behalf. If the party does not have an Advisor, a University-Provided Hearing Advisor will be present and will ask questions on the party's behalf.

4. Questioning. The Hearing Officer shall allow the Advisor to each party the opportunity to ask the parties and other witnesses all relevant questions and follow up questions, including those that challenge credibility. Only relevant cross-examination and other questions may be asked of a party or witness. The Hearing Officer may request the Advisor explain the relevancy of any questions. The Hearing Officer shall explain any decision to exclude a question as irrelevant.

Parties may not personally ask questions of the other party.

Questions about the sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about

the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The Hearing Officer will not require, allow or rely on any questions or evidence that is protected under a legally recognized privilege unless the person holding the privilege has waived the privilege.

5. Witnesses. The Administrative Officer shall inform the parties and the Hearing Officer of the witnesses the University and the parties intend to call for the live hearing. The Administrative Officer will provide witnesses notice of the date, time and location of the hearing. Witnesses are compelled to appear at hearing, but are not required to offer testimony.

The Parties shall submit a proposed witness list to the Hearing Officer at least five (5) days prior to hearing. Inclusion on a witness list does not mean the witness has knowledge of relevant evidence nor that the witness' testimony will be allowed by the Hearing Officer. Conversely, absence from the list does not negate a party's right to offer a witness in response to evidence offered at hearing.

Witnesses that elect to not participate in the investigation will not be permitted to participate at hearing unless permitted, on a showing of good cause, by the Hearing Officer. An active law enforcement investigation or court proceeding does not establish good cause.

Persons who do not have any relevant evidence to offer may not participate as witnesses.

6. Standard of Evidence. The Hearing Officer shall apply the preponderance of the evidence standard.

7. Order of Proceeding. The order of proceeding should efficiently provide the Hearing Officer with sufficient relevant evidence from which to make a determination while allowing the parties the opportunity to be heard. The order provided below may be modified by the Hearing Officer for good reason.

- a. The Hearing Officer shall introduce the case, describe the hearing process to the parties, and identify the witnesses each party intends to question.
- b. The Hearing Officer shall read the alleged policy violation(s) and state that it is presumed that the Respondent is not

responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the hearing after applying a preponderance of the evidence standard.

- c. The Hearing Officer shall allow the Respondent to admit or deny responsibility. If the Respondent admits responsibility, the Hearing Officer shall question the Respondent on each allegation of the formal complaint. If the Respondent accepts Responsibility for all allegations, the Hearing Officer may proceed to Sanctions.
- d. The Administrative Officer shall make an opening statement and inform the Hearing Officer of the findings of the final investigative report and identify witnesses that will be offering evidence.
- e. The Hearing Officer shall allow the Respondent to make an opening statement.
- f. The Hearing Officer shall allow the Complainant to make an opening statement.
- g. The Administrative Officer shall present the relevant evidence to the Hearing Officer through credible evidence, including, but not limited to documents, statements supported by witness testimony, and other witness testimony. The Administrative Officer shall determine the order of testimony with the intent to present the case in the most efficient manner and avoid redundancy.
- h. The Administrative Officer shall question the Complainant, if present. At the conclusion of the Administrative Officer's questioning of the Complainant, the Respondent's Advisor may question the Complainant. At the conclusion of Respondent's Advisor's cross-examination, the Complainant's Advisor may question the Complainant.
- i. The Administrative Officer shall question the Respondent, if present. At the conclusion of the Administrative Officer's questioning of the Respondent, the Complainant's Advisor may question the Respondent. At the conclusion of Complainant's Advisor's cross-examination, the Respondent's Advisor may question the Respondent.
- j. The Administrative Officer shall call and question witnesses that provided statements or other evidence during the investigation. At the conclusion of the Administrative Officer's questioning of each witness, the Complainant's

Advisor may question the witness. At the conclusion of Complainant's Advisor questioning the witness, the Respondent's Advisor may question the witness. This process shall continue until all of the Administrative Officer's witnesses have been questioned.

- k. The Respondent may call witnesses from the list of witnesses submitted to the Hearing Officer that have not already been questioned. At the conclusion of the Respondent's Advisor's questioning of a witness, the Complainant's Advisor may question the witness. At the conclusion of Complainant's Advisor's cross-examination, the Administrative Officer may question the witness.
- l. The Complainant may call witnesses from the list of witnesses submitted to the Hearing Officer that have not already been questioned. At the conclusion of the Complainant's Advisor's questioning of a witness, the Respondent's Advisor may question the witness. At the conclusion of Respondent's Advisor's cross-examination, the Administrative Officer may question the witness.
- m. The Administrative Officer shall provide the Hearing Officer with information on range of appropriate sanctions, mitigating and aggravating circumstances, and comparative data for sanctions imposed for the same or similar discriminatory conduct violations.
- n. The Hearing Officer shall close the hearing.

8. Attendance. Attendance at the hearing is not mandatory, however if a party or witness does not appear or declines to submit to cross-examination, the Hearing Officer is barred from relying on any prior statement. The Hearing Officer may not draw an inference from the absence of a party to submit to questioning at hearing.

9. Transcript and Recordkeeping. An audio or audiovisual recording, or transcript of all Title IX Sexual Harassment hearings will be maintained and made available to the parties for inspection and review for seven (7) years. No recording devices may otherwise be used during a hearing by anyone present.

10. Confidentiality. The Hearing Officer's consideration and determination of a formal complaint is confidential. In an effort to prevent incidents of retaliation, the disclosure of the confidential information

is prohibited. Confidential information includes, but is not limited to, the existence and substance of the formal complaint; the names of the Complainant, Respondent, and witnesses; what is said in hearing and by whom; the finding of determination of responsibility; and the sanctions imposed. Complainants, Respondents, witnesses, and advisors are encouraged to use discretion in their sharing of information about the Grievance Procedure, but Complainants and Respondents are not restricted from discussing the allegations or gathering and presenting relevant evidence.

Remedies and Sanctions

A. Remedies for Complainants. For cases where a determination of responsibility has been made against the Respondent following the Grievance Procedure, before the imposition of any disciplinary sanctions or other actions that are not supportive measures against the Respondent, the University may provide remedies to the Complainant. Remedies must be designed to restore or preserve equal access to University or University-recognized employment, classes, programs or activities. Such remedies may include the same individualized services described as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

While remedial action will vary based on the circumstances, possible remedial actions for students include retaking examination or course, removal of disciplinary action, refund or reimbursement per University policies; additional academic support, extension of time, leave of absence, relocation on-campus. Possible remedial actions for faculty and staff include non-attendance or distance attendance for meetings, relocation of office space, removal of disciplinary action, pay adjustment, schedule/shift change, and supervisory change. These listed remedial actions are not all-inclusive and the Administrative Officer is responsible for implementing effective remedies.

B. Sanctions for Students. For cases involving formal complaints or reports made against students, the Hearing Officer shall determine the sanction taking into account the range of appropriate sanctions, mitigating and aggravating circumstances, and the Respondent's conduct record. Sanctions could include letter to file, removal from program or activity (residence hall, athletics, etc.),

mandatory training, probation with or without transcript notation, suspension from the University, expulsion from the University, and suspension from student organization.

C. Sanctions for Staff. For cases involving formal complaints and reports against staff, the Hearing Officer shall determine the sanction taking into account the range of appropriate sanctions and mitigating and aggravating circumstances, and the staff member's disciplinary history. The Administrative Officer shall inform the Respondent's supervisor and/or the cabinet level supervising authority or both prior to imposition of sanctions. Failure to comply with any discipline or other action issued by the appropriate supervisory authority may be grounds for further discipline.

Possible sanctions for staff for violations of University Antidiscrimination Policies include, verbal reprimand, written reprimand, mandatory training, loss of prospective benefit for a period of time, restitution, monitoring of behavior and performance, reassignment of duties, suspension, reduction of hourly/salary for stated period of time, suspension of "regular" or other increase in salary, reduction of rank, suspension from promotional eligibility, temporary removal, and termination/permanent removal.

D. Sanctions for Faculty. For cases involving formal complaints and reports against faculty, if the Hearing Officer determines that the faculty member violated University Antidiscrimination Policies, the applicable provisions of 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.

Possible sanctions for faculty for violations of University Antidiscrimination Policies include, verbal reprimand, written reprimand, mandatory training, loss of prospective benefit for a period of time, restitution, monitoring of behavior and performance, reassignment of duties suspension, reduction of salary for stated period of time, suspension of "regular" or other increase in salary, reduction of rank, suspension of promotional eligibility, temporary removal, and termination/permanent removal.

E. Sanctions for Contractors and Visitors. To the extent allowed by law, the University will take appropriate and necessary action to provide a safe and discrimination-free living, learning and work environment.

Possible sanctions include, but are not limited to verbal or written warning, cancellation of contract, prohibition from events or buildings, and prohibition from campus.

Appeal of Determination and/or Sanction

Either the Complainant or Respondent may appeal a determination of responsibility, regardless of the severity of the sanction.

A. Basis. Either party may submit a written appeal of the Determination of Responsibility or of the sanction or both, based on the following grounds for appeal:

1. Procedural irregularity or deviation that materially affected dismissal determination; or
2. New evidence that was not known to the party or not available at the time of the determination that could reasonably affect the dismissal determination; or
3. The Administrative Officer or Hearing Officer acted upon a conflict of interest or bias to the benefit or detriment of the Complainant or Respondent and that affected the dismissal determination; or
4. The sanctions are inconsistent with the range of appropriate sanctions, taking into account mitigating and aggravating factors, and the Respondent's conduct record.

B. Requests for Appeal. The written appeal must be received by the Administrative Officer within five (5) days of the date the Determination of Responsibility was sent. The appeal should be directed to:

Administrative Officer
Title IX Coordinator/Section 504
Coordinator
Violette Hall 1308
Truman State University
100 East Normal
Kirksville, MO 63501
Telephone Number: (660) 785-4354
Email Address: titleix@truman.edu

The President shall appoint a cabinet level supervisory authority to serve as the Appellant Officer to evaluate appeals of determinations of responsibility.

C. Review of the Request for Appeal. The Appellate Officer will make an initial review of the appeal request(s). The original determination 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 four 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.

D. 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 formal complaint. In most cases, appeals are confined to a review of the written determination and evidence. Appeals granted based on new evidence should normally be remanded to the Hearing Officer for reconsideration.
3. Sanctions/remedial actions imposed are implemented immediately unless the 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 from the date of receipt of 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 formal complaints of Title IX Sexual Harassment, 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 exception to this is if sanctions are modified, the Complainant will only be notified if the changes directly relate to the Complainant.

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

Withdrawal Prior to Resolution

Should a Respondent decide to withdraw as a student or resign as an employee from the University and not participate in the Grievance Procedure, these procedures may proceed in the Respondent's absence. The University will continue to direct all communication to the Respondent at the Respondent's University-issued email.

Retaliation

Retaliatory action of any kind against any individual as a result of a person's exercise of their right and privilege to make a report, testify, assist, participate or refuse to participate in the Grievance Procedure and applicable University Antidiscrimination Policies is prohibited. Retaliatory action shall be regarded as a separate and distinct harm for formal complaint under these policies and will be cause for sanctions.

Protection from retaliatory action under the University Antidiscrimination Policies is extended to any individual who has made a report of discrimination, any Complainant, any individual who has been reported as being the perpetrator in an incident/event of discrimination, any Respondent, any witness and any other individual who participates or who refuses to participate in any investigation, proceeding or hearing.

Training

The Administrative Officer, Advisors, Facilitators, Investigators, Hearing Officers, and Appellate Officers will receive training on the definition of discrimination and sexual harassment, the scope of University programs and activities, how to conduct

an investigation, the University Grievance Procedure including hearings, appeals and informal resolution, and the identification and avoidance of conflict of interest, bias, stereotyping, and flawed prejudice.

Rights of the Parties

- A. To be treated with dignity, courtesy and respect;
- B. To be free of any prejudice or pre-determination of fault or responsibility;
- C. To describe the incident to as few institutional representatives as practicable and not be required to unnecessarily repeat the incident;
- D. To be free from retaliation;
- E. To request reasonable supportive and protective measures;
- F. To have sufficient information to make a reasoned decision whether or not to make a report with the University and/or to make a report with DPS, local law enforcement and/or state police;
- G. To participate in a process that is fair, impartial and provides adequate notice and a meaningful opportunity to be heard;
- H. To have an Advisor of their choice accompany them to all interviews, meetings, and proceedings throughout the Grievance Procedure;
- I. To have an equal opportunity to present a list of potential witnesses and provide evidence and have timely and equal access to information throughout the Grievance Procedure, to the extent permitted by this procedure and applicable law;
- J. The right to expect that credibility assessments will be conducted in a neutral and unbiased manner;
- K. To expect that the names of the parties and witnesses, the existence and substance of the report of discrimination, the findings and sanctions imposed to remain confidential, to the extent permitted by this procedure and applicable law; and
- L. To be informed of the findings and sanctions consistent with this Grievance Procedure and applicable law.

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

Employees and contractors of the University that have a legal obligation or privilege of confidentiality (including health care providers, counselors, lawyers) are not considered Mandated Reporters when they become aware of confidential information in the course of confidential communication. Not all communication exchanged between Confidential Reporters and individuals is confidential and protected. At the request of the reporting party, Confidential Reporters can assist individuals in contacting the Administrative Officer to report prohibited discrimination.

A. Privacy Personnel. Consistent with the law, the University may designate non-professional counselors and advocates as "Confidential Reporters" for purposes of effectuating the purposes of this Procedure. The University has identified individuals that provide peer support at the Women's Resource Center as Privacy Personnel.

Available Victim Services

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

On-Campus Resources

- **University Counseling Services** – Counseling services are available to all Truman students, and the University highly recommends that survivors speak with a counselor. These conversations are confidential in nature. UCS is located in the McKinney Center and appointments can be scheduled by calling 660-785-4014.

- **Student Health Clinic** – Students needing medical attention after an assault may seek treatment at the Student Health Clinic during regular business hours. Services include treatment for cuts/bruises/injuries, pregnancy tests, emergency contraception, and treatment for sexually transmitted infections. Appointments can be scheduled at 660-785-4182.
- **University Police** – Truman police ensures the overall safety of the Truman community, and officers are available 24/7 to respond to emergencies and receive reports of sexual and relationship violence involving students and staff. Additionally, officers can connect survivors with an Survivor Advocate after hours, regardless of whether the survivor chooses to file a police report. TSUPD can be contacted at 660-665-5621 or by calling 911 on campus.
- **Truman State University Women's Resource Center** – This resource is available to Truman Students and can provide peer support to survivors throughout this process. The WRC can be contacted at 660-785-7224.
- **LGBTQ+ Resource Center** – This resource is available to Truman Students and can provide peer support and resources. This center is located at Baldwin Hall, Room 101.
- **Student Financial Aid** – If you are considering taking a reduced course load or a leave of absence from the University because of the circumstances surrounding your complaint, please keep in mind that there may be financial aid implications. The Title IX Coordinator can assist you in contacting the appropriate personnel in the financial aid office in order to ensure you have an understanding of any financial aid related issues that may arise.

Off-Campus Resources

- **Kirkville Police Department** – KPD is the law enforcement agency for the City of Kirkville and its officers are available 24/7 to respond to emergencies or receive reports of sexual and relationship violence that occur off-campus. KPD can be contacted at 660-665-5621 or by calling 911.
- **Northeast Regional Medical Center** – All survivors of sexual violence are highly encouraged to seek care from a sexual assault examine to collect any evidence available. Additionally, NRMCC can provide treatment for injuries and/or sexually transmitted infection and offers pregnancy tests and emergency contraception. Walk-in emergency care

is available 24/7 at the hospital. The address is 315 South Osteopathy Street, Kirksville, MO 63501.

- **Adair County Juvenile Office and Normile Family Center** – This children and family Center can be contacted by calling BNJJC at 660-665-4224.
 - **Employee Assistance Program** – Provides free counseling and referral services to Truman employees and their immediate family members. EAP can be contacted by calling their 24/7 hotline at 1-888-293-6948.
- ### Other Support Agencies/Hotlines
- **Missouri Coalition Against Domestic & Sexual Violence:** <http://www.mocadsv.org/>
 - **US Dept. of Justice Office on Violence Against Women:** <https://www.justice.gov/ovw>
 - **National Coalition Against Domestic Violence:** <http://www.ncadv.org/>
 - **National Sexual Violence Resource Center:** <http://www.nsvrc.org/>
 - **Stalking Resource Center:** <http://www.victimsofcrime.org/our-programs/stalking-resourcecenter>
 - **National Domestic Violence Hotline:** 1-800-799-SAFE (7233).
 - **National Sexual Assault Hotline:** 1-800-656-HOPE (4673).
 - **Legal Assistance** – Free or low cost legal services may be available through Legal Services of Eastern Missouri. These services are located at 8-1 Broadway, PO Box 1276, Hannibal, MO 63401. Their phone number is (800)-767-2018.
 - **Visa and Immigration Assistance**
 - **Immigration Advocates Network:** <http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
 - **U.S. Citizenship and Immigration Services:** https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=ASC&OfficeLocator.statecode=MO

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 <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 <http://police.truman.edu/sex-offender-registration/>.

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.

Main Campus	Farm Campus
2020 - None	2020 - None
2021 - None	2021 - None
2022 - None	2022 - None

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, 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 is missing.

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 2020-2022

<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	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Non-Negligent Manslaughter	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Rape	2022	5	0	0	5	4
	2021	3	0	0	3	3
	2020	5	1	0	6	4
Fondling	2022	0	3	0	3	0
	2021	1	3	0	4	1
	2020	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Incest	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Robbery	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	1	1	0
Aggravated Assault	2022	0	0	0	0	0
	2021	1	0	0	1	1
	2020	1	0	2	3	0
Burglary	2022	1	1	0	2	1
	2021	1	3	0	4	0
	2020	4	4	0	8	0
Motor Vehicle Theft	2022	1	0	0	1	0
	2021	2	0	0	2	0
	2020	0	1	0	1	0
Liquor Law Arrests	2022	1	0	0	1	0
	2021	1	0	1	2	1
	2020	7	0	1	8	7
Drug Law Arrests	2022	1	0	0	1	1
	2021	4	0	2	6	3
	2020	7	0	1	8	7
Weapons Law Arrests	2022	0	0	0	0	0
	2021	0	0	1	1	0
	2020	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	12	0	0	12	10
	2021	6	0	0	6	4
	2020	8	0	0	8	8
Drug Law Violations Referred for Disciplinary Action	2022	4	1	0	5	4
	2021	8	0	0	8	8
	2020	4	0	0	4	0
Weapons Law Violations Referred for Disciplinary Action	2022	1	0	0	1	1
	2021	1	0	0	1	1
	2020	0	0	0	0	0
Theft (not required, reported for information only)	2022	46	3	1	50	6
	2021	48	0	0	48	4
	2020	36	3	1	40	3
Arson	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0

<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>
Domestic Violence	2022	0	0	1	1	0
	2021	4	0	2	6	3
	2020	2	0	0	2	2
Dating Violence	2022	1	0	0	1	1
	2021	1	0	0	1	1
	2020	1	0	0	1	1
Stalking	2022	1	0	0	1	0
	2021	2	0	0	2	0
	2020	2	0	0	2	0

There were no hate crimes reported for 2021 and 2020. In 2022, there was one count of intimidation based on gender identity on campus and one count of stealing based on sexual orientation in a residence hall.

University Farm Campus Crime Statistics 2020-2022

<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	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Rape	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Fondling	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Incest	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Robbery	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Aggravated Assault	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Burglary	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	1	0	0	1	0
Liquor Law Arrests	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Drug Law Arrests	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Weapons Law Arrests	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0

<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>
Weapons Law Violations Referred	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Theft (reported for information only, not required to report)	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Arson	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Domestic Violence	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Dating Violence	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Stalking	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0

There were no hate crimes reported for 2020, 2021 or 2022.

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 <http://police.truman.edu/emergency-procedures/>. 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 or in-person at the DPS Office.

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

Electrical Appliance Information can be accessed at http://www.truman.edu/residence-life/rules-and-regulations/the-rules/#Appliances_or_Electronic_Devices.

Residence Hall Fire Report

<i>Residence Hall</i>	<i>Fire Alarm monitoring by Alarm Company</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	0
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
Campbell Apts	Yes	n/a	Yes	Yes	Yes	No	2
Patterson House	No	No	n/a	Yes	Yes	No	0
Farm Hall (fc)	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

(fc) Farm Campus

* Randolph Apartments was torn down in the summer of 2021

Residential Facilities 2022 Fire Statistics

<i>Facility Name</i>	<i>Street Addresses (all addresses are in Kirksville, MO)</i>	<i>Total Number of Fires in Each Building</i>	<i>Fire Number</i>	<i>Date</i>	<i>Time</i>	<i>Cause of Fire</i>	<i>Number of Injuries Requiring Treatment at a Medical Facility</i>	<i>Number of Deaths Related to the Fire</i>	<i>Value of Property Damage Caused by Fire</i>
Campbell Apts	1601 S Florence	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #1 (fc)	1816 S LaHarpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #2 (fc)	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

(fc) Farm Campus

Residential Facilities 2021 Fire Statistics

Facility Name	Street Addresses (all addresses are in Kirksville, MO)	Total Number of Fires in Each Building	Fire Number	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
Campbell Apts	1601 S Florence	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 (fc)	1816 S LaHarpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #2 (fc)	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

(fc) Farm Campus

Residential Facilities 2020 Fire Statistics

Facility Name	Street Addresses (all addresses are in Kirksville, MO)	Total Number of Fires in Each Building	Fire Number	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
Campbell Apts	1601 S Florence	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 (fc)	1816 S LaHarpe	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Farm Hall #2 (fc)	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

(fc) Farm Campus



Emergency:

911

Central Dispatch (non-emergency):

(660) 665-5621

Department of Public Safety:

(660) 785-4176

Website:

<http://police.truman.edu>



TRUMAN
STATE UNIVERSITY

Department of Public Safety
100 E. Normal Ave.
Kirksville, MO 63501