

SAINT LUKE'S COLLEGE OF HEALTH SCIENCES
ANNUAL SECURITY REPORT
(September 1, 2016)

Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of the College with information on: the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness and prevention of various kinds of sex-related offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency.

Policy for Preparing the Annual Report

This report is prepared by the Dean of Students in cooperation with campus security authorities and local law enforcement authorities and includes information on crime statistics provided by them. Each year an e-mail notification is sent to all full-time employees and enrolled students providing the web site to access this report and a brief description of its content. It also advises that hard copies of the report may be obtained at no cost by contacting the Dean of Students. It also is made available to all prospective students and employees. Armed with the information contained in the report, students and employees should be better prepared to care for their own safety and the safety of others and be aware of how the College will respond in emergency situations.

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

Saint Luke's Hospital Security provides security to the College. These officers operate 24 hours a day, 365 days a year. They are licensed by the Board of Police Commissioners in Kansas City, Missouri, as Class A Officers, and have the authority to detain or apprehend suspects committing felonies, misdemeanors, or city ordinance violations in the presence of the licensed officer or during the attempt to commit the same or upon probable cause to believe an offense was committed. This authority is limited to the property the licensed security officer is hired to protect during the hours s/he is hired to protect it and does not extend to the public streets if the pursuit moves to a vehicle.

Their patrol area consists of Saint Luke's College campus (624 Westport Road) and 4251 Bridger Road – Allen Village High School parking area.

Saint Luke's Hospital Security can be reached immediately by calling **(816) 932-2911 (or x22911 from a College phone)**. Saint Luke's College of Health Sciences is also protected by the Kansas City Police Department (KCPD) and other city and county services. In case of an emergency requiring immediate service, dial **911**, and provide your name, location and the nature of the emergency. This information is given directly to police, fire and/or ambulance services as appropriate. The College does not have a written memorandum of understanding with any local law enforcement agency for the investigation of alleged crimes occurring on the College's campus.

Other Officials to Whom Crimes May Be Reported

The College also has designated other officials to serve as additional campus security authorities. Reports of criminal activity can also be made to these officials. They in turn will ensure that they are reported to Hospital Security for collection as part of the College's annual report of crime statistics. These additional campus security authorities are: President, Academic Dean, and Dean of Students/Title IX Coordinator.

Policies on Reporting a Crime or Emergency

The College encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus to the Security Department (816) 932-2011 and appropriate police agencies even when the victim of a crime elects not to do so or is unable to make such a report. Such reports should be made as follows:

- Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling **911** from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred. After making the 911 call, also call Hospital Security or one of the campus security authorities identified above.
- If not an emergency, students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of the College staff will assist a student in making the report to the police.
- Anonymous incident reports can also be made..

The College will protect the confidentiality of victims to the extent permitted by law. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity. Moreover, the College will withhold the identity of victims in publicly available records, to the extent permitted by law.

Any victim of a crime who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. With the victim's permission, a report of the details of the incident can be filed without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College has professional counselors (EAP/SAP) available who comply with their professional standards of confidentiality. Professional counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual report.

Saint Luke's will appropriately address reports it receives of student misconduct at off-campus locations. However, there are no off-campus locations of student organizations officially recognized by the College.

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

Restraining Orders:

Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by any court or the College against another individual (whether or not that individual is also a student or

employee of the College) is highly encouraged to notify a campus security authority of the order and to provide a copy of the restraining order so that it can be kept on file with the Security Department and can be enforced, if necessary.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

Saint Luke's College presents various educational awareness programs related to campus safety in order to enhance the security of its campus and the members of the campus community. These programs are of two general types, described below.

The first type consists of training to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. A description of this training and the frequency of its presentation follows:

- Within the first few weeks of each semester information is sent to the college community via email regarding policies and procedures related to campus security.
- During Orientation of each semester, SLH Security officers provide information and tips of how to be safe on campus, and/or informational safety brochures are placed in orientation folders or placed in the student commons areas.

The second type of educational awareness program consists of training to inform students and employees about measures that can be taken to prevent crimes. This training includes:

- Active Shooter/Violent Intruder video from SLHS is provided for use by the campus community.

Access to Campus Facilities

Access to campus facilities is controlled at all times. The exterior doors are card access controlled 24/7. Enrolled students are issued identification badges from the IT department of the College. Identification badges must be worn at all times when students are at the College and all clinical practice environments. The identification badge is required for admittance into the building and to other controlled areas of the College. Identification badges are not transferable, and the badge may not be loaned to anyone, and must be returned when the student is no longer enrolled in the College. Saint Luke's College of Health Sciences requires that all students vacate the building before 10pm daily.

In order to provide a safe and positive learning environment for all students, children and/or guests are not allowed to accompany students to any learning setting. All visitors are to enter through the main entrance and check in with the receptionist.

SLH Security Officers make rounds of the College. Students found in buildings after hours will be asked to show identification, and those who are in the buildings without proper authorization will be referred for disciplinary and/or criminal action. Propping open the doors to any building causes a significant security risk to those inside. Such action will be viewed as a serious violation of school policy. Being in an unauthorized section of any building or in any area for which public or student access is not allowed is strictly prohibited.

Security Considerations Used in Maintenance of Campus Facilities

SLH Security, SLH Facilities and the Dean of Students work together to identify needs on the campus when maintaining campus facilities. They do safety checks to exterior and interior lights that are not working, smoke detector testing, or landscaping that might need trimming. Anyone aware of a maintenance issue that presents a safety or security risk is encouraged to report it to the Dean of Students

Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of SLH Security or designee, constitutes an immediate or continuing criminal threat to students and employees, a campus-wide "timely warning" will be issued. Systems for issuing warnings include postings, direct distribution of flyers, text messages, emails to students, faculty, staff, and the SLCHS website. SLH Security also shares warnings from local police departments if the campus area may be impacted.

Anyone with information warranting a timely warning should report the circumstances to SLH Security by phone 816-932-2911.

Emergency Response and Evacuation Procedures

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, or armed intruders. Students, staff and visitors are encouraged to notify Hospital Security of any situation that poses such a threat.

If not obvious by the circumstances of the situation, College President, Academic Dean, Associate Dean or Dean of Students will access available sources of information from other campus staff and local, state or federal authorities to confirm the existence of the danger. The College President, Associate Deans or Dean of Students in collaboration with SLH Security personnel will be responsible for initiating the College's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

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

College administration will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

- Email
- Text messaging (TextCaster)
- Outdoor sirens and voice warning
- Social media (Facebook and Twitter)
- Local media outlets

The College will utilize the institution's website, local media outlets, and law enforcement agencies to disseminate emergency information to the larger community; that is those outside of the campus community, in the event they are not already being warned by other parties.

The College tests its emergency response and evacuation procedures at least once a year. Also, at various times throughout the year the Emergency Response Team will meet to train and test and evaluate the College's emergency response plan. The Emergency Response Team maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute The Emergency Preparedness Handbook to its students and employees which detail the College's emergency response and evacuation procedures.

Drug and Alcohol Policy

Saint Luke's College, in order to promote its fundamental mission, has adopted a zero tolerance policy for the use, possession, distribution or manufacture of illicit or illegal drugs or the consumption or possession of alcohol. The College will not tolerate any use, possession, distribution or manufacture of illicit or illegal drugs, or the improper use of all legal or prescription drugs by any student or employee on campus, off campus, or while attending any school sponsored or sanctioned event. Such actions will result in appropriate disciplinary action.

The College enforces state and federal laws relating to alcohol, including the enforcement of underage drinking law, as well as state and federal drug laws

The College reserves the right to require a drug test from a student or employee where there is a reasonable suspicion that the College's drug-free policy has been violated. Failure to submit to a drug test is a major violation of the disciplinary rules and will result in suspension or expulsion.

A full statement of the College's drug and alcohol policy, including detailed information about the physical effects of alcohol and drugs, penalties for convictions, and substance abuse prevention education programs and resources is available at the following [link](#):

Policy, Procedures and Programs Related to Various Sex-Related Offenses

Saint Luke's prohibits acts of domestic violence, dating violence, sexual assault and stalking. An offense of this nature likely will also violate the College's Title IX policy, which prohibits discrimination based on sex in its educational programs and activities, including sexual harassment and acts of sexual violence. A full statement of the College's Title IX policy and the procedures for filing, investigating and resolving complaints for violations of that policy may be found at the following [link](#):

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

Educational Programs to Promote Awareness and Prevention of These Offenses:

The following definitions apply within the state of Missouri:

- *Consent*: 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.

See Section 556.061(5), RSMo.

- *Domestic Assault (Violence)*: This offense can be committed in degrees (1st, 2nd or 3rd) depending on the seriousness of the injury inflicted or attempted to be inflicted. It occurs when a person attempts to cause or knowingly causes the injury to a family or household member, including any child who is a member of the family or household. "Family or household member" means spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

See Sections 455.010(7), 565.072, 565.073, and 565.074, RSMo.

- *Dating Violence*: This is not separately defined in Missouri law, but note that the definition above relating to Domestic Assault would also encompass violence between those in a dating relationship. For further guidance, the Violence Against Women Act states that the existence of such a relationship is determined based on a consideration of the length of it, the type of relationship and the frequency of interaction between the persons involved in the relationship.
- *Stalking*:

1. As used in this definition, the following terms shall mean:

(1) "Course of conduct", a pattern of conduct composed of two or more acts, which may include communication by any means, over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of course of conduct. Such constitutionally protected activity includes picketing or other organized protests;

(2) "Credible threat", 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, or the safety of his or her family, or household members or domestic animals kept at such person's residence or on such person's property. The threat must be against the life of, or a threat to cause physical injury to, or the kidnapping of, the person, the person's family, or the person's household members or domestic animals kept at such person's residence or on such person's property;

(3) "Harasses", to engage in a course of conduct directed at a specific person that serves no legitimate purpose that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

2. A person commits the crime of stalking if he or she purposely, through his or her course of conduct, harasses or follows with the intent of harassing another person.

3. A person commits the crime of aggravated stalking if he or she purposely, through his or her course of conduct, harasses or follows with the intent of harassing another person, and:

(1) Makes a credible threat; 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 harassing the other person is twenty-one years of age or older; or

(5) He or she has previously pleaded guilty to or been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim.

See Section 565.225, RSMo.

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

The following are warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction: past abuse, threats of violence or abuse, breaking things, and use of force during an interaction.

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

- Direct individuals to available anonymous and secure resources
- Raise awareness through training, programs and speakers

The College provides primary prevention and awareness programs for new students and employees. The following is a description of them:

- Title IX training video available to faculty and staff via D2L

The College also provides ongoing prevention and awareness campaigns for all students and employees. The following is a description of them:

- Quarterly speakers, awareness brochures or videos presented to students, faculty and staff.
- CDC brochures available in all common areas, (i.e. "Understanding Sexual Violence") additionally see the attached CDC [infographic](#) is provides statistical data and information.

Procedures to Follow if You are a Victim of a Sex Offense:

If you are a victim of a sexual assault, domestic violence, dating violence or stalking, go to a safe place and call 911 or the SLH Security Department at 816-932-2911. You should also contact the College's Title IX Coordinator, Marcia

Ladage, Dean of Students at 816-936-8716. If requested by the victim, the College will assist the victim in notifying appropriate law enforcement authorities of the assault, although the victim also has the option to decline to make such notification.

Victims will be provided written notice of the following information:

- The importance of preserving evidence as may be necessary to prove the offense or to obtain a protective order (e.g., do not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence; do not bathe or wash, or otherwise clean the environment in which the assault occurred; preserve any electronic communications from that assailant, particularly in the case of stalking);
- Any others to whom the alleged offense should be reported and how to do so;
- Options regarding notification to law enforcement, including:
 - The option to notify either on-campus safety personnel or local police;
 - The option to be assisted by a campus security authority in notifying law enforcement if the victim so chooses; or
 - The option to decline to notify such authorities;
- Where applicable, the rights of the victim and the College's responsibility regarding orders of protection, no-contact orders, restraining orders or similar lawful orders issued by any court.

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 for victims, both within the College and in the community."

On-campus services that are available include: none available

Off-campus resources that are available include: KC Metro Crisis Line 816-468-5463

The National Domestic Violence Hotline 1-800-799-7233

Safe Horizon 1-800-621-4673 www.safehorizon.org

Hope House 816-468-5463 www.hopehouse.net

Rose Brooks 816-861-6100 www.rosebrooks.org

Legal Aid of Western Missouri 816-474-6750

Kansas Legal Service 913-621-0200

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If victims request these accommodations and they are reasonably available they will be provided, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. The College will keep information about these accommodations and any similar protective measures confidential to the extent that maintaining confidentiality would not impair the institution's ability to provide them.

Procedures for Disciplinary Action:

I. GENERAL PRINCIPLES

A. Administration

For purposes of these complaint resolution procedures, "Investigating Officer" means the Title IX Coordinator or his/her designee. The Investigating Officer shall have responsibility for administering these complaint resolution procedures.

B. Promptness, Fairness and Impartiality

These procedures provide for prompt, fair, and impartial investigations and resolutions. The Investigating Officer shall discharge his or her obligations under these complaint resolution procedures fairly and impartially. If the Investigating Officer determines that he or she cannot apply these procedures fairly and impartially because of the identity of a complainant, respondent, or witness, or due to any other conflict of interest, the Investigating Officer shall designate another appropriate individual to administer these procedures.

C. Training

These procedures will be implemented by officials who receive annual training on the issues related to Sex Discrimination, Sexual Harassment, Sexual Violence/Assault, Domestic Assault, Dating Violence, and Stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Allegations (formally and informally) of domestic violence, dating violence, sexual assault or stalking will be processed through Saint Luke's College Administrative Team including the Title IX coordinator.

C. Making a Complaint

1. Employees

All College employees have a duty to file a complaint with the Title IX Coordinator or the President when they believe or receive information indicating that a member of the College Community may have been subjected to conduct that constitutes prohibited Sex Discrimination.

2. Students and Other Persons

Students who believe they or another member of the College Community may have been subjected to conduct that constitute prohibited Sex Discrimination are encouraged to file a complaint with the Title IX Coordinator, President or other administrative staff. Students and other persons may also file a complaint with the United States Department of Education's Office for Civil Rights, as set forth in Section III above.

3. Content of the Complaint

So that the College has sufficient information to investigate a complaint, the complaint should include: (1) the date(s) and time(s) of the alleged Sex Discrimination; (2) the names of all person(s) involved in the alleged Sex Discrimination, including possible witnesses; (3) all details outlining what happened; and (4) contact information for the complainant so that the College may follow up appropriately.

II. INVESTIGATION AND RESOLUTION OF THE COMPLAINT

A. Commencement of the Investigation

Once a complaint is made, the Investigating Officer will commence an investigation of it as soon as practicable, but not later than seven (7) days after the complaint is made. The purpose of the investigation is to determine whether it is more likely than not that the alleged behavior occurred and, if so, whether it constitutes Sex Discrimination. During the course of the investigation, the Investigating Officer may receive counsel from College administrators, the College's attorneys, or other parties as needed.

In certain narrow circumstances, the Investigating Officer may commence an investigation even if the complainant requests that the matter not be pursued. In such a circumstance, the Investigating Officer will take all reasonable steps to investigate and respond to the matter in a manner that is informed by the complainant's articulated concerns.

B. Content of the Investigation

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

C. Support Person

During the investigation process, both a complainant and a respondent may ask a support person to accompany him or her at all stages of the process. In cases involving multiple complainants or respondents, the support person cannot be another complainant or respondent. The support person does not serve as an advocate on behalf of the complainant or respondent may not be actively involved in any proceedings, and he or she must agree to maintain the confidentiality of the process.

D. Interim Measures

At any time during the investigation, the Investigating Officer may determine that interim remedies or protections for the parties involved or witnesses are appropriate. These interim remedies may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative class-placement or workplace arrangements. Failure to comply with the terms of these interim remedies or protections may constitute a separate violation of the Title IX: Non-Discrimination and Harassment and Complaint Resolution Policy.

E. Pending Criminal Investigation

Some instances of Sexual Harassment and Sexual Violence/Assault may also constitute criminal conduct. In such instances, the complainant is also encouraged to file a report with the appropriate law enforcement authorities and, if requested, the College will assist the complainant in doing so. The pendency of a criminal investigation, however, does not relieve the College of its responsibilities under Title IX. Therefore, to the extent doing so does not interfere with any criminal investigation, the College will proceed with its own investigation and resolution of the complaint.

F. Resolution

At the conclusion of the investigation, the Investigating Officer will prepare a written report. The written report will explain the scope of the investigation, identify findings of fact, and state whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence.

If the written report determines that Sex Discrimination occurred, the Investigating Officer shall set forth in an addendum to the written report those steps necessary to maintain an environment free from Sex Discrimination and to protect the safety and well-being of the complainant and other members of the College community. Such actions will also include reasonable steps to correct the effects of such conduct on the complainant and others and to prevent the recurrence of Sex Discrimination and retaliation. Examples of such action include: no-contact orders, classroom reassignment, the provision of counseling or other support services, training, and discipline for the perpetrator, including up to termination, expulsion, or other appropriate institutional sanctions.

The complainant and the respondent will receive a copy of the written report and any addendum within three (3) days of its completion. If necessary, the version of the addendum provided to the complainant and/or respondent will be redacted to ensure that information concerning any remedial and/or disciplinary measures is disclosed in a manner consistent with Title IX, the Family Educational Rights and Privacy Act ("FERPA"), and the Clery Act, as explained by the April 4, 2011 Dear Colleague Letter issued by the U.S. Department of Education, available at <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>.

The written report of the Investigating Officer shall be final subject only to the right of appeal set forth in Section IV below.

G. Special Procedure Concerning Complaints Against The President and Academic Dean

If a complaint involves alleged conduct on the part of the College President, the College Board of Directors will designate the Investigating Officer. Based on the information gathered by the investigation, the College Board of Directors will prepare and issue the written report determining the complaint. The determination of the College Board of Directors is final and not subject to appeal.

If a complaint involves alleged conduct on the part of the College Academic Dean, the College President will designate the Investigating Officer. Based on the information gathered by the investigation, the College President will prepare and issue the written report determining the complaint. The determination of the College President is final and not subject to appeal.

H. Informal Resolution

Informal means of resolution, such as mediation, may be used in lieu of the formal investigation and determination procedure. However, informal means may only be used with the complainant's voluntary cooperation and the involvement of the Title IX Coordinator. The complainant, however, will not be required to work out the problem directly with the respondent. Moreover, the complainant may terminate any such informal means at any time. In any event, informal means, even on a voluntary basis, will not be used to resolve complaints alleging any form of Sexual Violence/Assault.

I. Timing Of the Investigation

The College will endeavor to conclude its investigation and resolution of the complaint within sixty (60) calendar days of receiving it. Both the complainant and the respondent will be given periodic updates regarding the status of the investigation. If either the complainant or respondent needs additional time to prepare or to gather their witnesses or

information, they shall notify the Investigating Officer in writing explaining how much additional time is needed and why it is needed. The Investigating Officer shall respond to any such request within three (3) days.

III. RIGHTS OF THE PARTIES

During the investigation and resolution of a complaint, the complainant and respondent shall have equal rights. They include:

- Equal opportunity to identify and have considered witnesses and other relevant evidence
- Similar and timely access to all information considered by the Investigating Officer
- Equal opportunity to review any statements or evidence provided by the other party
- Equal access to review and comment upon any information independently developed by the Investigating Officer

IV. APPEALS

A. Grounds of Appeal

The complainant or respondent may appeal the determination of a complaint only on the following grounds:

- The decision was contrary to the substantial weight of the evidence
- There is a substantial likelihood that newly discovered information, not available at the time evidence was presented to the Investigating Officer, would result in a different decision
- Bias or prejudice on the part of the Investigating Officer, or
- The punishment or the corrective action imposed is disproportionate to the offense

B. Method of Appeal

Appeals must be filed with the President/Dean within ten (10) days of receipt of the written report determining the outcome of the complaint. The appeal must be in writing and contain the following:

- Name of the complainant
- Name of the respondent
- A statement of the determination of the complaint, including corrective action if any
- A detailed statement of the basis for the appeal including the specific facts, circumstances, and argument in support of it, and
- Requested action, if any.

The appellant may request a meeting with the President/Dean, but the decision to grant a meeting is within the President/Dean's discretion. However, if a meeting is granted, then the other party will be granted a similar opportunity.

V. RESOLUTION OF THE APPEAL

The President will resolve the appeal within fifteen (15) days of receiving it and may take any and all actions that he/she determines to be in the interest of a fair and just decision. The decision of the President is final. The President shall issue a short and plain, written statement of the resolution of the appeal, including any changes made to the Investigating Officer's previous written determination. The written statement shall be provided to the complainant, respondent, and the Title IX Coordinator within three (3) days of the resolution.

VI. DOCUMENTATION

Throughout all stages of the investigation, resolution, and appeal, the Investigating Officer, the Title IX Coordinator, and the President as the case may be, are responsible for maintaining documentation of the investigation and appeal, including documentation of all proceedings conducted under these complaint resolution procedures, which may include written findings of fact, transcripts, and audio recordings.

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

- A prompt, fair and impartial investigation and resolution. Any extension of time frames specified for the investigation and resolution of the allegation of an offense will only be for good cause and both the victim and the accused will be advised in writing of the reason for any delay.
- A hearing conducted by officials who have no conflict of interest or bias for or against the accused or the accuser and who, at a minimum, receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- The same opportunities to have others present during any disciplinary hearing, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The College may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
- Have the outcome determined by a preponderance-of-the-evidence standard based on the totality of the evidence presented.
- Simultaneous, written notification of the outcome of the proceeding, any procedures for either party to appeal the result, any change to the result and when the result becomes final.

Possible Sanctions and Protective Orders:

Following a final determination in the College's disciplinary proceeding that an act of domestic violence, dating violence, sexual assault or stalking has been committed, the College may impose sanctions and order protective measures be taken.

The following is a list of possible sanctions that may be imposed: counseling or training, separation of the parties, and/or discipline of the respondent including written reprimand, suspension, demotion, termination or expulsion.

Protective measures that can be ordered range from separating the parties, placing limitations on contact between parties to making alternate working or living arrangements.

Victims to Receive Written Notification of Rights:

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

Prohibition Against Retaliation

Saint Luke's College prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to the Clery Act or this policy.

Sex Offender Registration Program

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

If you need assistance with obtaining this information, please contact the Security Department at (816) 932-2911.

Crime Statistics

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

The definitions of these offenses follow FBI guidelines and definitions contained in the Clery Act (as amended by the Violence Against Women Act) and are as follows:

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

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

Sex offenses--forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent (i.e. rape, sodomy, sexual assault with an object, fondling).

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

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

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

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

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

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

Domestic violence: A felony or misdemeanor crime of violence committed: (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime or violence occurred; or (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress. For purpose of this definition, "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling. "Reasonable person" means a reasonable person under similar circumstances and with a similar identity to the victim.

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

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

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

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

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

For purposes of crime statistics related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs or liquor, the following definitions apply:

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

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