



UNIVERSITY OF
**HEALTH SCIENCES
& PHARMACY**

in St. Louis

**2024 COMBINED ANNUAL SECURITY
REPORT & FIRE SAFETY REPORT**

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I. 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 University of Health Sciences & Pharmacy in St. Louis ("University" or "UHSP") with information on: the University's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

II. Policy for Preparing the Annual Report

This report is prepared by the Director of Public Safety in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Ja-Maal Davis, 1 Pharmacy Place, St. Louis, MO 63110, 314.446.8382. The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

III. General Safety and Security Policies

Local Law Enforcement

The University of Health Sciences & Pharmacy in St. Louis Office of Public Safety also referred to as "Public Safety" is responsible for campus safety at the University.

The University's public safety officers have the authority to ask people for identification, enforce University policies and regulations, issue parking tickets billed to financial accounts of students, faculty, and staff, and to determine whether individuals have lawful business at University of Health Sciences and Pharmacy in St. Louis. A public safety officer may make a custodial arrest or prevent the escape of a person who has committed a criminal offense, and when the arrest or detention is immediately necessary to arrest the offender or prevent his or her escape from custody. Public safety officers do not possess arresting powers off campus as a commissioned Missouri police officer. However, failing to comply with a lawful request by a public safety officer may subject one to arrest by the St. Louis Metropolitan Police Department. The Office of Public Safety maintains a highly professional working relationship with all local law enforcement. Public safety staff members are on duty 24 hours a day monitoring CCTV and communications and patrolling the Campus and are always available to provide support, assistance, or information. Public Safety can be contacted in person in the UHSP Garage 4531 Nash Way or at 314.446.SAFE (7233).

The University of Health Sciences and Pharmacy in St. Louis Office of Public Safety does not have any written memorandum of understanding agreements with local and state law enforcement agencies for response to or investigation of crimes. We maintain a strong working relationship with the St. Louis Metropolitan Police Department, Missouri Highway Patrol, and local federal authorities. The University of Health Sciences and Pharmacy in St. Louis Office of Public Safety does have a written memorandum of understanding approved by the Private Security Licensing Office with neighboring security forces from Washington University Protective Services and Barnes-Jewish Hospital which authorizes mutual aid and collaboration to deliver security and public safety services on all campuses during an emergency. We also work with the Central West End Neighborhood Security Initiative.

Campus Security Authorities

The University has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the University's annual report of crime statistics. The campus security authorities to whom the University would prefer that crimes be reported are listed below.

- Chief Operations Officer Eric Knoll at eric.knoll@uhsp.edu, 314.446.8375
- Vice President, Campus Life & Chief Diversity Officer Isaac Butler at isaac.butler@uhsp.edu, 314.446.8438
- Assistant Vice President, Human Resources & Title IX Coordinator Dan Bauer at daniel.bauer@uhsp.edu, 314.446.8308
- Director of Public Safety Ja-Maal Davis at jamaal.davis@uhsp.edu, 314.446.8382
- Director of Student Engagement & Leadership AJ Friedhoff at aj.friedhoff@uhsp.edu, 314.446.8001
- Area Coordinator, Residential Life Jalen Faith at jalen.faith@uhsp.edu, 314.446.8163

Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged when the victim of a crime elects to, or is unable to, make such a report.

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the University of Health Sciences and Pharmacy in St. Louis Office of Public Safety in a timely manner. To report a crime or an emergency on campus, call Public Safety at 314.446.SAFE (7233).

In the event of an immediate or critical threat or danger, the appropriate emergency agency will be contacted by dialing 911. In addition to Public Safety, crimes may be reported to the University's Campus Security Authorities (CSAs). Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a University staff member will assist in making reports to the police.

Anonymous incident reports can also be made at [UHSP CSA Crime Report](#).

A minimum of two to three public safety officers are on campus, 24 hours a day, 365 days a year. The two public safety officers are either monitoring and or patrolling campus.

During an emergency, public safety will respond to your location. Response times may be affected by various factors, such as the number and location of available personnel or their involvement at the time a report is received. Response to an incident may also involve other personnel (i.e., Campus Life staff in an incident involving a student, Counseling Center staff in the case of a sexual assault, etc.).

All public safety officers are trained in first aid and CPR, AED, and Narcan usage, along with meeting the requirements of the St. Louis Metropolitan License. The public safety officers carry two-way radios to stay in constant communication with both University Office of Facilities Services personnel and Washington University in St. Louis Protective Service Officers.

Confidential Reporting

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

For incidents covered under the University's Equal Opportunity, Harassment, and Nondiscrimination Harassment policy, when a Mandated Reporter (all UHSP faculty and employees, other than those deemed confidential employees) becomes aware of alleged misconduct under the policy (including, but not limited to, sexual harassment, dating violence, domestic violence, sexual assault, and stalking), the Mandated Reporter is responsible for reporting that information, including the status of the parties, if known, to the Title IX Coordinator(s).

A victim of any other type(s) of crime (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes while helping the University take appropriate steps to promote the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing, and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

Reports regarding students of concern can be submitted at [UHSP Cares](#).

The University encourages its pastoral and professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

Security of and Access to Campus Facilities

During business hours, the University (excluding certain residence halls, laboratory, and classroom facilities) will be generally open to students, parents, employees, contractors, guests and invitees. During non-business hours, access is by keycard, if issued, or by admittance via public safety or other authorized University personnel. Some campus facilities may have individual hours, which may vary at different times of the year. An example of this is the library. In these cases, the facilities will be secured according to schedules developed

by the department responsible for that facility. Emergencies, campus closings, and special events may necessitate changes or alterations to any posted schedules.

The University will make every reasonable effort to respect the privacy of students and give prior notice of entry into student rooms. The University reserves the right of entry without notice for such purposes as may be necessary to assure compliance with policies of the University and federal, state, and local laws; to verify occupancy; to maintain the premises; and to meet emergencies. Work orders are placed by members of the community to repair facilities issues in a system called IssueTrak. Campus inspections by public safety and facilities employees are conducted on a regular basis. Key and card access management responsibility is a shared responsibility by the Office of Public Safety and Facilities.

Access to the Academic Research Building (ARB) is by card reader after 5 p.m. and before 8:00 a.m., Monday through Friday. Floors 5-7 have restricted access.

Access to Jones Hall is by card reader after 5 p.m. and before 8:00 a.m., Monday through Friday.

Students have card access to Jones Hall and ARB for study purposes 24 hours a day.

Access to the South Residence Hall is by card reader after 5 p.m. and before 8 a.m., Monday through Friday. Access to the South Residence Hall dorm floors is by card access only (Floors 2-8).

Access to the Recreational and Student Center/North Residence Hall is by card reader after 5 p.m. and before 8 a.m., Monday through Friday. Access to the North Residence Hall dorm floors is by card access only (Floors 5-7).

Access to the fitness centers located in South Residence Hall and North Residence Hall are card access 24 hours a day.

Access to the Duncan Avenue, UHSP garages' and Kingshighway Lot are by keycard to registered parkers and pedestrians. The UHSP garage is monitored 24 hours a day by the University of Health Sciences and Pharmacy in St. Louis Office of Public Safety. BJC HealthCare Security and Washington University in St. Louis Protective Services monitor the Duncan Avenue garage and Kingshighway Lot.

Security Considerations in the Maintenance of Facilities

The University is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Members of the Offices of Facilities and Public Safety periodically conduct security surveys to ensure campus lighting is adequate and the landscape appropriately controlled. Public safety officers conduct routine checks of lighting on campus during regular assigned patrol duties. If they observe some lights are out or very dim, they will initiate a service request for facilities to repair the problem. We encourage community members to report any deficiency in lighting to Facilities at 314.446.8385 or Public Safety at 314.446.SAFE (7233). Facilities personnel are also available to respond to calls for service regarding unsafe facility conditions. These conditions may include unsafe steps and handrails, unsafe walkways on campus, and unsecured equipment, etc. Public safety officers, routinely check the University's fire extinguishers, sprinkler valves, panic alarms,

ADA doors, CCTV systems, etc., and document their findings by completing a checklist and completing a work order for any problems they find while checking the equipment.

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.

All members of the community are continually reminded they must be responsible for their own security and the security of others. This message is reinforced through security awareness programs offered by numerous departments, the annual disclosure form, and in the "timely warnings" distributed to the campus community.

During fiscal year 2023, topics such as personal safety, campus safety, Clery reporting, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of topics covered. The University continues to offer these programs during the current fiscal year.

Student Information at Orientation

During orientation for new students prior to the fall semester, students are informed about a variety of services offered by public safety. Crime prevention programs, safety and security awareness and sexual assault prevention programs are offered on a continual basis. Periodically during the academic year, public safety, in cooperation with other departments, such as the Office of Campus Life, present awareness presentations and campaigns on emergency preparedness, sexual assault, stalking, bystander intervention, alcohol abuse, date rape drugs, theft prevention, etc.

Employee Information at Orientation

When a new employee is hired, the Office of Human Resources provides information on how to obtain a copy of the annual disclosure form. The Office of Public Safety conducts a new hire orientation segment that covers information pertaining to campus security services, procedures, practices and crime prevention programs. All employees are encouraged to participate in new hire orientation and any other safety and security programming.

Resident Hall Fire Prevention Information

All residence hall rooms, and common areas have smoke detectors that are hardwired and when activated will send an alarm to a third-party monitoring company who will dispatch the St. Louis Fire Department. Both residence halls have a fire sprinkler system installed. The Office of Public Safety works in conjunction with facilities and residence life to conduct fire drills (evacuations) from the residence halls during the academic year. The University requires complete evacuation of buildings during a fire alarm. Individuals who ignore fire alarms and required evacuations may face disciplinary action.

Campus Health and Safety Escort Program

The Office of Public Safety is available 24 hours a day to provide walking safety escorts to and from any location on the University campus and can coordinate health escorts via Uber to an Urgent Care or Hospital. Public Safety can be contacted in person in the UHSP Garage 4531 Nash Way or at 314.446.SAFE (7233). Officers will also provide walking escorts in the

immediate and adjacent properties on the Washington University Medical Complex and MetroLink Station. University personnel and students are advised to be patient when calling as officers may be busy handling other calls.

Campus Panic Buttons

Virtual and physical panic button training is offered to faculty, staff and student workers during orientations. The system is tested on a monthly basis by the Office of Public Safety. Virtual panic buttons are in all classrooms at the desktop teaching areas. These virtual panic buttons are also in dedicated offices, department suites and front desk areas on campus. There are various physical panic buttons strategically placed near lab spaces, fitness, recreational/gymnasium, and key areas of operation.

In-Person Training for Select Personnel

Annually departments and personnel of the University, such as athletic coaches and resident assistants, receive specialized, in-person training regarding Clery, Title IX, and how to respond to incidents of crime or sexual assault, relationship violence, and stalking. Student groups have requested such training. Members of the department are available to assist any individual or group in planning, presenting, and coordinating programs of interest or concern. To get more information or a list of these trainings, please contact the director of public safety at 314.446.8382.

Welcome Back BBQ and Student Resource Fair

Each year, the director of public safety talks with students, faculty and staff about the Clery Act, campus safety, security, and emergency management services and procedures. There are also brochures and flyers available to all attendees that cover services, procedures, on- and off-campus crime prevention awareness and techniques.

RA and Desk Attendant Training

The director of public safety annually provides an overview of the services that are provided by the department. The focus of the desk attendant training was on access control, building security, emergency evacuation procedures, Clery Act and reporting. As for the residence assistant training, a brief overview of how to write reports to identify Clery Act reportable incidents. Role-playing and situational briefings are conducted for these student workers.

Rape Aggression Defense (RAD) Training

The Office of Public Safety in partnership with Student Affairs offers RAD Training annually. It is a comprehensive self-defense program designed to empower individuals to protect themselves from sexual assault and aggression. It provides practical techniques and personal safety strategies, focusing on physical defense and prevention.

Auto Club Program

The Auto Club Crime Prevention Program is designed to enhance vehicle security and prevent automobile-related crimes such as theft, vandalism, and break-ins. The program provides the campus community with valuable resources, strategies, and support to safeguard their vehicles and reduce the likelihood of criminal incidents.

Mental Health First Aid

The Counseling and Wellness Center facilitates this training for faculty, staff, and students semi-annually on how to recognize and respond to mental health crises and helps create a safer, more supportive campus environment.

Monitoring Off Campus Locations of Recognized Student Organizations

The University does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

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.

IV. Drug and Alcohol Policy

The use, sale, delivery, possession, and consumption of alcoholic beverages in or on any property owned or controlled by the University are strictly prohibited except as specifically stated in University policy. The University enforces all city, state and federal laws pertaining to the illegal use of alcoholic beverages, particularly the laws that prohibit the sale to or possession of alcoholic beverages by person(s) under the age of 21. Any groups or persons violating the alcohol/substance policies or laws may be subject to arrest by the St. Louis Metropolitan Police Department and/or disciplinary sanctions by the University.

The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws and prohibited by University policies. Such laws are strictly enforced by the University. Violators are subject to arrest by the St. Louis Metropolitan Police Department and/or disciplinary sanctions by the University.

Federal Drug Laws (updated 08.05.2024)

Denial of Federal Benefits (21 U.S.C. § 862)

A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841)

Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, “liquid ecstasy”), or flunitrazepam (or, “Rohypnol”), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844)

Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at [www.campusdrugprevention.gov/sites/default/files/2022-07/Federal Trafficking Penalties Chart 6-23-22.pdf](http://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf).

Drug and Alcohol State Laws

Category	Summary (Missouri Revised Statues)
Possession of Marijuana	Statutorily, marijuana remains a Schedule I controlled substance. Mo. Rev. Stat. § 195.017(2)(3)(ff). Possession for personal use of 10 grams or less, for a first offense, is a class D misdemeanor with a maximum fine of \$500 and no jail time. §§ 579.015(4), 558.002(1)(5). For a second offense, the

Category	Summary (Missouri Revised Statutes)
	<p>charge elevates to a class A misdemeanor with a maximum fine of \$2,000 and up to one year in jail. §§ 579.015(4), 558.002(1)(2), 558.011(1)(6). It is also punishable as a class A misdemeanor to possess more than ten grams but thirty-five grams or less of marijuana or synthetic cannabinoid. § 579.015(3). Possessing more than 35 grams is a class D felony with a maximum fine of \$10,000 and up to 7 years in jail. §§ 579.015(2), 558.002(1)(2), 558.011(1)(4). The delivery of 35 grams or less of marijuana constitutes a class E felony, punishable by imprisonment for up to four years and a fine of up to \$10,000. §§ 579.020, 558.002(1)(1), 558.011(1)(5). Notwithstanding the foregoing, and subject to limitations, individuals over the age of twenty-one may purchase, possess, deliver without consideration, and consume up to 3 ounces of dried marijuana. Mo. Const. art. XIV § 2. Medical marijuana for certain conditions is allowed, and up to six ounces may be purchased every 30 days. Mo. Const. art. XIV § 1.</p>
Controlled Substances	<p>Missouri statutes cover a wide range of offenses related to the possession and delivery of controlled substances. Mo. Rev. Stat. §§ 579.015–579.088. Knowing possession of a controlled substance, except thirty-five grams or less of marijuana, is a class D felony, with a term of up to seven years imprisonment and a fine up to \$10,000. §§ 579.015, 558.011. Delivery of a controlled substance other than 35 grams or less of marijuana is a class C felony, resulting in a prison term of not less than 3 years and not more than 10 years, and a fine up to \$10,000. §§ 579.020(2), 558.002, 558.011. If a controlled substance is distributed or delivered within one thousand feet of a park designed for public recreation purposes or on public housing property, or within two thousand feet of the real property comprising a public or private elementary, vocational, or secondary school, or on any school bus, the charge elevates to a class A felony, resulting in imprisonment between 10 to 30 years, or life imprisonment. §§ 579.030, 558.011.</p> <p>The offense of manufacturing or attempting to manufacture any amount of a controlled substance, except thirty-five grams or less of marijuana or synthetic cannabinoid, is a class C felony. § 579.055. Possessing, purchasing, or bringing into the state large quantities of controlled substances, also known as trafficking, can result in severe penalties, which vary depending on the substance and quantity involved. §§ 579.065, 579.068. It is also unlawful to possess drug paraphernalia, which is generally a class D misdemeanor. § 579.074.</p>
Alcohol and Minors	<p>In Missouri, it is illegal for anyone under the age of 21 to possess, purchase, or attempt to purchase any intoxicating liquor; a first violation is a class D misdemeanor carrying a fine not to exceed \$500. §§ 311.325, 558.002. A subsequent violation is a class A misdemeanor, subject to a term of up to one year in jail and a fine not to exceed \$2,000. <i>Id.</i>; § 558.011(6). Anyone between the ages of 17 and 21 who represents that they have attained the age of 21 for the purpose of obtaining intoxicating liquor is guilty of a misdemeanor. § 311.320(1). The use of a fake identification is a misdemeanor and subjects the offender to a \$500 fine. § 311.320(2). Additionally, any person who procures for, sells, gives away</p>

Category	Summary (Missouri Revised Statues)
	or otherwise supplies intoxicating liquor to any person under the age of twenty-one years is guilty of a misdemeanor. § 311.310.
Driving Under the Influence (DUI)	A person is guilty of a DUI if the person operates a vehicle while having a blood alcohol concentration of 0.08 percent or while in an intoxicated condition. § 577.012, 577.010. A first offense is generally a class B misdemeanor, punishable by a fine of up to \$1,000 and imprisonment for up to six months. §§ 577.012, 577.010, 558.002, 558.011. If the offender qualifies as a prior offender, the offense constitutes a class A misdemeanor. 577.012, 577.010. Penalties may increase depending on the circumstances of the offense and the presence of prior offenses. <i>Id.</i>

Drug and Alcohol Abuse Prevention Program

University of Health Sciences and Pharmacy in St. Louis is committed to maintaining a safe and healthy environment, which enhances the welfare of our faculty, staff and students. University of Health Sciences and Pharmacy in St. Louis believes that chemical dependency is a disease that can endanger the health and well-being of students, staff, and faculty and can have a negative effect on the public that they serve. University of Health Sciences and Pharmacy in St. Louis advocates treatment and rehabilitation for affected students, staff, and faculty in a manner that first protects the public, while allowing a reasonable opportunity for recovery and re-entry into the workplace/classroom. University of Health Sciences and Pharmacy in St. Louis does not discriminate against individuals who are in recovery from chemical dependency in its academic programs or employment practices. University of Health Sciences and Pharmacy in St. Louis is committed to promoting the health and safety of its campus community through a program of alcohol education and the implementation of relevant policies. The University enforces compliance with local and state alcoholic beverage laws on campus and at University-sponsored activities. The University affirms its adherence to the following principles:

- The misuse and/or abuse of alcoholic beverages and related behavior, such as disorderly conduct, illness due to excessive consumption of alcohol, and destruction of property, pose a danger to individual members of the University community and to the community at large.
- The promotion of alcoholic beverage consumption as the primary focus of on- and off-campus activities is inappropriate because it invites members of the University community to violate University regulations and Missouri law.
- Consumption of alcoholic beverages should only be by persons of legal age and by personal choice.
- Those who choose to consume alcoholic beverages should do so responsibly and in moderation.
- Consumption of alcoholic beverages should not be the focus of an event or the only means of refreshment at an event.
- The responsibility for proper consumption of alcoholic beverages and for compliance with laws of Missouri rests with each individual member of the University community.

HEALTH RISKS: Consumption of alcohol has a number of significant short-term and longer-term health risks. Alcohol consumption causes a number of marked changes in behavior and can significantly impair judgment and coordination. Large quantities can cause

respiratory depression and death. Repeated use of alcohol can lead to dependence and cause permanent damage to vital organs such as the brain and the liver.

HEALTH RISKS: There are numerous health risks associate with the use of illicit drugs. Substance abuse may lead to damaged vital organs such as liver, brain and kidneys.

The University does not condone violations of those laws prescribing possession, use, or sale of alcoholic beverages and possession, use, sale, manufacture, or distribution of illegal drugs. Members of the University community should know that law enforcement and administrative action, which may include eviction from the residence halls, revocation of other privileges, or suspension or expulsion from the University, may be taken in order to protect the interests of the University and the rights and safety of others.

The entire text of the [University of Health Sciences and Pharmacy in St. Louis Drug and Alcohol Abuse Prevention Handbook](#) as well as the University’s penalties for possession or distribution of controlled substances by students on University premises or at institutionally sponsored activities off campus is also included in the [Student Code](#). In addition, each year University of Health Sciences and Pharmacy in St. Louis renews its commitment to the federal Drug-Free Schools and Communities Act of 1989 by notifying students and employees of its policies. A bi-annual review of the program will be conducted by the University to determine the effectiveness of the program and to ensure that disciplinary sanctions are consistently enforced. An annual distribution of this document to each employee and to each student who is taking one or more classes for any type of academic credit except for continuing education units is required from the Office of Human Resources.

Annually the Student Organization for Drug and Alcohol Awareness (SODAA) sponsors a week of awareness activities each spring semester during Alcohol Awareness Week. Other activities include camp seminars, “Tripping the Threshold” “Jail and Bail” and “mocktails” events to draw attention to having fun without alcohol. Most of the content is about how to make good decisions, consent, and drink responsibly.

Resources and Referrals

Student referral services for appropriate counseling and care related to drug and alcohol dependency are available through the UHSP Counseling Center and Campus Life office or the Student Assistance Program. Student confidentiality will be maintained as mentioned in the *Student Code of Conduct*.

UHSP Counseling Center 314-446-8338 or counselingcenter@UHSP.edu

Student Assistance Program (SAP) 314-845-8302 or 800-832-8302, <https://www.hhhealthassociates.com/>

University of Health Sciences & Pharmacy encourages employees to voluntarily seek assistance in dealing with any substance abuse problem. The faculty or staff member will be liable for all costs, except to the extent they are covered by health insurance, the employee assistance program or other University benefits.

Employee Assistance Program (EAP) 314-845-8302 or 800-832-8302, <https://www.hhhealthassociates.com/>

V. 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:

- Policy Against Sexual Harassment in an Educational Program or Activity Title IX - Interim: <https://collections.uhsp.edu/humanresourcespolicies/15>
- Policy Against Discrimination, Harassment, Sexual Assault and Relationship Violence - Interim: <https://collections.uhsp.edu/humanresourcespolicies/14>

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 Program

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.

Crime Definitions

Crime Type (Missouri Revised Statues)	Definitions
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): <ul style="list-style-type: none"> • “Abuse”, includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner. • “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

Crime Type (Missouri Revised Statues)	Definitions
	<p>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.</p> <p>In addition, Missouri criminal statutes include various degrees of the crime “Domestic Assault,” as follows:</p> <ul style="list-style-type: none"> • 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. <ul style="list-style-type: none"> ◦ 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

Crime Type (Missouri Revised Statues)	Definitions
	(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	<ul style="list-style-type: none"> • 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.

Crime Type (Missouri Revised Statues)	Definitions
	<p>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)(f)).</p>
<p>Rape, Fondling, Incest, Statutory Rape</p>	<p>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:</p> <ul style="list-style-type: none"> • Rape in the First Degree (Mo. Rev. Stat. § 566.030): 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. § 566.031): 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): 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): 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): 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.
<p>Other "sexual assault" crimes</p>	<p>Other crimes under Missouri law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> • Sodomy in the First Degree (Mo. Rev. Stat. § 566.060): 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

Crime Type (Missouri Revised Statues)	Definitions
	<p>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.</p> <ul style="list-style-type: none"> • Sodomy in the Second Degree (Mo. Rev. Stat. § 566.061): 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): 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 (14) years of age. • Statutory Sodomy, Second Degree (Mo. Rev. Stat. § 566.064): 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): A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen (14) years of age to sexual contact and the offense is an aggravated sexual offense. • Child Molestation, Second Degree (Mo. Rev. Stat. § 566.068): 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): 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): 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): 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

Crime Type (Missouri Revised Statues)	Definitions
	<p>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.</p> <ul style="list-style-type: none"> • Sexual Misconduct, First Degree (Mo. Rev. Stat. § 566.093): 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): 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): 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): 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.
Consent (as it relates to sexual activity) (Mo. Rev. Stat. § 556.061(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.

University Definition of Consent

Consent or lack of consent to engage in sexual activity may be express or implied. Sexual contact without consent is a violation of this policy, and a crime.

- Each participant is expected to obtain and give consent to each sexual activity and each sexual encounter. Consent to one form of sexual activity does not imply consent

to other forms of sexual activity. Consent cannot be inferred from a current or previous dating or sexual relationship. Past consent does not imply future consent.

- Consent may be withdrawn at any time.
- Silence or absence of resistance does not imply consent.
- An individual who is physically incapacitated from alcohol and/or other drug consumption (voluntarily or involuntarily), or is unconscious, unaware, or otherwise physically helpless is considered unable to give consent. For example, a person who is asleep cannot give consent. When a person knows or it is clear from the circumstances that a person is incapable of consent it is a violation of this policy. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, or being unable to communicate for any reason.
- Consent cannot be forced or coerced through duress or deception.
- Consent cannot be obtained from a person who lacks the mental capacity to authorize the sexual conduct when such mental incapacity is known.
- Consent cannot be obtained from a person who is a minor (under 18 years of age).
- Consent cannot be inferred from an individual's attire, physical appearance, or participation in non-sexual social activity (social media, dating, dancing).
- An individual forced or coerced to participate cannot provide consent. When an individual is intimidated, coerced, threatened – even a perceived threat, isolated or confined, consent cannot be granted.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

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

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

- Remember that you owe sexual respect to the other person.
- Don't make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.

- Clearly communicate your sexual intentions so the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of an incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blaming others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

Bystander Intervention

Bystander intervention refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt. If you or someone else is in immediate danger, dial 911. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- 3D’s: Direct, Distract, Delegate: Use the 3 D’s to interrupt and confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated due to drug or alcohol consumption.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Support someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off-campus resources listed in this document for support in health, counseling, or legal assistance.

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.

PPAP and OPAC Programming Methods

University of Health Sciences and Pharmacy in St. Louis engages in comprehensive educational programming to prevent sexual assault, dating violence, domestic violence, and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees as well as ongoing awareness and prevention campaigns for students and faculty that identify and define sexual assault, dating violence, domestic violence, and stalking, and consent, provide safe and positive options for bystander intervention, provide risk reduction information, and provide information regarding the Clery Act and the Annual Security and Fire Report.

University of Health Sciences and Pharmacy in St. Louis has developed an annual educational campaign consisting of several media to reach the intended audiences through presentations and distribution of educational materials to new students; presentations during new employee orientation and annual policy updates for faculty and staff; continuing speaker series, awareness weeks and web-based training for faculty, staff, and students throughout the school year.

The University recognizes that at times many community members may put themselves in dangerous or risky situations and encourages all community members to offer help and assistance to others in need by taking reasonable and prudent actions to prevent or stop an act of discrimination, harassment, sexual misconduct, or relationship violence from occurring.

Sexual assaults continue to be a very serious problem facing many campuses today as the crime often goes underreported. The University offers the following programs dealing with issues of sexual assault prevention.

Stalking and Sexual Assault Awareness Months

The Office of Public Safety partners with Counseling, WHIG and BSA student groups to bring awareness to the campus community through informational booths, emails, flyers and presentations during the months of January and April.

Orientation Presentation on Sexual Assault, Consent, Responsible Drinking

During orientation for new students (traditional and transfer) Office of Campus Life and Public Safety staff lead an in-person presentation discussing sexual assault awareness, what consent means, and methods to help protect friends as a bystander, as well as signs of abusive relationships.

Tripping the Threshold

Tripping the Threshold is conducted during the orientation. It is a block of activities and information that show students how to enjoy University life without “tripping over the threshold” where things cease to be fun and become problem behaviors. The emphasis is on bystander intervention, healthy relationships, safe sex, and responsible partying. Emphasis is put upon knowing where the threshold/line is on issues like consensual sex vs. sexual assault, healthy relationships vs. interpersonal violence, responsible drinking vs. binge drinking/alcoholism, and avoiding drug use altogether. Several University departments have partnered with five campus fraternities to bring the message to students, particularly those who live on campus.

Welcome Back BBQ /Resources Fair

Campus Life staff host a booth at the annual Welcome Back BBQ and Resources Fair providing materials and highlighting services available to our students. Topics include recognizing signs of distress, suicide and unhealthy relationships and stalking, confidential counseling services available on campus and off campus.

Red Flag Campaign

The Red Flag campaign is a weeklong campaign that discusses domestic, dating violence and bystander intervention. Posters, emails to students, faculty and staff, as well as presentations open to the entire campus community highlight the week.

Suicide Prevention Week

The Campus Counseling & Wellness Center sponsors a weeklong focus on suicide prevention, distributing materials to entire campus community at a booth and via email. In addition, speakers present on a pharmacist’s role in recognizing and assisting patients at risk.

Policy Distribution

At the beginning of the semester the University’s policy against sexual assault, relationship violence and stalking are distributed via email to all faculty, staff, and students.

Annual Policy Review

On an annual basis Human Resources distributes and provides a presentation to all faculty and staff defining and describing what to do in cases of sexual harassment, sexual assault, relationship violence and stalking. The presentation includes confidential and non-confidential reporting mechanisms as well as the obligations of responsible employees.

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking

If you are a victim of sexual assault, dating violence, domestic violence, or stalking call 911 and please contact the Office of Public Safety immediately by calling 314.446.SAFE (7233) and/or the St. Louis Metropolitan Police Department at 314.444.5385.

The University’s priority response is to address the safety of the complainant. If the complainant is uncomfortable contacting the Office of Public Safety or the St. Louis Metropolitan Police Department, they can notify a staff member of Campus Life, Residential Life or Counseling Center for assistance. University personnel in these departments will assist the victim in notifying the appropriate law enforcement authorities upon request. However, a victim has the option to decline to notify law enforcement authorities without waiving his or her right to file a report or receive support services provided under

University policies. Victims will receive information regarding counseling opportunities on and off campus. Students can contact the Counseling Center at 314.446.8338 for further information. Students can also contact the Student Assistance Program provider H&H Health Services at 314.845.8302 or 800.832.8302. Faculty and staff can contact the Employee Assistance Program provider H&H Health Services at 314.845.8302 or 800.832.8302.

It is strongly recommended that a victim report any incident to public safety and/or St. Louis Metropolitan Police Department, even if the victim does not want to press charges. This will allow the authorities to gather important evidence should the victim later change his/her mind. The victim may choose to pursue the investigation through the criminal justice system and/or the University conduct/discipline system or decline to pursue external or internal proceedings.

The Office of Public Safety will help the complainant get to a safe place and assist the person in seeking immediate medical treatment at a facility equipped to respond to medical issues related to sexual assault.

Even if the victim has not yet decided to report the crime, receiving a forensic medical exam, and keeping evidence safe from damage will improve the chances that the police can access and test the stored evidence at a later date. A victim does not have to give his/her name to receive the exam.

The University has initiated a complaint procedure designed to encourage any faculty, staff, student or visitor to report any instance of Sexual Misconduct and Stalking that violates these policies. A complainant does not have to decide whether to request criminal reporting, or pursue University conduct processes, to make a complaint.

The University encourages victims of Sexual Misconduct and Stalking to talk to somebody about what happened so they can get the support they need, and so the University can respond appropriately. Different employees on campus have different abilities to maintain a complainant's confidentiality.

Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." An example would be a campus psychologist or mental health counselors.

All other employees are considered "Responsible employees" and are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator, if given) to the Title IX Coordinator. A report to a responsible employee constitutes a report to the University. The complainant will be informed of available resources and have options explained to him/her including choosing to file or not file a complaint of violation of campus policy or notifying law enforcement. Without reports to responsible employees, the University cannot investigate the incident or take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of Sexual Misconduct and Stalking. The University encourages complainants to talk to someone identified in one or more of these groups.

The options for reporting

Privileged and Confidential Communications

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the University community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. Counselors in the University of Health Sciences and Pharmacy in St. Louis Student Counseling Center are examples of professional counselors. For more information about counseling services at the University call 314.446.8338 or email counseling@uhsp.edu.

Reporting to "Responsible Employees"

A "responsible employee" is a University employee who has the authority to redress Sexual Misconduct and Stalking, who has the duty to report incidents of Sexual Misconduct and Stalking or other student misconduct, or who a student could reasonably believe has this authority or duty (e.g. coaches, athletic directors, residence assistants, residence life staff, student activities staff, advisors to student organizations, faculty, administrators).

When a victim tells a responsible employee about an incident of Sexual Misconduct and Stalking, including sexual violence and files a complaint, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged Sexual Misconduct and Stalking shared by the victim and that the University will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University's response to the report except for instances of mandated reporting in Missouri, such as professionals reporting suspected child abuse or neglect. Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Title IX Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to do so.

All faculty and staff, whether they are full-time or part-time, are responsible for supporting and assisting in the administration of this policy. Any employee, with the exception of a professional counselor, is required to contact the Title IX Coordinator immediately if Sexual Misconduct and Stalking is reported to that employee. Public Safety staff made aware of complaints will share them with the Title IX Coordinator immediately.

The Title IX Coordinator is the primary contact for an individual who wants to make a formal report of sexual harassment, including dating violence, domestic violence, sexual assault, or stalking, and request the institution initiate an investigation.

Title IX Coordinator

Daniel Bauer

Assistant Vice President, Human Resources South Residence Hall, Room 1240C

314.446.8308

Daniel.Bauer@uhsp.edu

Title IX Deputy Coordinator for Students

Rebecca Jones

Assistant Vice President, Student Success and Wellness Recreation and Student Center (RAS), Room 410

314.446.8352

Rebecca.Jones@uhsp.edu

Title IX Deputy Coordinator for Employees

Erica Whitted

Associate Director, Human Resources South Residence Hall, Room 1240A

314.446.8315

Erica.Whitted@uhsp.edu

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at SSM St. Mary's Hospital, 6420 Clayton Road, Richmond Heights, MO 63117, 314.768.8984 .

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Office of Public Safety at 314.446.SAFE (7233)
- St. Louis Metropolitan Police Department at 314.444.5385
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

The University complies with Missouri law in recognizing orders of protection. In Missouri, a person can receive an ex parte order, which is a temporary order quickly issued by the court, and subsequently, a full order of protection, which is granted after a court hearing is held. A complainant can petition to receive an ex-parte order by going to the Adult Abuse Office, 9th floor, Civil Court Building, 10 North Tucker, St. Louis, MO 63101. Police can also issue a temporary ex-parte order at the police department after hours if needed. The University cannot apply for a legal order of protection or restraining order for the complainant in this jurisdiction. The complainant is required to apply directly for these services. Any person who obtains an order of protection from Missouri or any other state should provide a copy to the Office of Public Safety and the Title IX Coordinator.

Title IX Coordinator

Daniel Bauer

Assistant Vice President, Human Resources South Residence Hall, Room 1240C

314.446.8308

Daniel.Bauer@uhsp.edu

Title IX Deputy Coordinator for Students

Rebecca Jones

Assistant Vice President, Student Success and Wellness Recreation and Student Center (RAS), Room 410

314.446.8352

Rebecca.Jones@uhsp.edu

Title IX Deputy Coordinator for Employees

Erica Whitted

Associate Director, Human Resources South Residence Hall, Room 1240A

314.446.8315

Erica.Whitted@uhsp.edu

The recipient of the Order of Protection if they desire, may meet with the Office of Public Safety and the Title IX Coordinator to develop a safety action plan, which is a plan to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.

Protective Orders

Each year thousands of Missourians become victims of domestic violence, a serious crime that can have devastating consequences. In Missouri, a victim of domestic abuse, dating violence, sexual assault, or stalking has the right to file a petition with the courts requesting protection. State law authorizes courts to issue orders of protection to protect victims of abuse and persons threatened with abuse. By issuing these orders, judges can order an accused abuser, for example, to stop abusing, stalking or harassing a victim and to stay away from the victim's home. There are two types of orders of protection:

- An ex parte order, which is a temporary measure quickly issued by the court.
- A full order, which is granted only after a court hearing is held. It is issued for a longer period than the ex parte order.

Ex Parte Orders of Protection

If you are a victim of domestic violence, dating violence, sexual assault, or stalking, you can go to the circuit court and request an ex parte order of protection against the accused abuser. The accused abuser does not have to be present for you to be granted an order.

An ex parte order may:

- Order the accused abuser not to abuse, threaten to abuse, molest, stalk or disturb your peace.
- Order the accused abuser not to enter the premises of your home whether you own, lease, rent or merely occupy the home.
- Make a temporary order of custody of minor children.
- Order specific personal property and effects to be turned over to you.
- Order the accused abuser not to communicate with you in any way, including e-mail or through third parties.
- Include other terms that the court decides are necessary to ensure your safety.

Who Can File?

Any victim of stalking or an adult abused by a present or former spouse, adult family or household member, or adult who is or has been in a continuing social, romantic or intimate relationship, or a person with whom the victim has a child.

Cost: No filing fee, court costs or bond is required to file for an order of protection.

Filing for an Order

The ex parte order can be obtained from the circuit court in the county:

- Where you and the accused abuser reside,
- Where any abuse took place, or
- Where the accused abuser can be served.

When the circuit court is closed, you may request an ex parte order from any available court in the city or county having jurisdiction.

You do not need a lawyer to obtain the order. Circuit clerks are required under Missouri's Adult Abuse Act to explain how to file all necessary forms and documents. Some counties have a victim advocate to assist you.

You have the right to request that your address not be disclosed in court documents. You also have the right to be notified when the accused abuser has been served. The circuit clerk will explain how to register for this notification.

The court may immediately issue an ex parte order of protection. The order takes effect as soon as a judge grants it and lasts until a full order hearing is held. A hearing on the full order of protection will be held within 15 days unless the court finds a good reason for a continuance.

Serving Notice to Accused Abuser

The court will order law enforcement officers to serve the accused abuser with a copy of the ex parte petition and a notice of the full order hearing date. The accused abuser must be served at least three days before the hearing. It is at this hearing that the accused abuser can present his or her side of the story.

Although the ex parte order is effective even before the accused abuser is notified, the accused abuser first must be served with a copy of the order or notified by law enforcement officers before he or she can be arrested for violating its conditions.

Full Order of Protection

The court will issue a full order of protection only after a full order hearing has been held. The abuse victim must attend this hearing. If you are absent, the court will dismiss the order.

The full order will be valid for at least 180 days and not more than one year. It may be renewed twice by the court after a hearing. A new act of abuse is not required for a full order to be renewed.

A full order may grant the same relief as an ex parte order and may also enter an order:

- Awarding custody of minor children and setting up a visitation schedule that is in the best interest of the children when the court has jurisdiction over the children and no prior custody order is pending or has been made.
- Granting child support.
- Awarding maintenance when you and the accused abuser are lawfully married.
- Ordering the accused abuser to pay for all or part of your housing costs.
- Ordering that you be given temporary possession of property such as cars, checkbooks, and keys.
- Prohibiting the accused abuser from transferring, encumbering or disposing of specified property mutually owned or leased by the parties.
- Ordering the accused abuser to participate in a counseling program for batterers or in a substance abuse treatment program.

- Ordering the accused abuser to pay a reasonable fee for housing and other services provided to you by a shelter for domestic violence victims.
- Ordering the accused abuser to pay the victim's attorney fees.
- Ordering the accused abuser to pay medical costs from injuries sustained as a result of domestic violence.
- Ordering the accused abuser not to communicate with you including e-mail.

Confidential Address

Victims of domestic violence, dating violence, sexual assault, and stalking, who move, can conceal their new address by applying with the Missouri Secretary of State's Safe at Home program. This allows you to establish a post office box in Jefferson City. The Secretary of State will receive all mail sent to you, and then forward it to your actual address.

To find out what steps are required, please contact the Secretary of State at www.MoSafeAtHome.com or toll-free 866-509-1409.

Punishment

Violating a protective order is a Class A misdemeanor punishable by up to a \$2,000 fine and one year in jail. The violation is a Class E felony if the person convicted has been found guilty of violating a protective order within the prior five years. A Class E felony is punishable by up to a \$10,000 fine and four years imprisonment.

University "No Contact" Directive

The University may issue an institutional "No Contact" directive, if deemed appropriate, at the request of any student. If the University receives a report that such an institutional no contact order has been violated, the University may initiate disciplinary proceedings appropriate to the status of the respondent (student, employee, etc.) and may impose sanctions if the respondent is found responsible for violating the no contact order.

The Office of Student Conduct in collaboration with the Office of Public Safety may also issue a stay away order to a non-member of the University community. The letter will explain to the individual that should they be on University property, they may be subject to arrest for trespassing.

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:

University Resources for Counseling Services

- UHSP Counseling Center 314-446-8338 or counselingcenter@UHSP.edu
- Student Assistance Program (SAP) 314-845-8302 or 800-832-8302, <https://www.hhhealthassociates.com/>
- Employee Assistance Program (EAP) 314-845-8302 or 800-832-8302, <https://www.hhhealthassociates.com/>

Student Financial Aid

Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, the student should understand there may be financial aid implications in taking such a leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. Students may contact the University's Financial Aid Office at 314.367.8700 or financialaid@uhsp.edu.

Local & State Resources

- ALIVE: Alternative to Living in Violent Environments Providing a safe shelter for women and children victimized by domestic violence; emergency transportation; and counseling. 314.993.2777
- Crime Victim's Advocacy Center of St. Louis (Legal Advocates for Abused Women ("LAAW")) Providing resources, counseling, advocacy, and referrals with specialized services related to domestic violence. 314.652.3623, 314.535.5229
- Life Crisis Services Provides a 24-hour hotline; crisis intervention and suicide prevention. 314.647.4357
- Safe Connections 314.646.7500, 2165 Hampton Ave., St. Louis, MO 63139
- St. Louis Metropolitan Police Department 911 Emergency, 314.231.1212 Non-emergency, 314.444.5385 Domestic Abuse Division, 314.444.5385 Sex Crimes Division
- UMSL Center for Trauma Recovery, Day and Evening appointments are available. 314.516.6737
- Woman's Place 314.645.4848, 8300 Morganford, St. Louis, MO 63123 (in the back of St. Mark's Church)
- Women's Safe House, Providing safe shelter to battered women, 314.772.4535, a 24-hour crisis hotline
- YWCA Women's Resource Center 314.726.6665, 314.531.7273, 24-hour crisis hotline, 140 N. Brentwood Ave., Clayton, MO 63105
- Missouri Coalition Against Sexual and Domestic Violence, <https://www.mocadsv.org/how-to-get-help/>

National Resources

- National Domestic Violence Hotline: 1.800.799.7233
- National Sexual Assault Hotline: 1.800.656.4673
- National Sexual Violence Resource Center: <https://www.nsvrc.org/> or 1.877.739.3895
- Rape, Abuse, and Incest National Network (RAINN): <https://www.rainn.org/>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>

Accommodations and Protective Measures

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Upon receipt of a report, a victim may request accommodations in academic, living, transportation, or work assignments if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or law enforcement. Interim protective measures should be submitted to the University's Title IX Coordinator or appropriate administrators (University Services, Campus Life for students, Human Resources for staff, and appropriate Dean for faculty).

Title IX Coordinator

Daniel Bauer

Assistant Vice President, Human Resources South Residence Hall, Room 1240C

314.446.8308

Daniel.Bauer@uhsp.edu

Title IX Deputy Coordinator for Students

Rebecca Jones

Assistant Vice President, Student Success and Wellness Recreation and Student Center (RAS), Room 410

314.446.8352

Rebecca.Jones@uhsp.edu

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Erica Whitted

Associate Director, Human Resources South Residence Hall, Room 1240A

314.446.8315

Erica.Whitted@uhsp.edu

Potential interim measures include:

- A University of Health Sciences and Pharmacy in St. Louis “no contact” order
- Access to counseling services and assistance in setting up the initial appointment
- Rescheduling of exams and assignments
- Change in class schedule or transferring section including late withdrawal from a class without penalty
- A change in work schedule or job assignment
- Change in Residence Hall assignment
- Providing an escort to ensure safe movement between classes and activities
- Academic support such as tutoring
- Leave of absence
- Assistance with filing an order of protection.

When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action

University of Health Sciences and Pharmacy in St. Louis (UHSP) is committed to providing an educational and employment environment that is free from discrimination based on protected characteristics, harassment, and retaliation for engaging in protected activity.

UHSP values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the resolution process during what is often a challenging time for all involved.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the education program or activity, UHSP has developed policies and procedures that provide for prompt, fair, and impartial resolution of allegations of protected characteristic discrimination, harassment, or allegations of retaliation.

For discrimination and harassment allegations [not based on sex]

EEO and Section 504/ADA Coordinator

Daniel Bauer Assistant Vice President, Human Resources South Residence Hall, Room 1240C
314.446.8308
Daniel.Bauer@uhsp.edu

EEO and Section 504/ADA Deputy Coordinator for Students

Rebecca Jones
Assistant Vice President, Student Success and Wellness Recreation and Student Center (RAS), Room 410
314.446.8352
Rebecca.Jones@uhsp.edu

EEO and Section 504/ADA Deputy Coordinator for Employees

Erica Whitted
Associate Director, Human Resources South Residence Hall, Room 1240A
314.446.8315
Erica.Whitted@uhsp.edu

For sex discrimination and sex-based harassment allegations

Title IX Coordinator

Daniel Bauer

Assistant Vice President, Human Resources South Residence Hall, Room 1240C

314.446.8308

Daniel.Bauer@uhsp.edu

Title IX Deputy Coordinator for Students

Rebecca Jones

Assistant Vice President, Student Success and Wellness Recreation and Student Center (RAS), Room 410

314.446.8352

Rebecca.Jones@uhsp.edu

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Erica Whitted

Associate Director, Human Resources South Residence Hall, Room 1240A

314.446.8315

Erica.Whitted@uhsp.edu

Collectively, these individuals are responsible for providing comprehensive nondiscrimination education and training; coordinating UHSP's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under this Policy; and monitoring the effectiveness of this Policy and related procedures to ensure an education and employment environment free from discrimination, harassment, and retaliation.

UHSP recognizes that allegations under this Policy may include multiple forms of discrimination and harassment as well as violations of other UHSP policies; may involve various combinations of students, employees, and other members of the UHSP community; and may require the simultaneous attention of multiple UHSP departments. Accordingly, all UHSP departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable UHSP policies, to provide uniform, consistent, efficient, and effective responses to alleged discrimination, harassment, or retaliation.

Procedures for Title IX Complaints Sexual Assault, Dating Violence, Domestic Violence, and Stalking Students, Faculty, Staff

The Higher Education Act Amendments of 1972 and implementing regulations define the term "sexual harassment" to include sexual assault, dating violence, domestic violence, and stalking involving students, faculty, and staff. Reports involving these offenses are processed under the University's Policy Against Sexual Harassment in Educational Programs and Activities (Title IX).

How and to whom to make a report

A report to University officials (responsible employees, public safety, and Title IX coordinator/deputy coordinators) provides the institution with actual notice of an incident and requires follow-up with a Complainant to discuss supportive measures, resources, and rights under this policy.

A “responsible employee” is a University employee who has the authority to institute corrective measures in response to prohibited conduct or an individual who has a duty to report incidents of sexual harassment. The University has designated all employees, other than those employed as professional or pastoral counselors, as a responsible employee under this policy.

When a reporter tells a responsible employee about an incident of sexual harassment the responsible employee must report to the Title IX coordinator or deputy coordinator for students all relevant details about the alleged prohibited conduct shared by the party – including the names of the Complainant, Respondent, witnesses, and any other relevant facts, including the date, time, and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University’s response to the report except for instances of mandated reporting in Missouri, such as professionals reporting suspected child abuse or neglect.

Responsible employees will not pressure a party to make a formal complaint if the party is not ready to do so.

All faculty and staff, whether they are full-time or part-time, are responsible for supporting and assisting in the administration of this policy. Public Safety staff and any employee, with the exception of professional or pastoral counselors, is required to immediately contact Title IX coordinator or deputy coordinator for students if prohibited conduct is reported to them or they become aware of information indicating that such conduct has occurred.

Timing of Reports

There is no limit on the amount of time that a Complainant may have to file a report. However, the greater the time between the date the incident occurred and date a complaint is filed impacts an investigation. Time may limit the availability of parties involved, witnesses, and evidence and ability to adjudicate the complaint under this policy if a party is no longer a covered person.

Cross-reports and cross-complaints

A cross-complaint occurs when a Respondent files a complaint against the original Complainant. Each complaint will be evaluated on its own merits. Complaints that are determined to be knowingly false, and filed in bad faith may be determined to be retaliation under this policy.

Opportunity for Informal Resolution

After a formal complaint has been filed, the University may offer the parties an informal process to afford them with an opportunity to resolve the complaint without an investigation or formal hearing. Informal resolution may include mediation or restorative justice or any other process mutually agreed to by the Complainant, Respondent, and University.

Either party may withdraw from the informal resolution process at any time and proceed with the formal grievance procedure under the Title IX policy.

If the parties elect to proceed with the informal resolution process, the University will obtain their consent and provide them with a written notice disclosing the allegations in the formal complaint, a description of the informal resolution process, range of sanctions, the right to

withdraw and resume the formal grievance process at any time prior to entering into a binding written agreement, and that any records maintained or shared by the parties during informal resolution may be used in the formal grievance process.

The facilitator will work with parties to find agreed upon outcomes to adequately address the harm to the Complainant, educate the Respondent, and prevent the recurrence of future violations. This could include additional actions to address the impact of a policy violation on others such as, but not limited to, counseling and awareness training or programs.

The facilitator will record the outcome of the informal process and simultaneously notify both writing within five (5) business days of the outcome.

Preliminary Conference

The Title IX coordinator or deputy coordinator for students or designee, such as the student conduct administrator or trained Title IX investigator, will take the following steps with a person filing a complaint under the policy.

- Contact the Complainant identified in the report or formal complaint to confirm receipt. If the reporter is a third party, they will also be notified.
- Request to meet with the Complainant to discuss the report or formal complaint in detail and examine any evidence provided.
- Discuss supportive measures and the availability of measures irrespective of whether the Complainant chooses to file a formal complaint. Consideration will be given to the Complainant's wishes with respect to supportive measures.
- Explain the process for filing and/or processing a formal complaint, the investigation, hearing, and appeal process as well as potential outcomes. No outcome will be promised or predicted. Care will be taken so as not to coerce a Complainant into filing a formal complaint.
- Explain that a Respondent is presumed not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.
- Provide a range of possible sanctions should the end of the process result in a finding of responsibility.
- Share the option to request an Informal Administrative Resolution in lieu of a full investigation and formal hearing, if applicable.
- Share a copy of the relevant policy and written explanation of rights and resources including community resources.
- If not providing any supportive measures to the Complainant, document the reasons.

Preliminary Evaluation

After the preliminary conference, the Title IX coordinator/deputy coordinator will evaluate the report or formal complaint and information from the preliminary conference to determine whether the alleged conduct is covered by this policy. Should the Complainant not meet for a preliminary conference, only the information that is available will be considered for the evaluation. This evaluation will include:

- An examination of the report or formal complaint as received (either in writing, in-person, over the phone or other communications),
- Evidence provided and other information related to the parties involved such as review of related prior complaints, disciplinary action, or sanctions. Additionally, a

review of Title IX records will be included to see if Complainant, Respondent, or witnesses have been involved in other incidents.

- Assessment of immediate safety needs of the Complainant and the need for interim/emergency removal from campus of the Respondent, and/or timely warning/emergency notification. Public Safety will be updated if timely warning/emergency notification is necessary.
- Evaluation of possible or requested supportive measures reaching out to appropriate campus resources (registrar, housing officers, public safety etc.).
- A determination if the complaint is covered by this policy or another policy.

Determination That Alleged Conduct is NOT Covered

At any point after a report or formal complaint is submitted or anytime during the formal complaint and grievance process (investigation, hearing, appeal) the Title IX coordinator/deputy coordinator for students may determine that behavior or an incident in a report or formal complaint is not covered by the Title IX policy and dismissal of specific charge(s) is required if any of the following occur:

- The facts and evidence presented in the report or formal complaint, if assumed true, fail to meet the definition of prohibited conduct under this policy
- The prohibited conduct in the report or formal complaint, did not occur within the University's educational programs or activities
- Did not occur in the United States

Whenever a formal complaint is dismissed, the University will notify the Complainant and Respondent in writing of the decision, reasons supporting the action, and right to appeal within five (5) business days of the decision. Should other potential policy violations apply, the matter may be referred to the appropriate University officials (Director Community Standards or Human Resources) for handling after the conclusion of any appeal.

Determination That Allegations Are Covered by this Policy

If the allegations in a report or formal complaint supports a possible policy violation, the Title IX coordinator/deputy coordinator for students or designee will notify the Complainant in writing within five (5) business days of the following:

- The preliminary review of the complaint confirms that adequate grounds exist to initiate the grievance procedures provided under this policy
- Right to file a formal complaint or proceed with an investigation and formal hearing to determine responsibility on the part of the Respondent
- Right to contact law enforcement with assistance from the University
- Notice of support measures in place, if any, and the option to request support measures.
- Right to have an advisor of choice in the process
- Right of both parties to a fair and impartial investigation, hearing, and appeal
- Right to receive available remedies in the event that Respondent is determined to have violated this policy at the conclusion of the process
- There is no time limit by which a Complainant must file a formal complaint. However, a period of time will be presented, after which, if no formal complaint has been filed the report will be considered inactive until such a time a formal complaint is filed.

Formal complaint

Only the Complainant or Title IX coordinator may file a formal complaint. A third party, a friend, parent, or other party cannot file a formal complaint on behalf of a Complainant.

Even if a formal complaint is not filed, the University may still take steps to limit the effects of the alleged misconduct and prevent its recurrence without initiating a formal action against the alleged perpetrator or revealing the identity of the student. This may include increased monitoring, security, or additional training or communication efforts for students or employees.

Formal complaint filed by Complainant

A formal complaint is a physical or electronic document signed by a Complainant or the Title IX coordinator specifically requesting an investigation of the allegations of sexual harassment. For consistency, the University maintains a complaint form, but use of other written communication requesting an investigation will suffice. This can include an email from a University email account, for example.

Formal complaint filed by Title IX Coordinator

In certain circumstances, the Title IX coordinator may file a formal complaint on behalf of a Complainant without their participation if it is reasonable under the facts and circumstances. Before doing so, the Title IX coordinator/deputy coordinator for students will consult with the Complainant. In addition to the Complainant's wishes, the Title IX coordinator will consider a range of factors including, but not limited to, the following:

- If there have been multiple complaints about the same alleged perpetrator the University will initiate an investigation.
- The legal obligations of the University
- The increased risk that the Respondent will commit additional acts of prohibited conduct or other violence, such as:
 - Whether the Respondent has a history of arrests or records from a prior institution indicating a history of violence
 - Whether the Respondent threatened further prohibited conduct or other violence against the reporting party or others
 - Whether the prohibited conduct was committed by multiple perpetrators
- Whether the prohibited conduct was perpetrated with a weapon
- Whether the party receiving the prohibited behavior is a minor
- Whether the University possesses other means to obtain relevant evidence of the incident (e.g., security cameras or personnel, physical evidence)
- Whether the party receiving the alleged prohibited behavior's report reveals a pattern (e.g., illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead the Title IX coordinator to file a formal complaint. If none of these factors is present, the Title IX coordinator will likely not file a formal complaint.

Combining Complaints

The Title IX coordinator may consolidate two or more formal complaints when there are common Complainants or Respondents involved or when the sexual harassment arises out of the same facts or circumstances.

Dismissal of Complaints Prior to Adjudication

At any point in the process, the University may dismiss a formal complaint at any time if:

- The Complainant would like to withdraw the complaint;
- The Respondent is no longer enrolled or employed by the institution; or
- Specific circumstances prevent the institution from gathering evidence sufficient to reach a determination.

Notice of Charges

Once a formal complaint is filed, the Title IX Coordinator/deputy coordinator for students or designee will notify the Complainant and Respondent in writing within five (5) business of the following:

- Specific policy(s) violation(s) being charged including the identities of the parties involved, specific policy provisions, precise conduct alleged, date, and location of the conduct.
- Explain informal resolution options, if available.
- Explain the formal resolution process (investigation, hearing, and appeal)
- Provide a range of possible sanctions should the end of the process result in a determination of responsibility
- Written explanation of rights and resources, including right to an advisor of choice including an attorney (at their own expense), and the role of the advisor
- Notice of supportive measures in place that affect the Respondent, if any, and the option for the Respondent to request supportive measures.
- Remind parties that a Respondent is presumed not responsible and that a determination of responsibility will not be made until the conclusion of the process.
- Right to inspect and review evidence.
- Explanation of non-retaliation policy and prohibitions on parties making false statements

The communication with the Respondent will include a request for a preliminary conference to review the charges and submit information related to the complaint. The date, time, location, and purpose of the meeting will be shared and sufficient time (no less than five (5) business days) granted to prepare for the meeting.

Preliminary Conference with Respondent

In response to a charge, the Respondent will be provided an opportunity to meet with the Title IX coordinator or the deputy coordinator or designee and provide information and evidence. This meeting will occur within ten (10) business days of notice of charges to the Respondent.

The Respondent has the option to:

1. Accept responsibility for the charge(s) identified in the formal complaint. If the Respondent accepts responsibility, the Title IX coordinator/deputy coordinator or designee will coordinate with the appropriate administrator to deliver disciplinary outcomes to the Respondent. If the Respondent accepts responsibility but does not accept the sanctions, then the process proceeds to an investigation and hearing.
2. Request informal administrative resolution for the charge, if is appropriate and both parties agree to it.

3. Proceed with a formal investigation and hearing process

The Complainant and Respondent will be simultaneously notified in writing within five (5) business days of the outcome of the meeting.

Investigation

The Title IX coordinator/deputy Title IX coordinator for students, or trained investigators whom they select for a particular case, are responsible for investigating formal complaints of prohibited conduct, gathering evidence, and summarizing the relevant information. All parties directly involved in the investigation will be informed in a timely manner regarding the process and progress of the investigation. The Complainant and Respondent will be notified five (5) business days in advance of their requested participation in any investigator interview to allow adequate time to prepare. A notice of a party interview may include a request for production of documents or other tangible evidence directly related to the investigation. Additionally, the notice will summarize documents or any tangible evidence that the investigator intends to discuss at the interview and provide instructions on how to access and inspect such evidence prior to the interview.

During the investigation period, the investigator will gather information, evidence, and interview the parties and witnesses. The role of the party's advisor during the investigation phase is to provide advice and counsel to a party. Advisors may not advocate, ask questions, or otherwise directly or indirectly unduly influence or delay a party's responses or engage in discussions with the investigator. The investigator will gather facts, including evidence that may corroborate or impact credibility of evidence and witnesses, a party that does not fully respond to requests for information from the investigator will be precluded from introducing evidence at the hearing that was within the control of a party and intentionally withheld from the investigator. Any relevant evidence that is destroyed by a party may be taken into account at the hearing for the purpose of assessing credibility and the weight of evidence in the case.

Questions or evidence about a Complainant's prior sexual history will not be considered by the investigator except where the Complainant and Respondent have a prior intimate or sexual relationship and it may be deemed relevant to a determination of consent or someone else is alleged to have committed the alleged conduct.

The investigator will not access, consider, disclose, or use privileged evidence or treatment records made or maintained by a recognized professional, such as a doctor, attorney, or pastoral counselor, without a party's voluntary, written consent. If a party decides to share such records with the investigator after providing their written consent, those records become a part of the investigation and are available for review by the opposing party.

The investigators will create a report that will include information on the specific complaint, relevant policies, timeline, involved parties, interview summaries, evidence directly related to the allegations, and possible sanctions if the Respondent is found responsible consistent with the appropriate disciplinary code [Student Code for Non-Academic Conduct](#), [Staff Handbook](#) and [Faculty Handbook](#), [Faculty Bylaws](#). However, the report will not include any determination of credibility or findings of responsibility.

The investigator will send a copy of the investigative report to each party and the party's advisor and provide access to all evidence directly related to the formal complaint that was

obtained as part of the investigation in an electronic format or a hard copy. The parties will be given ten (10) business days to submit a written response to the investigator for consideration prior to the investigator's completion of the final investigative report. Before the report is finalized, either party may submit a written response to the investigator's report challenging the investigator's determination of relevance and the weight or persuasiveness of relevant evidence before the report is finalized. Nothing in the investigation report precludes a party from making corrections, providing explanations, or challenging the credibility, relevance, or persuasiveness of evidence in the formal hearing. At the close of the ten (10) business day review and comment period the report will be forwarded to Title IX coordinator/deputy coordinator for students. This concludes the investigation.

A confidential file of the investigation including personal notes, all evidence gathered, and other information will be kept on file with the Title IX coordinator/deputy coordinator for students.

The investigation should be reasonably prompt and may take an average of two to three months, depending on the circumstances. It is the investigator's responsibility to update the parties in writing as to the timeline for the investigation and any extensions and the reason.

Hearing

At the conclusion of the investigation, the Title IX coordinator/deputy coordinator for students will assemble a Hearing Panel and appoint a hearing officer.

The University has established standard procedures for all sexual harassment complaints under this policy. Hearings will be conducted using video-conferencing technology so that the parties may see and hear each other without being present in the same room. Hearings will either be audio recorded and transcribed or audio-visually recorded.

The three-person Hearing Panel will be made up of various constituencies of the University (staff and/or faculty, and in some cases students). Selection will be made in such a way as to ensure that the panel members are trained appropriately and properly screened for potential conflicts of interest or bias.

The hearing will be presided over by a hearing officer who is not a decision-maker or voting member of the Hearing Panel. The hearing officer is responsible for coordinating a hearing date and time, communicating with parties, administering an orderly and fair hearing, and assisting the panel with procedural questions and preparation of a hearing report.

Pre-Hearing Procedures

The hearing officer will notify the Complainant and Respondent in writing not less than twenty (20) business days prior to the hearing date of the date, time, and location of the hearing, rules regarding access to direct evidence relating to the formal complaint, mandatory pre-hearing disclosures, a description of the hearing process, rules of decorum, and the role of advisors,

Not less than ten (10) days prior to the live hearing the parties will submit to the hearing officer pre-hearing disclosures, which consists of:

- advisor's name and contact information

- a list of evidence to be presented at the hearing including witnesses' names (other than the parties) with a brief summary of the purpose of their testimony, and any exhibits that they intend to use or submit as evidence at the hearing.

The Title IX coordinator/deputy coordinator for students will submit to the hearing officer pre-hearing disclosures, which consist of:

- A summary of all evidence directly related to the formal complaint that was previously sent to the parties along with instructions on access.
- The formal complaint, investigation report, parties' responses to the investigation report, and relevant evidence compiled by the investigator that will be marked for introduction into the record by the investigator.

Not less than five (5) days prior to the hearing, the hearing officer/panel will notify the parties of any witnesses and a list of evidence that it has requested that was not in the pre-hearing disclosures submitted by the parties.

All information submitted will be shared with parties and their advisors and made available to the Hearing Panel. Parties can access and copy the evidence subject to review and inspection at their own expense. The hearing officer will make all evidence that was previously sent to the parties available at the hearing.

Any evidence that a party intends to introduce but was not available or disclosed due to circumstances beyond a party's reasonable control, must be promptly identified to the hearing officer accompanied by a written request containing supporting information. The hearing officer will notify the parties regarding the admissibility of the evidence prior to or before the start of the live hearing.

Hearing Procedures and Decorum

The University will provide a live hearing with all parties, witnesses, and participants physically or virtually present. An audio or audiovisual transcript of the hearing will be created and made available to the parties for inspection and review after the hearing. All hearing participants are expected to conduct themselves in a respectful manner at all times. The hearing officer/panel may remove a participant from the proceedings for refusal to follow the instructions of the hearing officer/panel or inappropriate conduct that is, for example: disruptive, demeaning, belligerent, harassing, or intended to obstruct or cause delay.

During the hearing the hearing officer/panel will:

- Notify the parties of the decision maker(s) in the case
- Explain the preponderance of evidence standard
- Share range of sanctions if found responsible
- Explain the hearing procedures and rules of decorum to the participants, including rules that apply to advisors and their ability to cross-examine.
- Follow hearing procedures and enforce rules of decorum
- Rule on issues of relevance, including objections to relevance from parties, and give a brief explanation whenever he or she finds that a question is not relevant. Advisors and parties will not be allowed to challenge the presiding official/hearing officer's relevancy rulings at the hearing.

- Make a decision solely on the evidence presented at the hearing using a preponderance of the evidence standard.

During the hearing, the hearing officer will allow parties to make brief opening statements (5 minutes) about their positions and the evidence that they intend to offer.

The formal complaint will be read into record and the Title IX investigator will be called as a witness to provide an overview of the procedural history of the case and answer any questions that the presiding official or decision maker(s) have about the investigation report.

Next, the parties will be afforded the opportunity to present relevant evidence starting with the Complainant and Complainant's witnesses followed by Respondent and Respondent's witnesses. The hearing officer or Hearing Panel may ask follow up questions at the conclusion of the direct testimony but will only act as an impartial fact finder at all times. After the hearing officer or Hearing Panel have asked relevant questions of a party or witness, then the other party's advisor will be given the opportunity to ask relevant cross-examination and follow up questions including those relating to credibility.

The parties will be allowed to make closing statements (10 minutes). The Complainant will go first, followed by the Respondent. A closing statement may include a summary of the information shared during the hearing and the impact the party believes it has on the decision before the Hearing Panel. It may also include how the party has been impacted by the allegations and what their desired outcome of the hearing is.

Other general rules for the investigation and hearing regarding evidence and relevance

- The rape shield provision limiting the relevance of the Complainant's prior sexual behavior to prove consent or that someone else committed the offense applies equally to the investigation and the hearing. Respondent's prior sexual behavior is irrelevant unless he or she is also a Complainant.
- Evidence of a person's character or prior bad acts is admissible and must be admitted and objectively evaluated with respect to relevance and to determine whether the evidence warrants a high or low level of weight or credibility.
- The University reserves the right to appear and submit relevant evidence to the hearing that was previously presented during the investigation or was unavailable due to no fault of its own or any party, after providing the parties with the necessary pre-hearing disclosure statement outlined above. However, the University is not a party to the proceedings and will not advocate on behalf of the Complainant or Respondent.
- No adverse inference may be drawn if a party or witness refuses to testify or respond to a question.
- Questions on cross-examination will be evaluated by the hearing officer at the hearing for relevancy before a party or witness is required to answer. The hearing officer will explain in real-time any decision not to permit a question. However, advisors may not challenge or speak to the decision maker's ruling.

Determination of Responsibility/No Responsibility

The three members of the Hearing Panel are equal decision-makers and are responsible for deciding whether the Respondent is or is not responsible for violating University policy based on the notice of charges provided to the Respondent. A majority of the Hearing Panel must determine whether it is more likely than not that, the Respondent committed a violation of

this policy a determination must be made for each policy violation alleged. The Hearing Panel will issue a written report within five (5) business days and simultaneously notify the Complainant and Respondent of its determination and findings.

Appeal

Both parties have right to an administrative appeal of the outcome of the hearing. The appeal must be submitted in writing within ten (10) business days to the Title IX coordinator and must specifically state grounds for appeal and the rationale and evidence in support of the reason for appeal.

Appeal Reasons

The permissible grounds for appeal are limited to the following reasons:

A procedural error occurred that materially affected the outcome of the hearing (e.g. substantial and material deviation from established procedures, erroneous relevance determinations or failure to objectively evaluate all relevant evidence if they affected the outcome etc.). The procedural error and its impact must be explained.

To consider new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter. A summary of this new evidence and its potential impact must be included along with an explanation showing why the evidence was not presented at the original hearing.

The Title IX coordinator, investigator, or decision maker had a conflict of interest or bias for or against Complainants or Respondents generally or one of the parties that affected the outcome of the matter. The conflict of interest or bias and its impact must be explained.

The sanctions imposed are substantially disproportionate to the severity of the violation and substantially outside the parameters or guidelines set by the University for this type of offense or the cumulative conduct record of the Respondent. The reasoning and evidence that the sanction was disproportionate or inappropriate must be explained.

Appeal Procedures

The University must notify the other party when an appeal is filed including a copy of the written submission received from the appealing party. The other party will be given five (5) business days to submit a written statement opposing the appeal and supporting the outcome. The University will give a copy of the opposing party's response or opposition to the party filing the appeal.

An Appeal Review Board will be established to review the case. The three-person appeals panel will be selected from various constituencies of the University (students, staff and/or faculty). Selection will be made in such a way as to ensure that the members of the appeals panel are trained appropriately and screened for potential conflicts of interest and bias.

The appeals panel may examine all documentation and evidence relating to the case. The responsibility of the appeals panel is to conduct a closed and confidential review of the case and report and make recommendations to the deciding administrator.

The deciding administrator in complaints where the Respondent is a student will be the Vice President, Campus Life. The deciding administrator in complaints where the Respondent is a faculty or staff member will be the Chief Diversity Officer.

The deciding administrator will make a determination based on the report of the appeal review board and has ultimate authority in all decisions and recommendations. The determination of the deciding administrator is considered final and not appealable. Both parties will receive a written decision describing the result of the appeal and the rationale for the decision within ten (10) business days). Simultaneous notice of the written decision will be sent to both parties.

Student Conduct Code Procedures for Non-Title IX Cases Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Student Conduct Offenses

The University's [Student Code for Non-Academic Conduct](#) states that students engaging in unwelcome and offensive conduct of a sexual nature that is outside the scope of the University's Title IX policy are still subject to disciplinary action for offenses that may apply to allegations of sexual harassment, sexual assault, dating violence, domestic violence, or stalking. *Student Code of Non-Academic Conduct, Section VII. MM.*

Overview of the Student Conduct Process

The campus conduct process and all applicable timelines commence with notice to an administrator of a potential violation of University rules.

Initial meeting and online reporting

The Director of Office of Community Standards and Education (or designee) may proceed with a preliminary investigation and/or may schedule an initial educational meeting/conference with the responding student to explain the conduct process and gather information.

The University community is encouraged to use the online reporting systems in place for all violations of the Student Code. In circumstances where the online system is not used, the information submitted should at a minimum include:

1. Name of student(s) involved
2. Faculty course and/or course coordinator if appropriate
3. Date(s) of incident
4. A description of the issue/behavior that occurred
5. The name of the individual that submitted the report.

Preliminary Inquiry and/or Educational Conference

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

1. A determination that there is insufficient evidence to pursue the investigation, because the behavior alleged, even if proven, would not violate the Code of Non-Academic Student Conduct, (e.g.: for reasons such as mistaken identity or allegations of behavior that falls outside the code);

2. A more comprehensive investigation, when it is clear more information must be gathered;
3. A formal complaint of a violation and/or an informational meeting with the responding student. When an informational meeting/conference is held, the possible outcomes include:
 - A decision not to pursue the allegation based on insufficient evidence. The matter should be closed and records should so indicate;
 - A decision on the allegation, also known as an “informal” or “administrative” resolution to an uncontested allegation;
 - Student/respondent’s acceptance of responsibility for alleged charges;
 - A recommendation to proceed with additional investigation and/or referral for a “formal” resolution.

Conflict Resolution Options

The Office of Community Standards and Education (or designee) has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. The Office of Community Standards and Education (or designee) may also suggest that complaints that do not involve a violation of the Student Code for Non-Academic Conduct be referred for mediation or other appropriate conflict resolution.

Formal Conduct Procedures Investigation

The investigation shall take the following steps:

1. Initiate any necessary remedial actions or interim supportive measures to ensure the educational opportunities and/or safety of all parties, the University community, and/or the integrity of the process;
2. Determine the identity and contact information of the party bringing the complaint, whether that person is the initiator of the complaint, the alleged victim, or a University proxy or representative.
3. Conduct an immediate preliminary investigation to identify an initial list of all policies that may have been violated, to review the history of the parties, the context of the incident(s), any potential patterns and the nature of the complaint;
 - If the victim is reluctant to pursue the complaint, determine whether the complaint should still be pursued and whether sufficient independent evidence could support the complaint without the participation of the victim;
 - Notify the victim of whether UHSP intends to pursue the complaint regardless of their involvement, and inform them of their rights in the process and option to become involved if they so choose;
4. If indicated by the preliminary investigation and authorized by the Office of Community Standards and Education, conduct a comprehensive investigation to determine if there is reasonable cause to believe that the responding student violated University policy, and to determine what specific policy violations should serve as the basis for the complaint;
 - If there is insufficient evidence through the investigation to support reasonable cause, the allegations will be closed with no further action;

5. Meet with the party bringing the complaint to finalize their statement, which will be drawn up by the investigator or designee as a result of this meeting.
6. Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the responding student, who may be given notice of the interview prior to, or at the time of, the interview;
 - o Prepare the notice of alleged policy violation(s) on the basis of the reasonable cause determination, which may be delivered prior to, during or after the responding student is interviewed, at the discretion of the investigator(s).
7. Interview all relevant witnesses and summarize the information they are able to share.
8. Obtain all documentary evidence and information that is available;
9. Obtain all physical evidence that is available;
10. Complete the investigation promptly by analyzing all available evidence without unreasonable deviation from the intended timeline;
11. Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
12. Present the investigation report and findings to the responding student, who may:
 - o accept the findings;
 - o accept the findings in part and reject them in part;
 - o or may reject all findings;
13. Share the findings and update the party bringing the complaint on the status of the investigation and the outcome.

Findings

Where the responding student is found not responsible for the alleged violation(s), the investigation will be closed.

Where the responding student accepts responsibility for violating University policy, appropriate sanctions will be applied by the Office of Community Standards and Education (or designee).

If the responding student accepts the “responsible” findings, but rejects the recommended sanctions, they may file a formal appeal following the appeal procedures in the code.

Where the responding student rejects in part the finding that they violated University policy, the matter may be referred for a formal hearing with the Conduct Board or adjudicative body.

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated.

Hearing Procedures Notice of Hearing

Once a determination is made that reasonable cause exists for The Office of Community Standards and Education (or designee) to refer a complaint for a hearing, notice will be given to the complaining and responding students. The letter of notice will: include the alleged violation and notification of where to locate the Code of Non-Academic Student Conduct and University procedures for resolution of the complaint; and direct the responding student to contact The Office of Community Standards and Education (or designee) within a specified period of time to respond to the complaint. This time period will generally be no less than ten days from the date of delivery.

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

Hearing Preparation

All parties to a Conduct Board hearing will be given a minimum of ten days to prepare unless all parties wish to proceed more quickly.

If there is an alleged victim of the conduct in question, the alleged victim may serve as the party bringing the complaint or may elect to have UHSP administration serve as the party bringing the complaint forward. Where there is no alleged victim, UHSP administration will serve as the party bringing the complaint forward.

If a responding student fails to respond to notice from The Office of Community Standards and Education (or designee) a complaint against the student for failure to comply with the directives of a University official may be filed and the hearing process may proceed in absentia.

At least five (5) days before any scheduled formal hearing, the following will occur:

1. The responding student, as well as the party bringing the complaint, will deliver to the Office of Community Standards and Education (or designee) a written response to the complaint;
2. The responding student, as well as the party bringing the complaint, will deliver to the Office of Community Standards and Education (or designee) a written list of all witnesses to appear at the hearing;
3. The responding student, as well as the party bringing the complaint, will deliver to the Office of Community Standards and Education (or designee) all physical evidence or copies thereof that they intend to use or have present at the hearing;
4. The responding student, as well as the party bringing the complaint, will deliver to the Office of Community Standards and Education (or designee) the names of any advisors/advocates they wish to have present with them at the hearing;
5. The Office of Community Standards and Education (or designee), shall have final approval of all witnesses, evidence and/or advisors/advocates to be included in the hearing;
6. The Office of Community Standards and Education (or designee) will ensure that the hearing information and any other available written documentation and all evidence (including evidence that will not be presented at the hearing) is shared with the parties at least three (3) days before any scheduled hearing. In addition, the parties will be given a list of the names of the conduct board members in advance. Should any party object to a board member, that party must raise all objections, in writing, to The Office of Community Standards and Education (or designee) immediately. Board members will only be unseated if the Office of Community Standards and Education concludes that their bias precludes an impartial hearing of the complaint. Additionally, any board member who feels they cannot make an objective determination must recuse themselves from the proceedings.

Hearing Panel Composition and Process

The Office of Community Standards and Education will appoint one board member as the Chair for the hearing;

The parties have the right to be present at the hearing; however, they do not have the right to be present during deliberations;

If a student cannot attend the hearing, it is that student's responsibility to notify the Office of Community Standards and Education (or designee) no less than three (3) days prior to the scheduled hearing to arrange for another date, time and location. Except in cases of grave or unforeseen circumstances, if the responding student fails to give the requisite minimum three (3) day notice, or if the responding student fails to appear, the hearing will proceed as scheduled. If the party bringing the complaint fails to appear, the complaint may be dropped unless the University chooses to pursue the allegation on its own behalf, as determined by The Office of Community Standards and Education.

The appropriate administrator, or the Chair and the Panel will conduct panel hearings according to the following guidelines:

Hearings will be closed to the public.

Admission to the hearing of persons other than the parties involved will be at the discretion of the panel Chair and the Office of Community Standards and Education.

In hearings involving more than one responding student, the standard procedure will be to hear the complaints jointly; however, the appropriate administrator may permit the hearing pertinent to each responding student to be conducted separately. In joint hearings, separate determinations of responsibility will be made for each responding student.

The party bringing the complaint, the responding student, the board, and the Director of Community Standards and Education (or designee) will have the privilege of questioning all present witnesses and questioning all present parties (directly or through the Chair, at the discretion of the Chair). Unduly repetitive witnesses can be limited at the discretion of the board Chair and/or the Director of Community Standards and Education or appropriate administrator.

Pertinent records, exhibits, and written statements may be accepted as information for consideration by the panel and the Director of Community Standards and Education (or designee). Formal rules of evidence are not observed. The Chair and/or the appropriate administrator may limit the number of character witnesses presented or may accept written affidavits of character instead.

All procedural questions are subject to the final decision of the appropriate administrator.

After a panel hearing, the panel will deliberate and determine, by majority vote, whether it is more likely than not that the responding student has violated the Code of Non-Academic Student Conduct. The appropriate administrator will be present and available as a resource during all deliberations.

Once a finding is determined, if the finding is that of a policy violation, the panel will determine an appropriate sanction(s). The appropriate administrator is responsible for

informing the panel of applicable precedent and any previous conduct violations or other relevant pattern information about the responding student.

The appropriate administrator will consider the recommendations of the board, may make appropriate modifications to the report and will then render a decision and inform the responding student and party bringing the complaint (if applicable by law or University policy) of the final determination within five (5) business days of the hearing. Notification will be made in writing and may be delivered by one or more of the following methods: in person by the Office of Community Standards and Education (or designee); mailed to the local or permanent address of the student as indicated in official University records; or emailed to the student's University-issued email account. Once mailed, emailed and/or received in-person, such notice will be presumptively delivered. In cases of sexual misconduct and other crimes of violence, notice of the outcome will be delivered to all parties simultaneously, meaning without substantial delay between the notifications to each.

Special Rules for Non-Title IX Cases

For complaints involving sexual assault, dating violence, domestic violence, and stalking where the alleged victim is serving as the party bringing the complaint or as a witness, alternative testimony options may be provided, such as placing a privacy screen in the hearing room or allowing the alleged victim to testify from another room via audio or audio/video technology. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the responding student.

Evidence of opinion or reputation of the complaining or the responding student is inadmissible in a non-Title IX student conduct proceeding. The past sexual history or sexual character of a party will not be admissible by the other parties in hearings unless such information is determined to be highly relevant. A party seeking to submit evidence of prior sexual conduct must notify the Chair and other parties in writing not less than five days prior to a hearing. The Chair will enter a ruling and notify all of the parties as to the admissibility of the proposed evidence at least three days in advance of the hearing. Evidence of the sexual conduct of the complaining student with the responding student is admissible to prove consent where consent is a defense to the alleged violation and it is reasonably contemporaneous with the date of the alleged violation. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, in the form of previous findings in any legal or campus proceeding, or in the form of previous good faith allegations, will always be relevant to the finding, not just the sanction.

Appeals

Any party may request an appeal of the decision of The Conduct Board by filing a written request to the appropriate administrator within three (3) business days of the delivery of the hearing determination letter. All parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision.

Grounds for Appeal

Appeals are limited to the following grounds:

1. A procedural error occurred that significantly impacted the outcome of the hearing (e.g. substantial and material deviation from established procedures, etc.);

2. To consider new evidence, unavailable during the original hearing or investigation through no fault or lack of diligence by a party, that could substantially and materially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included along with an explanation showing why the evidence was not presented at the original hearing;
3. The sanctions imposed are substantially disproportionate to the severity of the violation of offense or the cumulative conduct record of the responding student.

Appeals must be filed in writing to the appropriate administrator within three (3) business days of the notice of the outcome to the hearing, barring exigent circumstances. Any exceptions are made at the discretion of the Director of Community Standards and Education and, when appropriate, the Title IX Coordinator.

The appropriate administrator or the Director of Community Standards and Education will share the appeal by one party with the other party (parties) or complaining student when appropriate under procedure or law (e.g., if the responding student appeals, the appeal is shared with the complainant, who may also wish to file a response, request an appeal on the same grounds or different grounds).

The appropriate administrator will refer the request(s) to the University's designated Appeal Review Officer, appointed by the President. The Office of Community Standards and Education (or designee) will also draft a response memorandum to the appeal request(s), based on the Appeal Review Officer's determination that the request(s) will be granted or denied, and why. All request-related documents are shared with all parties prior to submission to the Appeal Review Officer.

The Appeal Review Officer may conduct an initial review to determine if the appeal request meets the limited grounds and is timely. They may consult with the Office of Community Standards and Education, on any procedural or substantive questions that arise.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final.

If the appeal has standing, the Appeal Review Officer will determine whether to refer the appeal to the Appeals Board or to remand it to the original decision-maker(s), typically within 3-5 business days. Efforts should be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new panel will be constituted to reconsider the matter, which can in turn be appealed, once. Full re-hearings by the Appeals Board are not permitted. Where new evidence is presented or the sanction is challenged, the Appeals Review Officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the Appeals Board with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party to show clear error. The Appeals Board must limit its review to the challenges presented.

On reconsideration, the Appeals Boards or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural errors should be corrected, new evidence should be considered, and sanctions

should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the Appeals Board are to be made generally within five (5) days of submission to the Panel and are final, as are any decisions made by the original hearing body, Office of Community Standards and Education or Title IX Coordinator as the result of reconsideration consistent with instructions from the Appeal Review Officer.

Appeals are not an opportunity for appeal board members to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

Interim Action

Under the Code of Non-Academic Student Conduct, The Vice President of Campus Life (or designee) may impose restrictions and/or temporarily separate a student from the community pending the scheduling of a hearing on alleged violation(s) of the Code of Non-Academic Student Conduct when:

1. a student's behavior presents an immediate danger to the life, health, welfare, safety or property of any member of the University community;
2. a student is facing allegations of serious criminal activity;
3. the integrity of an investigation may be threatened;
4. there is a need to preserve University property and/or to prevent disruption of, or interference with, the normal operations of UHSP;

Interim actions can include separation from the institution or restrictions on participation in the community for a designated period of time, ideally in which a hearing can be scheduled and completed on the alleged violation(s) of the Code of Non-Academic Student Conduct.

A student who receives an interim suspension may request a meeting with The Office of Community Standards and Education and/or the Vice President of Campus Life to demonstrate why an interim suspension is not merited. Regardless of the outcome of this meeting, UHSP may still proceed with the scheduling of a campus hearing.

During an interim suspension, a student may be denied access to University housing and/or UHSP campus/facilities/events as determined appropriate by the Vice President of Campus Life (or designee). This restriction may include classes and/or all other University activities or privileges for which the student might otherwise be eligible.

Amnesty and Safe Harbor

UHSP provides amnesty to victims who may be hesitant to report to University officials. We want our students to make decisions that support the community and connect to the concepts of integrity and responsibility that are so critical to our history and our future success. We do also recognize that some may fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.

Sanctions

Factors the decision maker may consider when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the Parties
- The Respondent's acceptance of responsibility
- Any other information deemed relevant by the Decision-maker

The decision maker may review prior disciplinary action of any kind involving the Respondent for consideration which may demonstrate a pattern of misconduct. Such information may be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then.

The sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

Notice of Outcomes

The outcome of a campus hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by the Violence Against Women Act and FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or non-forcible sex offense, UHSP will inform the alleged victim/party bringing the complaint in writing of the final results of a hearing regardless of whether UHSP concludes that a violation was committed. Such release of information may only include the alleged student’s/responding student’s name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, only, the rationale for the outcomes.

Procedures for University Policy Against Discrimination, Harassment, and Relationship Violence

Procedures Governing Sexual Assault, Dating Violence, Domestic Violence, and Stalking in Non-Title IX Cases Involving Employees

Sexual assault, dating violence, domestic violence, and stalking (collectively referred to as “relationship violence”) involving alleged violations by employees that are not covered under Title IX is also prohibited under this policy. Individuals making good faith complaints and

opposing discrimination and harassment or participating in internal or external proceedings are protected from retaliation.

EEO/Section 504 Coordinator

Pursuant to University obligations under Title VI and Title VII of the Civil Rights Act, and Section 504 of the Rehabilitation Act of 1973, the University has designated an Equal Employment Opportunity (EEO), and Section 504 Coordinator to implement and coordinate this policy. Additionally, the University has designated deputy EEO and Section 504 Coordinators for students and employees (“Deputy Coordinator for Students” or “Deputy Coordinator for Employees”) who report to and assists the EEO and Section 504 Coordinator to effectively administer this policy for students and employees.

If you have questions about the policy, if you believe that you are being discriminated against, harassed or retaliated against in violation of this policy, or if you observe someone else being subjected to such conduct prohibited under this policy, you can report the conduct to the EEO and Section 504 Coordinator. Complaints against students can also be reported to the Deputy Coordinator for students. Complaints against employees (faculty, staff, or outside contractors) can also be reported to the Deputy Coordinator for employees.

The EEO and Section 504 Coordinator or the Deputy Coordinator will oversee the complaint process to enable the University to best assess, respond and investigate complaints to eliminate events, prevent their recurrence and address the effects on the complainant and others. Additionally, the EEO and Section 504 Coordinator is responsible for coordination and oversight of the administration of this policy including processing and investigation of complaints, disciplinary proceedings and sanctions, reporting, education, and awareness of prohibited conduct and this policy, training of personnel, and conducting an annual review of the effectiveness of the University’s prohibited conduct programs.

Contact information for the EEO and 504 Coordinator and deputy coordinators is listed below:

EEO and Section 504/ADA Coordinator

Daniel Bauer Assistant Vice President, Human Resources South Residence Hall, Room 1240C
314.446.8308
Daniel.Bauer@uhsp.edu

EEO and Section 504/ADA Deputy Coordinator for Students

Rebecca Jones
Assistant Vice President, Student Success and Wellness Recreation and Student Center (RAS), Room 410
314.446.8352
Rebecca.Jones@uhsp.edu

EEO and Section 504/ADA Deputy Coordinator for Employees

Erica Whitted
Associate Director, Human Resources South Residence Hall, Room 1240A
314.446.8315
Erica.Whitted@uhsp.edu

Reports of Prohibited Conduct Under this Policy

The University has initiated a reporting procedure designed to encourage any covered person under this policy to report any instance of conduct covered in this policy to University officials.

The University encourages parties who believe they have experienced discrimination or harassment to report about what happened – so they can get the support they need, and so the University can respond appropriately.

Who to report to:

Reports to Coordinators

Reports to the EEO and Section 504 Coordinator/ Deputy Coordinators provides the University with actual notice of a report. Contact information is in Section 2 of this policy.

Reports to Supervisors

Employees may make reports of discrimination and harassment to their supervisor. Supervisors are required to share this information with EEO and Section 504 Coordinators as soon as possible, such as next business day. A supervisor must report all relevant details about the alleged prohibited conduct shared by the party including the names of the party's alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time, and specific location of the alleged incident.

Anonymous Reports

Parties wishing to file a complaint anonymously over the phone or online can use the University's Compliance and Ethics [Online Reporting Portal](#), via phone at 866-770-0009. For full details on the Compliance and Ethics Hotline please view our website at uhsp.edu/compliance-and-ethics. Timing of reports Complainants are encouraged to make a report of discrimination or harassment as soon as possible so the institution may quickly respond and prevent further issues. Generally, we cannot effectively look into allegations that are more than six months old from the date of last occurrence. Understand that the greater the time between the date the incident occurred and date a report is made impacts an investigation. Time may limit the availability of parties involved, witnesses, and evidence and ability to adjudicate the report under this policy.

False Reports and False Statements

All parties and witnesses are expected to provide truthful information. Knowingly providing false or misleading information in a report, investigation, or any related process is a violation of University policy and can subject a student or employee to disciplinary action, up to and including termination or expulsion.

Advisors

Both the Complainant and Respondent may be assisted by an advisor of their choice, present at any meeting related to an investigation or disciplinary proceeding. Advisors may participate in University processes in an advisory capacity, but they may not take part directly in the investigation, or disciplinary meeting. If a party wishes to speak privately with their advisor during the investigation, or meeting, they may request a brief recess from the meeting or proceeding. The University has the right at all times to determine what constitutes appropriate behavior on the part of an advisor. The advisor may not be a fact witness or otherwise have any conflicting role in the process.

General Information

Sanctions/discipline for policy violations

The administrator responsible for disciplinary proceedings will determine the appropriate sanction or disciplinary action based on the violations. Note that while investigation records are private, sanctions become part of student records or personnel files. Any investigation, hearing, review, or appeal procedure will use a preponderance of the evidence standard of proof (i.e. more likely than not).

For faculty, disciplinary process and sanctions will be determined based on established guidelines in the [Faculty Handbook](#), [Faculty Bylaws](#), and University's employment policies. Disciplinary action for offenses could include mandated counseling, written warning, suspension and/or termination. The appropriate dean is responsible for the disciplinary proceedings involving faculty. Human Resources staff are available to assist.

For staff, discipline will be determined based on established guidelines in the [Staff Handbook](#) and University's employment policies. Disciplinary action for offenses could include mandated counseling, written warning, suspension, and/or termination. Human Resources is responsible for overseeing disciplinary proceedings involving staff members, with the appropriate vice president/dean of the unit being responsible for discipline decisions.

If the offender is neither a student nor faculty or a staff member and thus not subject to the University's direct control, the University will take such measures, as it deems appropriate, to remedy the matter. This may include barring the offender from University property, and/or filing a complaint with an employer, professional association, or law enforcement authorities.

Conflict of Interest/Bias

The University will take appropriate steps to poll investigators and decision makers for conflicts of interest and bias before initiating the grievance procedure outlined in this policy. Should a Complainant or Respondent feel there is a conflict of interest or bias in any step of the complaint, investigation or adjudication process with officials involved in the process written notice describing the potential conflict or bias and its impact must be submitted as soon as a conflict is recognized. The conflict report shall be submitted to the EEO/Section 504 Coordinator. If the Deputy EEO/Section 504 Coordinator for students is named as a party in the conflict or bias report then the Vice President, Campus Life will review the conflict report. If the EEO/Section 504 Coordinator is named as a party in the conflict or bias report then the Vice President, Chief Financial Officer will review the conflict report.

If substantial conflict or bias is determined, an alternative official will be assigned by the Title IX coordinator/deputy coordinator. If it is determined there is insufficient evidence for significant conflict or bias, the parties will be notified. The determination will be shared with the Complainant and Respondent in writing within ten (10) days of receipt.

Opportunity for Informal Resolution

In some cases, it may be possible to utilize informal administrative resolution strategies to facilitate resolution and disposition of a formal complaint by mutual consent of the parties at any step of the process without a formal investigation. Informal resolution will not be allowed in instances of harassment (including sexual harassment) where there is an inherent power level mismatch (i.e. professor to student or supervisor to employee).

The appropriate EEO and Section 504 coordinator/deputy coordinator will appoint a facilitator who will meet with the parties and present the information gathered to this point, describe sanctions if the respondent is found responsible, and allow each party to respond.

The Section 504 & Title IX coordinator/deputy coordinator will serve as a resource to the facilitator to ensure that any sanctions or discipline and remedies will adequately address the harm to the complainant, educate the respondent, and prevent the recurrence of future violations. Additionally, the Section 504 & Title IX coordinator/deputy coordinator will coordinate additional actions to address the impact of a policy violation on others such as, but not limited to, counseling and awareness training or programs.

The facilitator and parties will agree on a determination of responsibility for the policy violations covered in the complaint and simultaneously notify both parties in writing within five (5) business days of the outcome.

Procedures for Receiving, Investigating and Adjudicating Complaints

The following procedures will be observed for receiving, investigating, and adjudicating complaints against employees or non-University related persons related to sexual assault, dating violence, domestic violence, and stalking.

1. Report receipt: Upon receiving a report of alleged prohibited conduct the EEO and Section 504 Coordinator or appropriate Deputy Coordinator will review the complaint and communicate with the complainant to inform them that a report has been received.
2. Conference with complainant: EEO and Section 504 Coordinator or appropriate Deputy Coordinator will interview the complainant to get additional information and a preliminary statement. Should a complainant not wish to participate in the process, the EEO and Section 504 Coordinator or appropriate Deputy Coordinator will proceed with a review of the report.
3. Interim Support: Interim remedial steps may be taken and include academic or work adjustments, no contact orders, temporary suspension of the responding party, or any other reasonable measure to facilitate the end and prevention of harassment or discrimination.
4. Preliminary review: The report, and available statement or information from an interview with the complainant will be reviewed to determine if the complaint alleges any facts that, if true, would indicate prohibited conduct covered under this policy occurred. This review will include:
 - An examination of the complaint as received (either in writing, in-person, over the phone, or other communications)
 - Evidence provided and other information related to the parties involved such as review of related prior complaints, disciplinary action, or sanctions. Additionally, a review of conduct records will be included to see if complainant, respondent, or witnesses have been involved in other incidents.
 - Assess immediate safety needs of the complainant and the need for timely warning/emergency notification under the Clery Act. Update Public Safety if timely warning/emergency notification is necessary.
 - Evaluation of possible or requested interim measures, and/or conduct or disciplinary hearings.

The EEO and Section 504 Coordinator/Deputy Coordinator makes a preliminary evaluation as to whether the reported conduct is covered under this policy.

- If, after preliminary evaluation of the complaint, it is determined that the facts and evidence presented in the report, if assumed true, fail to meet the definition of prohibited conduct under this policy the EEO and Section 504 Coordinator/Deputy Coordinator will notify the complainant that the report fails to state a violation under this policy. The report may be referred for evaluation to the appropriate official responsible under another policy, such as: Bias Incident Response Policy, Policy against Sexual Harassment in an Educational Program or Activity Title IX, Code of Student Conduct, Faculty or Staff Handbook, Faculty Bylaws, or other policy. The complainant will be notified within five (5) business days of the preliminary evaluation outcome and any referrals.
- If the complaint presents sufficient evidence to support a possible policy violation the EEO and 504 Coordinator/deputy coordinator designee will notify the complainant in writing within five (5) business days of the following:
 - The preliminary review of the complaint alleges sufficient evidence to support a possible violation under the policy.
 - Right to file a formal complaint to proceed with an investigation and adjudication to determine responsibility on the part of the Respondent
 - Notice of support measures in place, if any, and the option to request support measures.
 - Right to have an advisor of choice in the process.
 - Right of both parties to a fair and impartial investigation and adjudication proceeding.

Formal Complaint

A formal complaint is a physical or electronic document signed by a Complainant or the EEO and 504 Coordinator/deputy coordinator requesting an investigation of the allegations of discrimination or harassment. For consistency, the University maintains a complaint form, but use of other written communication requesting an investigation will suffice. This can include an email from a University email account, for example.

A Formal Complaint is typically filed by a complainant, but may be filed by a third party in certain circumstances, the EEO and Section 504 Coordinator/Deputy Coordinator may file a formal complaint on behalf of a Complainant without their participation, if it is reasonable under the facts and circumstances. Before doing so, the EEO and Section 504 Coordinator/Deputy Coordinator will consult with the Complainant.

In addition to the Complainant's wishes, the EEO and Section 504 Coordinator/Deputy Coordinator will consider a range of factors including, but not limited to, the following:

- If there have been multiple complaints about the same alleged perpetrator the University will initiate an investigation.
- The legal obligations of the University.
- The increased risk that the Respondent will commit additional acts of prohibited conduct, such as:
- Whether the Respondent has a history of arrests or records from a prior institution or employer

- Whether the Respondent threatened further prohibited conduct against the reporting party or others
- Whether the University possesses other means to obtain relevant evidence of the incident (e.g., security cameras or personnel, electronic records)
- Whether the party receiving the alleged prohibited behavior's report reveals a pattern at a given location or by a particular group

The presence of one or more of these factors could lead the EEO or Section 504 Coordinator to file a formal complaint, even if the complainant does not want to do so. If none of these factors is present, the EEO or Section 504 Coordinator will likely not file a formal complaint.

Both parties will receive notice of the formal complaint within five (5) business days.

Other factors:

- Even if a formal complaint is not filed, the University may still take steps to limit the effects of the alleged misconduct and prevent its recurrence without initiating a formal action against the alleged perpetrator or revealing the identity of the complainant. This may include increased monitoring, security, or additional training or communication efforts for students or employees, including the respondent.
- The EEO and Section 504 Coordinator may consolidate two or more formal complaints when there are common Complainants or Respondents involved or when the sexual harassment arises out of the same facts or circumstances.
- At any point in the process, the University may dismiss a formal complaint at any time if:
 - The Complainant would like to withdraw the complaint;
 - The Respondent is no longer enrolled or employed by the institution; or
 - Specific circumstances prevent the institution from gathering evidence sufficient to reach a determination.

Conference with Respondent

In response to a formal complaint, the respondent will be provided an opportunity to meet with the EEO and Section 504 coordinator/deputy coordinator and provide information and evidence. This meeting will occur within ten (10) business days of notice of formal complaint to the respondent. The date, time, location, and purpose of the meeting as well as specific policy(s) violation(s) being charged, including the identities of the parties involved, specific policy provisions, precise conduct alleged, date and location of the conduct will be shared and sufficient time granted to prepare for the meeting.

The respondent has the option to:

- Accept responsibility for the charge(s). If the respondent accepts responsibility, EEO and Section 504 coordinator/deputy coordinator or designee will coordinate with the appropriate administrator to deliver disciplinary outcomes to the respondent.
- If the respondent does not accept responsibility for the charge(s),
 - a formal investigation will ensue, unless
 - an informal administrative resolution is appropriate and both parties agree to it.

The complainant and respondent will be simultaneously notified in writing within five (5) business days of the outcome: accepting responsibility, informal administrative resolution, or formal investigation.

Investigation

Once a formal complaint has been filed the EEO and Section 504 coordinator/deputy coordinator will initiate an investigation themselves or delegate that responsibility to an investigator. The parties directly involved in the investigation will be informed in a timely manner regarding the process and progress of the investigation. The complainant and respondent will be notified in advance of their requested participation in an investigator interview to allow adequate time to prepare.

During the investigation period, the investigator will gather information, evidence, and interview witnesses. This process may take a month or longer, depending on the specifics of the complaint. The investigator will create a draft report that will include information on the specific formal complaint, relevant policies, timeline, involved parties, summaries of interview and evidence gathered, and findings of fact including an assessment of credibility, and relevancy of evidence. The draft report will also recommend a disciplinary outcome.

All University employees, who are not named as responding parties, must cooperate fully with any investigations. Employees providing counseling or pastoral services are exempt from participating if parties involved are patients/clients. Employees who have a professional license, which normally provides privilege, but are not acting under that license, do not have privilege (i.e., a healthcare provider serving in a professor role). Academic information protected under FERPA is available to investigations as legitimate educational interest.

A confidential file of the investigation including personal notes, all evidence gathered, and other information will be kept on file with the EEO and Section 504 Coordinator.

The EEO and Section 504 Coordinator will share the draft report simultaneously with the complainant and respondent within five business days (5) of the close of the investigation. The complainant and respondent may respond within five (5) business days in writing to the EEO and Section 504 Coordinator with comments on the report. The investigator will review comments and determine if the report should be edited, additional investigating is needed, or comments should be presented as a footnote to the report and issue a final report to the parties and appropriate administrator.

Adjudication and Appeals

After receipt of the final report, the appropriate administrator (dean for faculty, president's staff person for staff) will follow the appropriate conduct process for the respondent named in the complaint.

For faculty, the process for adjudication and discipline will be determined based on established guidelines in the Faculty Handbooks, Faculty Bylaws, and University's employment policies. Disciplinary sanctions short of separation or termination are typically initiated by the faculty member's Division Director and/or the appropriate Dean. In the case of separation or termination, the process differs for non-tenured and tenured faculty as set forth in the Faculty Bylaws is summarized below:

Termination of Non-Tenured Faculty. Circumstances may arise which make it necessary and appropriate for the College to terminate the appointment of a non-tenured faculty member prior to the end of an academic year...The determination to take such action is made by the faculty member's Division Director and the appropriate Dean. The appropriate Dean will notify the faculty member in writing, specifying the reason(s) for the termination. Within 10 days of receipt of the notice of dismissal, the faculty member may submit a written request to the President for his/her review of the termination decision. The appeal should include a copy of the dismissal notice and any written statement or other information the faculty member deems appropriate. The faculty member may be assigned to other duties or suspended with or without pay during the appeal process. The determination of the President will be in writing and will be final.

Procedures to Follow in Case of Termination of Tenure for Cause. The initial determination of termination of a tenured faculty member for cause will be made by the Division Director and the appropriate Dean after consultation with the President. The appropriate Dean will notify the faculty member in writing, specifying the reason(s) for the termination. Within 10 days of receipt of the notice of dismissal, the faculty member may submit a written request to the President for his/her review of the termination decision. The appeal should include a copy of the dismissal notice and any written statement or other information the faculty member deems appropriate. The President will convene a Review Committee consisting of five faculty members, two of whom will be selected by the appellant, two selected by the President, and one selected by these four Committee members. Within 30 days of convening the Committee, the review process of the decision to terminate for cause should be completed under normal circumstances. If the proposed termination is to effect a reduction in work force because of financial exigencies at the College, as declared by the Board of Trustees, or by the reorganization of an academic program, the Committee review will be limited to determining whether the faculty member's dismissal is arbitrary, capricious, or motivated by malice. The Committee will not make any findings with respect to the wisdom or necessity for the reduction in work force or academic program reorganization. Following its review, the Committee will call a meeting of the President, appropriate Dean, Division Director, and the faculty member to present its findings. The Committee will either affirm or recommend reversal of the faculty member's dismissal. The Committee shall render its recommendation and the reasons behind it in writing to the President, appropriate Dean, and faculty member within one week after the meeting. At the completion of this process, the President will render a decision in writing to the appropriate Dean and the appellant affirming, reversing, or modifying the original dismissal notice. In the event the appellant is not satisfied with the decision of the President, he/she may, within five days of receiving the decision, present an appeal in writing to the Board of Trustees. Included in this appeal should be a copy of the original dismissal notice, the decision of the Review Committee, the decision of the President, and any written statement or other information the appellant deems appropriate. The Board of Trustees, or its Executive Committee, will have final authority in the matter and may accept or reject, in whole or in part, the decision of the President. The Board may decline to act, may act upon the written record presented by the principals, or may first conduct its own investigation, inquiry, or hearing as it deems appropriate. The decision of the Board will be in writing and will be final. The appeal process will terminate if the faculty member fails to appeal any decision within the times specified. Until the final decision concerning termination of a tenured faculty member has been reached, the faculty member may be suspended or assigned to other duties instead of suspension. Suspension is appropriate only pending completion of the appeals process. A suspension which is intended

to be final is a termination and will be dealt with as such. The faculty member's salary may continue during the period of suspension.

For staff, discipline is imposed by the employee's immediate supervisor at the end of an investigation or admission of conduct violating established guidelines in the Staff Handbook and University's employment policies.

In any process, the complainant and respondent will be notified in advance to any meeting to allow time to prepare. Prior to this meeting, the administrator will notify the party of guidelines and timeframes for the meeting and allowance for parties submitting evidence and calling witnesses.

The appropriate administrator will then render a decision based on the report and the meetings with parties and issue discipline/sanctions. The decision will use a preponderance of the evidence standard of proof (i.e. more likely than not). Both parties will be simultaneously notified within three (3) business days of the result. This notice will identify the policies and sections violated, a detailed procedural history of the process from the receipt of the complaint through the hearing, the methods used to gather evidence, findings of fact that support the determination, conclusion (application of policy to the facts) including the determination of responsibility, and sanctions/remedies, and identify any terms for appeal.

If the proceeding determines that a violation of policy has occurred, prompt and appropriate sanctions/corrective action will be taken as deemed appropriate by the University.

Appeals Procedures

Both parties have the right to an administrative appeal of the outcome of a case. In instances where the respondent is a faculty member and the outcome of the adjudication results in separation or termination, the appeals process contained in the Faculty Bylaws as outlined above will apply. All other appeals involving staff sanctions or faculty sanctions other than separation or termination will be resolved in accordance with this procedure. Student appeal processes for cases covered under this policy are covered in the student code.

All appeals must be submitted in writing within ten (10) business days to the EEO and Section 504 Coordinator and must specifically state grounds for appeal and the rationale and evidence in support of the reason for appeal.

The permissible grounds for appeal are limited to the following reasons:

- A procedural error occurred that materially affected the outcome of the hearing (e.g. substantial and material deviation from established procedures, erroneous relevance determinations or failure to objectively evaluate all relevant evidence if they affected the outcome etc.). The procedural error and its impact must be explained.
- To consider new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter. A summary of this new evidence and its potential impact must be included along with an explanation showing why the evidence was not presented at the original hearing
- The EEO and Section 504 Coordinator, investigator, or decision maker had a conflict of interest or bias for or against Complainants or Respondents generally or against

one of the parties that affected the outcome of the matter. The conflict of interest or bias and its impact must be explained.

- The sanctions imposed are substantially disproportionate to the severity of the violation and substantially outside the parameters or guidelines set by the University for this type of offense or the cumulative conduct record of the Respondent. The reasoning and evidence that the sanction was disproportionate or inappropriate must be explained.

The University must notify the other party when an appeal is filed including a copy of the written submission received from the appealing party. The other party will be given five (5) business days to submit a written statement opposing the appeal and supporting the outcome. The University will give a copy of the opposing party's response or opposition to the party filing the appeal.

An Appeal Review Board will be established to review the case. The three-person appeals panel will be selected from various constituencies of the University (staff and/or faculty). Selection will be made in such a way as to ensure that the members of the appeals panel are trained appropriately and screened for potential conflicts of interest and bias.

The appeals panel may examine all documentation and evidence relating to the case. The responsibility of the appeals panel is to conduct a closed and confidential review of the case and report and make recommendations to the appeal administrator. The appeal administrator in complaints where the Respondent is a faculty or staff member will be the Chief Diversity Officer.

The appeal administrator will make a determination based on the report of the appeal review board and has ultimate authority in all decisions and recommendations. The determination of the appeal administrator is considered final and not appealable. Both parties will receive a written decision describing the result of the appeal and the rationale for the decision within ten (10) business days. Simultaneous notice of the written decision will be sent to both parties.

Rights of the Parties in an Institutional Proceeding

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.

- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

- 2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - This training may include, but is not limited to:
 - How to conduct investigations and decision-maker meetings that protect the safety of Complainants and Respondents, and promote accountability
 - Implicit bias and confirmation bias
 - Treating Parties equitably
 - Disparate treatment
 - Disparate impact
 - Reporting, confidentiality, and privacy requirements
 - Applicable laws, regulations, and federal regulatory guidance
 - How to implement appropriate and situation-specific remedies
 - How to investigate in a thorough, reliable, timely, and impartial manner
 - Trauma-informed practices pertaining to investigations and resolution processes
 - How to uphold fairness, equity, and due process
 - How to weigh evidence
 - How to conduct questioning
 - How to assess credibility
 - Impartiality and objectivity
 - How to render findings and generate clear, concise, evidence-based rationales
 - The definitions of all prohibited conduct
 - How to conduct an investigation and grievance process, including administrative resolutions, appeals, and Informal Resolution Processes
 - How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias against Respondents and/or for Complainants, and on the basis of sex, race, religion, and other protected characteristics
 - Any technology to be used at an Administrative Process
 - Issues of relevance of questions and evidence
 - Issues of relevance and creating an investigation report that fairly summarizes relevant and not impermissible evidence
 - How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations
 - Recordkeeping

Additional Training Elements Specific to Title IX

All investigators, Decision-makers, and other persons who are responsible for implementing UHSP's Title IX policies and procedures will receive training related to their duties under Title IX promptly upon hiring or change of

position that alters their duties under Title IX or this part, and annually thereafter. Materials will not rely on sex stereotypes. Training topics include, but are not limited to:

- How to conduct a sex discrimination resolution process consistent with the Policy, including issues of disparate treatment, disparate impact, sex-based harassment, quid pro quo, hostile environment harassment, and retaliation
 - The meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under the Title IX Regulations
 - Training for Informal Resolution facilitators on the rules and practices associated with UHSP’s Informal Resolution process
 - The role of the Title IX Coordinator
 - Supportive Measures
 - Clery Act/VAWA requirements applicable to Title IX
 - UHSP’s obligations under Title IX
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution 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.
 4. Have the outcome determined using the preponderance of the evidence standard .
 5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

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

Any student or employee found to have committed a violation of University policy governing sexual harassment, sexual assault, dating violence, domestic violence, or stalking will be disciplined up to and including separation from the University.

Sanctions for a violation of University policies governing sexual assault, dating violence, domestic violence, or stalking can be found in the [Student Code for Non-Academic Conduct](#), and include, but are not limited to: formal warning, non-academic disciplinary probation, mandated counseling assessment, denial of the right to hold an office in a student organization or to participate in University-sponsored extracurricular activities, restrictions on campus housing or participation in student activities, community service and or campus restrictions, notation of non-academic conduct issue on transcript, and/or other educational sanctions and non-academic suspension or dismissal from the University.

Student Sanctions

The following are sanctions that may be imposed upon students, singly or in combination with other sanctions:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any UHSP Policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling:* A mandate to meet with and engage in either UHSP-sponsored or external counseling to better comprehend the misconduct and its effects. This may include alcohol/drug assessment and/or classes.
- *Restrictions:* A student may be restricted in their activities, including, but not limited to, restriction from locations, programs, participation in certain activities or extracurriculars, study abroad, or holding leadership in student organizations.
- *No-contact orders:* Implementing contact limitations (no-contact orders) between the Parties or other individuals.
- *Probation:* An official sanction for violation of institutional Policy, providing for more severe disciplinary sanctions if the student is found in violation of any institutional Policy, procedure, or directive within a specified period. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co- curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Separation from the institution, or one or more of its facilities, for a definite period of time, typically not to exceed two years, after which the student is eligible to return. Eligibility may be contingent upon satisfactory completion of specific conditions noted at the time of suspension, on successfully applying for readmission, or upon a general condition that the student is eligible to return if the institution determines it is appropriate to re-enroll/readmit the student. The student is typically required to vacate institutional property within 24 hours of notification of the action, though this deadline may be extended at the discretion of the EEO/504/ADA/Title IX Coordinator or other appropriate official. During an institution-wide suspension, the student is banned from institutional property, functions, events, and activities unless they receive prior written approval from an appropriate institutional official. This sanction may be enforced with a trespass action, as necessary.
- *Expulsion:* Permanent separation from the institution. The student is banned from institutional property, and the student's presence at any institution-sponsored activity or event is prohibited. This action may be enforced with a trespass action, as necessary.
- *Withholding Diploma:* UHSP may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating Policy.
- *Revocation of Degree:* While very rarely employed, USHP reserves the right to revoke a degree previously awarded from USHP for fraud, misrepresentation, and/or other violation of USHP policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Other Actions:* In addition to, or in place of, the above sanctions, USHP may assign any other sanctions as deemed appropriate.

Student Group and Organization Sanctions

Organizational sanctions are included here even though organizations cannot be charged as Respondents under Title IX. UHSP may still hold a student organization accountable for Policy violations using the Resolution Processes herein if it was clearly noted that Title IX was not applicable. Often, individuals will be charged for their role in organizational misconduct under Title IX, and the organization would be charged as collateral misconduct to the individual charges, resolved in the same process as those charges. The following are the common sanctions that may be imposed upon student organizations singly or in combination:

- *Warning:* A formal statement that the conduct was unacceptable and a warning that further violation of any UHSP Policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Loss of Privileges:* Restricted from accessing specific UHSP privileges for a specified period of time.
- *Probation:* An official sanction for violation of institutional Policy, providing for more severe disciplinary sanctions if the group or organization is found in violation of any institutional Policy, procedure, or directive within a specified period. Terms of the probation will be articulated and may include denial of specified social and event privileges, denial of UHSP funds, ineligibility for honors and awards, restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate.
- *Suspension:* Termination of student group or organization recognition and/or institutional support for a definite period of time not to exceed two years and/or until specific criteria are met. During the suspension period, a student group or organization may not conduct any formal or informal business or participate in UHSP-related activities, whether they occur on- or off-campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from UHSP.
- *Expulsion:* Permanent termination of student group organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason.
- *Other Actions:* In addition to or in place of the above sanctions, UHSP may assign any other sanctions as deemed appropriate.

Sanctions for a violation of University policies governing sexual assault, dating violence, domestic violence or stalking by an employee can be found in the [Staff Handbook](#) and [Faculty Handbook](#), [Faculty Bylaws](#), and University policies. The sanctions may include leave with pay, leave without pay, termination, change in job responsibilities or duties, relocation of assignment, mandated counseling or anger management assessment, and mandated training, such as sexual harassment training.

Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- *Verbal or Written Warning*
- *Performance Improvement Plan/ Management Process*
- *Enhanced Supervision, Observation, or Review*
- *Required Counseling*
- *Required Training or Education*

- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Shift or schedule adjustments*
- *Reassignment*
- *Delay of (or referral for delay of) Tenure Track Progress*
- *Assignment to New Supervisor*
- *Restriction of Stipends, Research, and/or Professional Development Resources*
- *Suspension/Administrative Leave with Pay*
- *Suspension/Administrative Leave without Pay*
- *Termination*
- *Other Actions:* In addition to or in place of the above sanctions/responsive actions, UHSP may assign any other responsive actions as deemed appropriate.

Upon receipt of a report, the complainant or respondent may request or the University may impose reasonable and appropriate interim measures to ensure the safety of all parties, the University community and/or the integrity of the process. Interim protective measures should be submitted to the University's Title IX Coordinator or appropriate administrators (University Services, Campus Life for students, Human Resources for staff, and appropriate Dean for faculty).

Potential interim measures include:

- A University of Health Sciences and Pharmacy in St. Louis "no contact" order
- Access to counseling services and assistance in setting up the initial appointment
- Rescheduling of exams and assignments
- Change in class schedule or transferring section including late withdrawal from a class without penalty
- A change in work schedule or job assignment
- Change in Residence Hall assignment
- Providing an escort to ensure safe movement between classes and activities
- Academic support such as tutoring
- Leave of absence
- Assistance with filing an order of protection

Publicly Available Recordkeeping

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

Victims to Receive Written Notification of Rights

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

Sex Offender Registration Program

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Director of Public Safety Ja-Maal Davis at Director of Public Safety Ja-Maal Davis. State registry of sex offender information may be accessed at the following link:

<https://www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html>

VI. Timely Warnings and Emergency Response

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the director of public safety and chief operations officer constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

Office of Public Safety, 314.446.SAFE (7233)

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

Emergency Response

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Office of Public Safety at Office of Public Safety of any emergency or potentially dangerous situation.

The Office of Public Safety will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution’s response and for marshaling the appropriate local

emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the chief operations officer and director of public safety will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The chief operations officer and director of public safety in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The director of public safety will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

At the direction of the chief operations officer, the University’s director of public safety will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the University issues a timely warning or emergency notification to the campus community.

Method	Sign Up Instructions
UHSP Alerts RAVE Email	Employees and students are automatically enrolled to receive UHSP RAVE email alerts
UHSP Alerts Rave Text	Students and employees can go to the MyApps Portal and select the RAVE App to enter a secondary email and cell phone number to receive UHSP RAVE text message and email alerts
Building Public Address	N/A
UHSP Alerts ALERTUS (beacons and IP devices)	N/A
Campus Email	N/A
Campus Safety Bulletins and Fliers	N/A
Bullhorn	N/A

Testing & Documentation

The University will annually test and publicize their emergency response and evacuation procedures. Throughout the year, University officials and critical personnel will meet and train on the University's response to a critical incident through a variety of discussions and exercises, including tabletop and functional exercises. These tests may be announced or unannounced depending on the type of exercise and the impact on day-to-day operations/availability. University community members are encouraged to review the emergency response plans and evacuation procedures for each area they frequent throughout their typical workday.

The University's Emergency Operation Plan, Building Emergency Action Plans and Emergency Notification Procedures include information about management of emergency response and operations, Emergency Operations Center (EOC), and communication responsibilities. Individual University units and departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts announced and unannounced emergency response drills and exercises each year and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. To aid with the documentation of drills, the University utilizes a formalized electronic inspection checklist using a computer program called Safety Culture formerly known as iAuditor™.

The results from exercises are reported on the University After-Action Report template, which includes a list of corrective actions to be taken. In addition to drills and exercises, the University also use actual responses to events and After-Action Reports to assess, evaluate, and improve responses and procedures. The Emergency Action Plans for all buildings on campus are updated on an annual basis.

The annual testing of UHSP Alerts was conducted on 09.23.2023 at approximately 4:00 p.m.

The annual testing of the University's Emergency Operations Plan was conducted on 12.06.2023 from 1:00 p.m. - 3:00 pm.

Fire related testing and procedures are located in the Annual Fire Safety Report Section.

The director of public safety 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 University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures.

VII. Missing Student Policy

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Office of Public Safety at 314.446.SAFE (7233). Any University employee receiving a missing

student report should immediately notify public safety so that an investigation can be initiated. You may also complete a missing person's report at [Missing Person Form](#).

Students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the student is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student's confidential contact information will be accessible only by authorized university officials, and it will only be disclosed to law enforcement personnel in furtherance of a missing student investigation.

A student who wishes to designate a confidential contact may do so by contacting the Residential Life office.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, public safety will notify the St. Louis Metropolitan Police Department and the student's confidential contact. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student's custodial parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

VIII. Crime Statistics

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

Crime	On Campus			On Campus Housing			Non Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	1	1	0	1	1	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	2	3	8	0	0	1	0	0	1	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0

Crime	On Campus			On Campus Housing			Non Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Disciplinary Referral - Liquor Law Violation	34	6	6	34	6	6	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	1	2	2	1	1	2	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	4	0	0	4	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0

Hate crimes:

2023: No hate crimes reported.
 2022: No hate crimes reported.
 2021: No hate crimes reported.

Crimes unfounded by the University:

2023: 0 unfounded crimes.
 2022: 0 unfounded crimes.
 2021: 0 unfounded crimes.

Statistics for unfounded crimes provided by law enforcement agencies:

2023: 0 unfounded crimes.
 2022: 0 unfounded crimes.
 2021: 0 unfounded crimes.

Data from law enforcement agencies:

- The University was provided with some crime data from law enforcement agencies for which it cannot be determined whether any of the statistics apply to or include the University’s Clery Geography.
- Certain law enforcement agencies did not comply with the University’s request for crime statistics.

IX. Annual Fire Safety Report

Housing Facilities and Fire Safety Systems

The University maintains on-campus housing for its students. Below is a description of fire safety systems and the number of fire drills conducted during the previous calendar year.

Campus: University of Health Sciences & Pharmacy in St. Louis, 1 Pharmacy Place, St. Louis, MO 63110

Facility	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of evacuation (fire) drills in previous calendar year
North Residence Hall, 1 Pharmacy Place Saint Louis, MO 63110	X		X	X	X	X	1
South Residence Hall, 4576 Parkview Place Saint Louis, MO 63110	X		X	X	X	X	1

Policies on Portable Appliances, Smoking and Open Flames

All extension cords, wiring, and space heaters must be approved by Facilities before power is authorized. Access to all electrical breaker panels should be clear and open at all times. The use of extension cords, power strips, surge protectors and similar devices shall be limited should be review by Facilities and/or Environmental Health & Safety. Under no circumstances shall “daisy chaining” of surge protectors or power strips be permitted as a permanent solution to satisfy power requirements. Double or triple plugs to expand capacity are not permitted and extension cords must be UL listed and a minimum of 16-2 cord.

Only those persons who are qualified and authorized may install, fabricate, repair, test, calibrate, or modify electrical wiring, devices, systems, or equipment. Qualification and authorization to perform electrical or electronics work is based on a combination of formal training, experience, and on-the-job training. The qualified individual has had sufficient, documented training and experience and can demonstrate appropriate knowledge and skills to be able to work on electrical equipment, whether energized or de-energized.

Cooking appliances with an open flame heating element are not allowed in students’ rooms. Community microwaves are furnished in the floor kitchenette at the east end of each hallway. The above items are permitted in the South Residence Hall apartment style dorms.

Smoking is only allowed in designated outdoor areas located on University of Health Sciences and Pharmacy in St. Louis property. Open flame lighted candles or other open flames are NOT permitted in any University facility (outside of specific labs) unless under

special supervision of properly authorized personnel trained in fire safety. No candles are allowed in dorm rooms or offices. In laboratories, no flame should be left unattended! Sterno type gel fuel may be used for food warming at approved events, as long as the criteria outlined in the overall fire protection policy are adhered to. Only small amounts of Sterno gel type fuel shall be stored in closed containers in a cool dry place (40-120°F) away from sources of heat or open flame. If large amounts of Sterno gel type fuel need to be stored in a University building, the users must contact the EH&S Office to determine appropriate storage requirements.

The following regulations concerning Christmas and holiday decorations have been established because of the extreme dangers of fire present during the holiday season:

- No live Christmas trees will be permitted in any University building for decorative purposes.
- Noncombustible artificial trees will be acceptable if wiring for lights and decorations meet UL requirements and have been approved by Facilities.
- No evergreen or cedar branches, combustible cotton, combustible angel hair or other combustible materials are permitted to be used on the doors, bulletin boards or other exit hallway locations for decorations.

Any decorations on campus shall meet the following requirements:

- Be of fire-resistant material, preferably noncombustible material such as foil, metal or glass.
- No decorations shall obstruct any exits, smoke detectors, fire alarms, pull stations (alarms), fire extinguishers or sprinklers.
- Outdoor decorations shall be self-supporting and be placed as far away from buildings or additions as possible. In no case shall decorations be less than 10 feet from a building or addition. “No Smoking” shall be observed in the vicinity of any outdoor decoration during construction, use, and demolition.
- All decorations shall be removed within 48 hours following the event for which they are used.

Fire Evacuation Procedures

In the event of a fire in the buildings, the University community members should contact public safety immediately, quickly shut the door/windows to their room and proceed to the nearest exit where they can leave the building safely. If the alarm has not sounded, please activate the nearest pull station if you can do so safely. Do not use an elevator while the alarm is activated. Upon exiting the building, personnel are to proceed to the emergency assembly points listed below and await further instructions.

Emergency Assembly Points

Building Name	Location
South Residence Hall/Chick-fil-a/Starbucks	Southern end of the Quad
UHSP Garage	Southern end of the Quad
Jones Hall	Lawn East of Jones Hall
Recreation & Student Center (North Residence Hall)	North end of the Quad
Academic Research Building	East end of the Quad

Fire Education and Training Programs

The Office of Public Safety, building emergency coordinators, floor leaders, residential life and facilities work together to conduct unannounced fire drills for each building throughout the calendar year. During the drills, the alarms are sounded and staff members make a check of all rooms to verify all faculty, staff and students have exited the buildings. All faculty, staff and students are instructed to congregate at the evacuation sites as instructed in the Building Emergency Action Plan for each individual building. Students not leaving the buildings during a fire alarm drill are referred to residential life for judicial sanctions. Faculty and staff not leaving the building are reported to the appropriate supervisor.

Fire extinguishers are located in each of the buildings on campus and may only be used in case of a fire. Fire extinguisher safety training is provided at the beginning of the academic year and to faculty, staff and RAs in the fall and spring. Additional fire safety training is available upon request by contacting the Office of Public Safety.

Campus Fire Safety Systems Testing

All fire safety systems and ancillary components are tested on an annual basis by an outside service contractor. All horns, strobes, panels, smoke detectors, pull stations and duct detectors are tested and documented and all necessary repairs/adjustments are coordinated with the service contractor. The service contractor also both kitchen suppression systems and all fire extinguishers on campus.

Dining Facilities

University of Health Sciences and Pharmacy in St. Louis currently has two residence halls with an attached dining hall on campus. Each room has hard-wired detector that upon activation, horns and strobes will activate and an alarm will be sent to the monitoring company who will dispatch the fire department. The buildings also have sprinkler systems and fire extinguishers throughout. Kitchen extinguishing systems are also considered fixed extinguishing systems. They are used in areas that contain cooking equipment (e.g. fryers) that uses oil or grease and could be highly susceptible to fire. These systems are designed to saponify the oils/grease and cool the entire mass of oil below its auto-ignition point thus extinguishing the fire, will be inspected every 6 months by an approved outside contractor to ensure their operation is sufficient.

Reporting Fires

The University is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety, and then please call 911.

There may also be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the Office of Public Safety at Office of Public Safety. When providing notification of a fire, give as much information as possible about the location, date, time and cause of the fire.

Future Improvements

As we continue to add and upgrade our facilities, the University will continue to look at ways to improve our fire safety, including providing additional training opportunities to our community members. Currently, it has no plans for future improvements.

Fire Statistics for University of Health Sciences & Pharmacy in St. Louis

2023

No fires were reported in 2023.

2022

Reported Fires

Residential Facility	Total Number Fires
North Residence Hall	1

Additional Information about Reported Fires

Residential Facility	Cause of Fire(s)	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
North Residence Hall	Unintentional Fire/Drip pan fell from the hood and the old grease ignited causing a fire.	0	0	1

2021

No fires were reported in 2021.