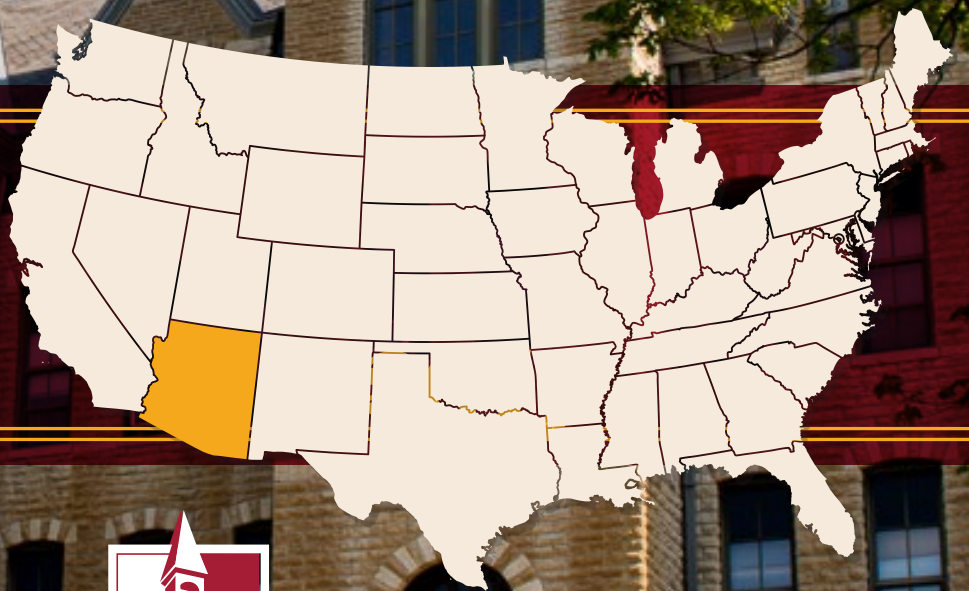
PARK UNIVERSITY

CLERY ANNUAL SECURITY REPORT

2024



ARIZONA

- Gilbert

PARK UNIVERSITY

Annual Security Report
Gilbert, AZ

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SPECIAL MESSAGE FROM PARK UNIVERSITY DIRECTOR OF CAMPUS SAFETY

Each year, Park University publishes the Annual Park University Security and Fire Safety Report in compliance with the Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act. This document, which is posted online at https://www.park.edu/about-park/campus-safety/ and is available in printed form upon request, provides local crime statistics, details the University's regulations and procedures for emergency response, and lists on- and off-campus resources for safety assistance. All colleges and universities participating in federal financial aid programs are required to share this information with the public and we are pleased to provide it beyond simply obeying the rules and hope that doing so demonstrates Park's commitment to the well-being of students, faculty and staff members, business tenants and visitors.

The annual production of the report is just one element of our larger, sustained strategy around security and safety. The University continues working to promote a safe and desirable college experience for all students, faculty and staff by constantly refining University plans for incidents such as active shooter and bomb threats through cooperative training with local police, fire and ambulance services.

The Park University Department of Campus Safety is pleased to help provide a safe academic environment that is conducive to all who call Park University home. Thank you for your interest in learning more about how the University works to provide for and improve the safety of our campus.

Park University believes in, and promotes, a campus where student safety is our primary concern. If you have any questions, please feel free to reach out to me directly.

Sincerely,

Jeffrey A. Hurley

Director of Campus Safety
Park University
Jeffrey.hurley@park.edu

Park University

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, parents, faculty and staff of Park University (the University) with information on the University's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide information that will help everyone make informed decisions related to their own safety and the safety of others.

The report is prepared by the Director of Campus Safety, along with others, 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, parents, faculty and staff 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 the Campus Safety Department at (816) 584-6444 or via email at campussafety@park.edu.

The University is committed to taking the actions necessary to provide a safe and secure learning/working environment for all students and staff. As a member of the campus community, you can feel safe and take comfort in knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Policies Concerning the Authority of Campus Safety Personnel

The Campus Safety Department (the department) is responsible for safety and security at the main Parkville, Missouri campus. The department provides security, crime prevention, and premise access control functions (electronic card access system and lock, core and key system) on the University's main campus. The department's jurisdiction covers all of the University's property including some acreage of wooded land adjacent to the campus. The department has the authority to ask persons for identification, determine whether individuals have lawful business on the institution's property and require that unauthorized persons leave the campus immediately upon request. The department also has the authority to issue parking citations and to tow vehicles that are parked illegally or constitute a safety hazard. Criminal arrests are made by the local police department because Campus Safety Officers do not themselves have arrest authority as they are not commissioned law enforcement officers. The Campus Safety Officers will, however, assist law enforcement as needed.

The property management companies of the facilities in which the other campus centers are located (not on military bases) either have agreements with persons and companies to provide security at the campus centers or are reliant on the local police departments for crime prevention, the reporting of crimes and the handling of emergencies. Please contact your Campus Center Director for more information. Campus centers on military installations are secured by the application branch of the military entity responsible for the base. While the University does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local law enforcement.

Other Officials to Whom Crimes May Be Reported (Campus Security Authorities)

The University has also designated other officials to serve as campus security authorities (CSA) on the main Parkville, Missouri campus and on the other campus centers located around the country. Reports of criminal activity can be made to these officials as well. They in turn will ensure that the crimes are reported for collection as part of the University's Annual Report of Crime Statistics. The additional campus security authorities to whom the University would prefer that crimes be reported are as follows:

1. Dr. Jayme Uden, Chief Human Resources Officer, 816-584-6595, jayme.uden@park.edu
2. Laure Christensen, Chief of Staff, 816-584-6810, laure.christensen@park.edu
3. Dr. Molly Pierson, Dean of Students, 816-584-6384, molly.pierson@park.edu
4. Bradford Peace, Director of Residence Life, 816-584-7401, Bradford.peace@park.edu
5. Ben Zibers, Associate Vice President, Gilbert Campus, 480-923-0023, bzibers@park.edu
6. Amanda Bryant, Director of Student Support, 816-584-6376, Amanda.bryant@park.edu
7. Kristin Gillette, Parkville Athletic Director, 816-584-6492, Kristin.gillette@park.edu
8. Angelique Claussen, Gilbert Athletic Director, 480-923-0017, Angelique.claussen@park.edu
9. Campus Center Directors at each of the University's campus centers located around the country.

Policies on Reporting a Crime or an Emergency

The University encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus, on other property owned by the University or on nearby public property to the appropriate administrator and appropriate police agencies. Campus Safety has a working relationship with the Parkville, Missouri Police Department and other departments where University campus centers are located. They are aware that they need to contact the Campus Safety Department in the event a crime is reported directly to them.

A report made to the University is encouraged even when the victim of a crime elects not to make an official police report or is unable to do so.

Reports should be made as follows:

1. At the main campus, a Campus Safety officer is available anytime classes are in session. The number to contact is (816) 584-6444. When no one is in the office, the phone calls automatically roll over to a cell phone carried by the on-duty Campus Safety officer. If no contact can be made with the on-duty officer, people may use the department's email, campussafety@park.edu.

2. In situations that pose imminent danger or when a crime is in progress, local law enforcement should be notified by calling 911 from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
3. Students, faculty, staff and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of University staff will assist a student in making the report to the police.
4. Anonymous incident reports can also be made by completing the University's online concern form located https://my.park.edu/ICS/Student/ConcernComplaint/.

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.

Pursuant to the University's Sexual Harassment and Sexual Misconduct (Title IX) Policy, an alleged victim of conduct that falls under that policy (e.g., sexual assault) can confidentially speak with a campus counselor, who will not report the information to the University without the victim's permission. However, if a "responsible employee" of the institution (e.g., directors, deans, vice presidents, or other administrators with supervisory responsibilities, campus security, and human resources) is informed of such conduct, they must provide the information, including the names of the parties if known, to the Title IX Coordinator for review. With the victim's permission, a report of the details of the incident can be filed without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing, and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University encourages its professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The University does not have pastoral counselors.

Security of and Access to Campus Facilities

On all campus centers, all academic buildings are secured during the evenings and weekends. Access to the buildings may be allowed for faculty/staff members and students who are accompanied by faculty/staff members. The Parkville Campus is secured 24/7 by the Campus Safety Office.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others:

1. Do not prop doors open or allow strangers into campus buildings that have been secured.
2. Do not lend keys or access cards to other students, faculty members or employees.
3. Do not give access codes to anyone who is not authorized to have such codes.

Keys to the offices and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization from a Director or higher. Each department supervisor is responsible for assuring their area is secured and locked.

Employees must adhere to policies regarding unauthorized access to school facilities, theft of, or damage to, school property, or other criminal activity. In particular, rendering inoperable or abusing any fire prevention or detection equipment is prohibited. Violation of these policies may lead to disciplinary action, up to and including termination and filing charges with local law enforcement authorities.

At some campus centers, including the Parkville campus, employee identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission. Campus Centers on military bases may require ID checks upon entry into the base. The University's Independence and Downtown Kansas City Campus Centers require persons entering the campus to sign-in.

Security Considerations in the Maintenance of Facilities

Maintenance and custodial personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells. The local fire department also checks egress lighting during their annual inspections. The Environmental Health and Safety Manager and Campus Safety Officers conduct monthly checks of emergency equipment such as elevator phones, AEDs, and fire extinguishers. For all campus centers, the building owners are responsible for the maintenance and inspection(s) of emergency equipment.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The University seeks to enhance the security of its campus centers and the members of the campus community by periodically presenting educational programs to inform students, faculty and staff about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

1. Crime prevention programs are provided regularly each academic year by the Student Activities Board and Student Services. In addition, information on crime prevention is available via e-mail blasts that are sent out periodically to students, faculty and staff with crime prevention and other safety tips.

2. The University also provides information at the beginning of each academic term to students, faculty and staff regarding the University's security procedures and practices. This information is in the form of posters and other displays, articles in the University newspaper, and e-mail blasts. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.

Monitoring Off Campus Locations of Recognized Student Organizations

The University does not have any recognized student organizations with off campus locations, therefore criminal conduct occurring at such locations is not monitored or recorded.

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 this 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 this 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.

Drug and Alcohol Use Policies

Reporting

To report illegal sale, use, or manufacture of drugs or alcohol on campus, dial extension 6444 to make an anonymous report to Public Safety. Park University recognizes that misuse of alcohol and other drugs and the unlawful possession, use or distribution of illicit drugs and alcohol pose major health problems, are potential safety and security problems, can adversely affect academic and job performance, and can generally inhibit the educational development of students.

Park University is a member institution of the network of Colleges and Universities committed to the Elimination of Drug and Alcohol Abuse. Park University is committed to the standards outlined by The Network and is in compliance with the Federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. As a result of this commitment, Park University has established regulations forbidding the unlawful manufacture, distribution, dispensing, possession, or use of illegal or illicit drugs and alcohol on the University's premises or property or as part of any University activities. These regulations shall assure that the University is in compliance with all applicable federal, state, and local statute regulations, and ordinances.

Regulations

- **The President and/or a designee may grant permission to certain University groups to serve alcohol on University property or at off-campus University-sponsored activities. In these instances, it is not a violation of this policy for students who are of legal age in the state of Missouri (currently 21 years of age) with valid identification to possess and/or consume alcohol.**
- Manufacture, use, possession or distribution of alcohol and/or illegal or illicit drugs is forbidden on the campus, in campus facilities and at University sponsored activities.
    - Cannabis is prohibited from campus and/or university events as it still remains illegal under federal law. Even if obtained through a medical provider, medical cannabis is still prohibited from campus.
- Prohibited actions of the University Drug and Alcohol Policy shall include without limitation:
    - Display and, or consumption of alcoholic beverages and, or other illegal or illicit substances on campus, in campus facilities and, or at university-sponsored activities **except for students who are of legal age in the state of Missouri (currently 21 years of age) with valid identification at events where the President or a designee has granted permission to serve alcohol on University property or at off-campus University-sponsored activities.**
    - Disruptions of other persons on the campus and/or to the residence halls by excessive noise, boisterous behavior, or violence while under the influence or impaired by alcohol and/or other illegal or illicit substances.
    - An act of violence committed while under the influence of or impaired by alcohol and/or other illegal or illicit substance.
    - Damage to University property or the property of another person while under the influence, or impaired by alcohol and/or other illegal or illicit substances.
    - Attending classes or participation in any University activities under the influence of or impaired by alcohol and/or other illegal or illicit substances

Disciplinary Actions

- Students who violate the regulations are subject to the following disciplinary sanctions as more fully set forth in the Code of Student Conduct: warning, fines and restitution, task compliance/community service, disciplinary probation, suspension, from residence, temporary suspension, suspension, dismissal. The particular disciplinary action taken may depend on the circumstances of the individual case and the judgment of appropriate University officials.
- In conjunction with or in lieu of the imposition of any of the disciplinary sanctions set forth in Section 1 herein, students may also be referred to appropriate local, state or federal law enforcement agencies for prosecution.
- In conjunction with or in lieu of any of the disciplinary sanctions set forth in Section 1 herein, students may be required to complete an appropriate counseling or rehabilitation program. All disciplinary hearings or proceedings due students charged with violations of this regulation shall be conducted in accordance with or as provided by the Code of Student Conduct.

- If and to the extent the Drug-Free Workplace, Campus and Community regulations conflict with or contradict the Code of Student Conduct, the Drug-Free Workplace, Campus and Community regulations shall control.
- In ANY case where disciplinary action is deemed necessary for misconduct, initially, the University reserves the right to impose the most severe sanction including suspension, dismissal, prosecution.

Legal Sanctions

Apart, separate and distinct from University policies, students who engage in the unlawful manufacture, distribution, dispensing, possession or use of controlled substances, illicit or illegal drugs or alcohol are subject to legal sanctions. These legal sanctions include those imposed under local and municipal ordinances, Missouri Statutes, the United States Code and other applicable, local, state and federal laws. Such sanctions could include, without limitation, fines, and imprisonment.

Health Risks

The use, misuse or abuse of illicit drugs and alcohol can lead to or result in a variety of health risks including, but not limited to, addiction or dependency, physical infirmities and trauma, mental and emotional disorders and trauma and, in some cases, harm to unborn children.

Review of Policy

The Dean of Students shall take such steps as are necessary to provide for Park University's annual or biennial review of its Drug and Alcohol Policy to determine its effectiveness, implement needed changes and ensure that disciplinary sanctions are consistently enforced.

Prevention, Counseling, Treatment and Rehabilitation Information and Resources

Students and employees with alcohol- or other drug-related concerns or problems are encouraged and, in some cases, may be required to utilize drug or alcohol abuse resources and counseling services.

Students can get referrals and assistance through the Counseling Center, calling 816-584-6237 / 816-584-6798, or emailing counselingappointments@park.edu to make an appointment.

Employees can check referral options by reviewing the Employee Assistance Program options through MyPark – Human Resource Services.

Students with alcohol or other drug related problems are encouraged and, in some cases, may be required to utilize the services of private and community agencies including those specified below.

General information:

Abuse and Mental Health Services Administration (SAMSHA)
877-SAMHSA-7 (877-726-4727)
800-487-4889 (TTY)

National Institute of Health (NIH) – National Institute on Drug Abuse (NIDA)
301-443-1124

National Institute of Health (NIH) – National Institute on Alcohol Abuse and Alcoholism
301-443-1124

DEPARTMENT OF ATHLETICS DRUG EDUCATION AND TESTING PROGRAM POLICIES AND PROCEDURES

Drug Policy

The Park University Athletics Department has a zero-tolerance policy for the use of controlled substances and performance-enhancing drugs. We believe that drug use constitutes a threat to the integrity of intercollegiate athletics and represents a danger to the health and careers of student- athletes, and unduly exposes student athletes to exploitation. Because of pressures and adulation that often accompany sports success; the Athletics Department recognizes that our student athletes may be particularly vulnerable to substance and chemical abuse. As a department, we are committed to the overall development of our student athletes and have adopted a policy and program for drug education and the prevention of drug abuse. This policy entails a comprehensive program of education, prevention, testing, and rehabilitation of student athletes engaged in the intercollegiate athletic program at Park University. The Park University Athletics Department Substance Abuse Program complies and accordance with the policies and programs of Park University, Heart of America Athletic Conference, and the NAIA. The National Center for drug free sports will provide you with confidential information concerning banned substances including dietary supplements. For information, call the resource exchange center at 816-474- 7321 or 877-202-0769. Note: Student athletes shall refrain from consumption of alcoholic beverages while representing Park University at competitive events or official social events related to such competition.

Drug Education and Testing Program Policies and Procedures

The Park University Department of Athletics has developed a program of drug education and testing aimed at the prevention of drug abuse. These policies and procedures are not to be constituted as a contract between Park University and its student-athletes. However, signed consent and notification forms shall be considered affirmation of the student-athlete's agreement to the terms and conditions contained in this policy.

Park University may amend this policy at any time, and the program is separate and distinct from the NAIA Drug-Testing Program. The program includes the education, testing, and, if necessary, rehabilitation of those student-athletes who test positive. The following is an outline of the program:

Purpose

1. To deter substance abuse among the Park University student-athlete population.
2. To identify and assist student-athletes with substance abuse problems.
3. To ensure the health and safety of all Park University student-athletes as well as the health and safety of all Park University's competitors.
4. To maintain appropriate standards of behavior and ensure the integrity of the student-athlete and Park University.
5. To ensure fair and equitable competition for all student-athletes competing in intercollegiate athletics.

Participation

1. As a condition to participate in intercollegiate athletics at Park University, every student-athlete is required to participate in the Drug Education and Testing Program.
2. Annually, all student-athletes will be required to sign an institutional consent form (Appendix A). This consent form and a full copy of these policies and procedures must be provided to the student-athlete during the recruitment process. Current student athletes should also be provided copies as part of the team handbook, provided by the program's head coach.
3. Refusal to sign the consent form will result in dismissal from further athletic participation. A student-athlete who is dismissed from athletic participation for refusing to sign a drug testing consent form will have his/her athletic related aid cancelled at the earliest possible moment consistent with Park University, conference, and NAIA regulations.

Drug Education

The Department of Athletics will conduct a mandatory drug education program at the beginning of each academic semester.

Banned Substances and Information

1. Park University Athletics will educate and test within the parameters of NAIA Banned Drug Classes (Appendix B), which can be found in the NAIA Student-Athlete Wellness Center at www.naia.org/wellness, which also includes information on the Drug Free Sport Axis, also located at www.drugfreesport.com/axis. To log in to the Drug Free Sport Axis resource center, selecting "NAIA" from the drop-down box and using the password "naialive5".

2. Further information on banned substances and dietary supplements can be located in the Axis resource center. Dietary supplements come with many health risks association with their consumption. Dietary supplements can also contain banned substances not marked on the product's label. (Park University's Policy Statement on the Use of Supplements is located in Appendix C, and the Dietary Supplement Disclosure & Review Form located in Appendix D.)
3. Park University Athletics supports and enforces the NAIA ban on tobacco use by student-athletes, coaches, and athletic personnel as per the NAIA Substance Abuse Program, Appendix T. Park University Athletics also supports and complies with local, state, and federal law as it pertains to the consumption of alcohol.
4. Drug education sessions will be required for student-athletes, coaches, and Park University Athletics administrators. You will be notified by a member of Park's athletics administration, as well as your coach, when required sessions are taking place.

Methods of Selection

1. Random Selection – Athletes will be selected randomly from all sports to undergo drug testing.
2. Re-entry Testing – A student-athlete who has had his or her eligibility to participate in intercollegiate athletics suspended as a result of a drug or alcohol violation may be required to undergo re-entry drug and/or alcohol testing prior to regaining eligibility. The Director of Athletics (or designee) shall arrange for re-entry testing after the counselor or specialist involved in the student-athlete's case indicates that re-entry into the intercollegiate athletics program is appropriate.
3. Reasonable Suspicion – A student-athlete may be chosen to undergo drug testing due to reasonable suspicion if identified by athletics administration, the sports medicine staff, coaching staff, and/or a team physician. The identification of student-athletes under reasonable suspicion should be based on objection signs of physical and behavioral changes that could be the result of using a banned substance. These objective signs may include, but should not be limited to:

   - A dramatic drop in academic performance
   - Decreased class attendance
   - Fluctuation in bodyweight
   - Acts of violence
   - An incident involving law enforcement or campus security
   - A past positive drug test - Emotional disturbances.

   A reasonable suspicion allegation must be made in writing to the Drug Program Administrator, who will present the case to the Director of Athletics. They will review the allegation, and based on its merits, decide whether the student-athlete will undergo drug testing. A Drug Testing Reasonable Suspicion Reporting Form (Appendix E) will be used in all cases of reasonable suspicion.
4. Preseason Screening – Student-athletes are subject to preseason drug testing and may be notified of such by the Director of Athletics (or designee) at any time prior to their first competition.

5. NAIA/Conference Qualifier – Park University shall have the right to test any individual athlete or team that has qualified for post season competition.
6. Team Testing – Circumstances may arise that may make it necessary for an entire athletic team to be drug tested. These circumstances may include but are not limited to: a. Pre-participation Athletic Physicals b. Suspected widespread use of banned substances (refer to process for identifying an individual for reasonable suspicion).

Notification of Selection for Testing

1. All student-athletes selected for drug testing will be notified by the Drug Program Administrator. The Drug Program Administrator will contact the student athlete by cell phone and/or text message, or home phone. A message will be left for the student-athlete during each call. If the student athlete does not return the call promptly, the coach will be contacted to help locate the student athlete. Upon this notification, the student-athlete must immediately appear in person and sign a notification form. The head coach of each student-athlete's respective sport will be notified of their selection.
2. All student-athletes will be provided information regarding the specimen collection process. Collection guidelines, provided by Drug Free Sport, can be found in Appendix F.
2. Any student-athlete who is found to have attempted to manipulate, substitute, adulterate, or intentionally dilute his or her urine will be in violation of the Park University Drug Education and Testing Program and will be sanctioned appropriately.
3. The student-athlete will be given no more than a 24-hour notice regarding selection for drug testing. There is no minimum period of time that student-athletes must be provided between notification and testing.
4. If a student-athlete does not contact the Drug Program Administrator prior to the drug testing session, THE DRUG TEST WILL BE CONSIDERED A POSITIVE TEST AND WILL COUNT AS A STRIKE AGAINST THE STUDENT-ATHLETE. If the student-athlete has an emergency and cannot be present for the drug testing collection, arrangements will be made for them to provide a specimen as soon as possible following proper notification or an alternate subject may be chosen. If proper arrangements cannot be made, the athlete may be subject to testing at a later date.
5. Refusal to sign the Drug Testing Consent Form or failure to appear for institutional drug testing will be treated as a positive test and a violation of the Park University Drug Education and Testing Program and the student-athlete will be sanctioned accordingly.

Reporting of Results

1. The Center will notify the Drug Test Program Administrator (currently Associate Athletic Director) directly of any positive test results by number code. Only at this time will the number code be broken and the student-athlete identified.
2. Upon notification of a positive test, the Drug Test Program Administrator will immediately notify the Director of Athletics and the student-athlete's head coach. All three parties will meet with the student-athlete as soon as possible after notification to discuss the next steps within the parameters of the program.

3. Confidentiality – Student-athletes can feel confident that high-level confidentiality will be observed at all times by the Park University administrators and coaches. Student-athlete information, including information on positive tests, will not be shared with non-essential personnel.

Sanctions

1. Park University has chosen to enforce a strict "two strikes" policy in relation to positive drug test results. Violations accrue over the student-athlete's entire career and remain a matter of record until the end of their career as a student athlete at Park University. Positive test results on any NAIA drug test will also be considered a violation of the Park University Drug Education and Testing Program.

   First Violation – Upon confirmation of a positive drug test for any substance banned by the NAIA the student-athlete will immediately be subject to a minimum 20 percent suspension from all team activities including practice and regular/post-season competition. In the event the student athlete is an outgoing senior and there is less than 20 percent of the competitive season remaining, they will be required to complete 40 hours of community service as directed by the Athletic Director. The student-athlete must also satisfactorily complete the criteria for successful Substance Abuse Intervention. An athlete that does not satisfactorily meet the criteria for Substance Abuse Intervention will face an indefinite suspension. A student-athlete who has a confirmed violation of the Park University Drug Education and Testing Program may also be subject to follow-up testing, at their own expense, at any time during the remainder of their athletic career at the university.

   Second Violation – Upon confirmation of a second positive drug test for any substance banned by the NAIA will result in the immediate cancellation of the student-athlete's privilege to compete in athletics at Park University. A student-athlete who is dismissed from athletic participation for a second violation of the Park University Drug Education and Testing Program will have his/her athletic grant cancelled at the earliest possible moment consistent with Park University, Conference, and NAIA regulations. The student-athlete will be encouraged to continue further counseling and to utilize available institutional resources.

   Immediate Termination from Team Membership – Any student-athlete who is convicted of trafficking and/or possession of illegal substances with the intent to distribute will immediately lose the privilege of participating in athletics at Park University upon that conviction. Upon conviction, the student-athlete will also lose any athletic grants/scholarships issued by Park University.

2. Admission – If a student-athlete admits to the use of a banned substance at any time, the student-athlete may or may not be subjected to a drug-screening test. Regardless of the result of test, if one is conducted, the admission will be treated as a positive result.

3. Tobacco/Alcohol – Park University and Park University Athletics support and uphold all NAIA policies and procedures pertaining to the use of tobacco and alcohol. The University and its athletics program also supports full compliance with local, state and federal law enforcement in the enforcement of tobacco and alcohol laws. Penalties for the use of tobacco and alcohol will be determined by the Director of Athletics, drug test program administrator and head coach. The use of alcohol and tobacco will not be penalized using the University's athletics drug testing procedures.

Substance Abuse Intervention

1. The student-athlete will be required to attend a consultation session at the Park University Counseling Center or other approved counseling facility. The professional counseling staff will make a recommendation, on a case by case basis, to the athletic department regarding adequate intervention on behalf of the student athlete. The student-athlete will be required by the athletic department to follow the intervention recommendations of the counselor, including possible referrals and the duration of intervention.
2. In the event that the dependency issues are beyond the realm of practice for the Park University Counseling Center staff or other approved counseling facility referral will be made to a chemical dependency treatment center to determine the scope of substance use. The professional counseling staff will act as liaison between the athletic department and the chosen chemical dependency treatment center.
3. If at any point during the substance abuse intervention the student athlete is found to be delinquent in their obligations the privilege to participate in athletics at Park University will be revoked. A student-athlete who is dismissed from athletic participation will have his/her athletic related aid cancelled at the earliest possible moment consistent with Park University regulations.

Appeal and Reinstatement

1. All appeals will be made directly to the Director of Athletics.
2. Student-athletes who test positive for a banned substance by the laboratory retained by the institution may, within 72 hours following receipt of notice of the laboratory finding, contest the finding. Upon the student-athlete's request for additional testing of the sample, the Director of Athletics/designee will formally request the laboratory retained by Park University to perform testing on specimen B. Specimen B findings will be final, subject to the results of any appeal. If specimen B results are negative, the drug test will be considered negative.
3. Student-athletes who test positive under the terms of this policy will be entitled to a hearing with the Director of Athletics prior to the imposition of any sanction. Requests for such a hearing must be made within forty-eight (48) hours of notification of a positive test result. If the forty-eight hours would end on a weekend, the request must be made by noon on the next business day. Requests must be in writing and received by the Director of Athletics.

The student-athlete may have an advocate or other representative present if the student so desires. However, the student-athlete must present his or her own case. The meeting should take place no more than seventy-two (72) hours after the written request is received. Either the student-athlete or the other parties involved may request an extension of time to the Director of Athletics, who will consider whether to grant the extension upon a showing of good cause.

These proceedings shall include an opportunity for the student-athlete to present evidence, as well as to review the results of the drug test. The proceedings shall be confidential. The decision by the Director of Athletics regarding the sanction to be imposed shall be final.

Safe Harbor Program

A student-athlete eligible for the Safe Harbor Program may refer himself/herself for voluntary evaluation, testing and treatment for alcohol or drug problems.

A student-athlete is not eligible to enter the Safe Harbor Program:

1. More than one (1) time,
2. After he/she has been informed of an impending drug test,
3. After documentation of a positive drug test, or
4. Thirty (30) days prior to NAIA or conference post-season competition.

Park University will work with the student to prepare a Safe Harbor treatment plan, which may include confidential drug testing. The student-athlete will be tested for banned substances upon entry into the Safe Harbor Program and such a positive initial test will not result in any administrative sanctions except those listed in this section (i.e. the team physician may suspend the student from play or practice if medically indicated). A student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period of time, not to exceed thirty (30) days, as determined by the treatment plan.

If a student-athlete is determined to have new banned substance use and/or alcohol use after the initial Safe Harbor Program test (as determined by follow-up testing), or fails to comply with the Safe Harbor Program treatment plan, the student-athlete will be removed from the Safe Harbor Program and be subject to appropriate disciplinary actions as detailed in the Park University Department of Athletics Drug Testing Policy and Procedures. Entering the Safe Harbor Program will be treated as one of the disciplinary action phases and any positive test indicating new banned substance use and/or alcohol use after the initial Safe Harbor Program test will be treated as the next subsequent positive.

While in compliance with the Safe Harbor Program treatment plan, the student-athlete will not be included in the list of students eligible for random drug testing by Park University. Students in the Safe Harbor Program may be selected for drug testing by the NAIA.

The Director of Athletics, Team Physician, Head Athletic Trainer, and the student-athlete's Head Coach may be informed of the student-athlete's participation in the Safe Harbor Program. The athletic trainer assigned to the student-athlete's sport may also be notified if medically appropriate. The assistant coaching staff may also be informed at the discretion of the Head Coach. Other University employees may be informed only the extent necessary for the implementation of this policy.

NAIA Championship Drug Testing

The National Association of Intercollegiate Athletics (NAIA) reserves the right to test any student-athlete participating in its postseason championship events. Student-athletes will be required to complete the NAIA Official Student Consent Form (Appendix I) and the NAIA Official Medical Exemption Form (Appendix J). Information on NAIA Championship Drug Testing can be found at www.naia.org/wellness.

DESCRIPTION OF THE ALCOHOL AND DRUG PROGRAM ELEMENTS

Park University strives to create programming that complements, educates, and provides awareness to the implications of AOD policy violations on the individual, community, and University level. Below is the description of the AOD specific programs conducted annually at Park.

- Resident Assistant Training regarding AOD elements specific to residential students
- First-Year Experience Mentoring regarding AOD elements specific to first-year students
- Student Organization Officer Training focused on AOD elements specific to student organizations
- Mandatory student-athlete orientation regarding AOD elements and NAIA standards of contact
- International Student Services and Admissions extended orientation regarding AOD elements focused on culture, use and policies
- Counseling Center availability for student support and information regarding AOD elements
- Distribution and implementation of the University's online magazine, Student Health 101, which provides information regarding AOD education and support resources
- On-campus events focused on AOD education and prevention

Drug and Alcohol Policies

The University is committed to creating and maintaining an environment that is free of alcohol abuse. The University prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the University's activities, unless it is done so in accordance with applicable University policies, and it also enforces the state's underage drinking laws.

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities. Violators of the University's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Drug and Alcohol Abuse Prevention Program

In compliance with the Drug Free Schools and Communities Act (DFSCA), the University has a drug and alcohol abuse and prevention program (DAAPP), which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information on the University's Drug and Alcohol Abuse Prevention Program, https://www.park.edu/about-park/campus-safety/drug-alcohol-use-policy/.

The Associate Vice President and Dean of Student Services is responsible for conducting a biennial review of the University's Drug and Alcohol Abuse Prevention Program.

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

Consistent with the requirements of applicable law, the University prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, and acts of domestic violence, dating violence, sexual violence (including sexual assault) and stalking. The University also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to these laws and university policy.

The University's Sexual Harassment and Sexual Misconduct (Title IX) Policy is used to address complaints of this nature. This policy and the procedures for filing, investigating, and resolving complaints for violations of this policy may be found at http://www.park.edu/title-ix/index.html. The University also has the Park University Student Harassment Policy which is located in the undergraduate and graduate catalogs and may be found at:

https://catalog.park.edu/content.php?catoid=9&navoid=2302#park-university-student-harassment-policy.

The following discusses the University's educational programs to promote the awareness of domestic violence, dating violence, sexual assault and stalking; provides information concerning procedures students 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. In it they are specifically advised that the University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. In that regard, students are informed of the definitions that apply within this state.

State Statutes:

Dating Violence

A good faith effort was made to identify an Arizona Statute defining dating violence and one could not be found.

Domestic Violence,13-3601:

A. "Domestic violence" means any act that is a dangerous crime against children as defined in section 13-705 or an offense prescribed in section 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:

1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.

2. The victim and the defendant have a child in common.

3. The victim or the defendant is pregnant by the other party.

4. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.

5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.

6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:

(a) The type of relationship.

(b) The length of the relationship.

(c) The frequency of the interaction between the victim and the defendant.

(d) If the relationship has terminated, the length of time since the termination.

B. A peace officer, with or without a warrant, may arrest a person if the officer has probable cause to believe that domestic violence has been committed and the officer has probable cause to believe that the person to be arrested has committed the offense, whether the offense is a felony or a misdemeanor and whether the offense was committed within or without the presence of the peace officer. In cases of domestic violence involving the infliction of physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument, the peace officer shall arrest a person who is at least fifteen years of age, with or without a warrant, if the officer has probable cause to believe that the offense has been committed and the officer has probable cause to believe that the person to be arrested has committed the offense, whether the offense was committed within or without the presence of the peace officer, unless the officer has reasonable grounds to believe that the circumstances at the time are such that the victim will be protected from further injury. Failure to make an arrest does not give rise to civil liability except pursuant to section 12-820.02. In order to arrest both parties, the peace officer shall have probable cause to believe that both parties independently have committed an act of domestic violence. An act of self-defense that is justified under chapter 4 of this title is not deemed to be an act of domestic violence. The release procedures available under section 13-3883, subsection A, paragraph 4 and section 13-3903 are not applicable to arrests made pursuant to this subsection.

C. A peace officer may question the persons who are present to determine if a firearm is present on the premises. On learning or observing that a firearm is present on the premises, the peace officer may temporarily seize the firearm if the firearm is in plain view or was found pursuant to a consent to search and if the officer reasonably believes that the firearm would

expose the victim or another person in the household to a risk of serious bodily injury or death. A firearm that is owned or possessed by the victim shall not be seized unless there is probable cause to believe that both parties independently have committed an act of domestic violence.

D. If a firearm is seized pursuant to subsection C of this section, the peace officer shall give the owner or possessor of the firearm a receipt for each seized firearm. The receipt shall indicate the identification or serial number or other identifying characteristic of each seized firearm. Each seized firearm shall be held for at least seventy-two hours by the law enforcement agency that seized the firearm.

E. If a firearm is seized pursuant to subsection C of this section, the victim shall be notified by a peace officer before the firearm is released from temporary custody.

F. If there is reasonable cause to believe that returning a firearm to the owner or possessor may endanger the victim, the person who reported the assault or threat or another person in the household, the prosecutor shall file a notice of intent to retain the firearm in the appropriate superior, justice or municipal court. The prosecutor shall serve notice on the owner or possessor of the firearm by certified mail. The notice shall state that the firearm will be retained for not more than six months following the date of seizure. On receipt of the notice, the owner or possessor may request a hearing for the return of the firearm, to dispute the grounds for seizure or to request an earlier return date. The court shall hold the hearing within ten days after receiving the owner's or possessor's request for a hearing. At the hearing, unless the court determines that the return of the firearm may endanger the victim, the person who reported the assault or threat or another person in the household, the court shall order the return of the firearm to the owner or possessor.

G. A peace officer is not liable for any act or omission in the good faith exercise of the officer's duties under subsections C, D, E and F of this section.

H. Each indictment, information, complaint, summons or warrant that is issued and that involves domestic violence shall state that the offense involved domestic violence and shall be designated by the letters DV. A domestic violence charge shall not be dismissed or a domestic violence conviction shall not be set aside for failure to comply with this subsection.

I. A person who is arrested pursuant to subsection B of this section may be released from custody in accordance with the Arizona rules of criminal procedure or any other applicable statute. Any order for release, with or without an appearance bond, shall include pretrial release conditions that are necessary to provide for the protection of the alleged victim and other specifically designated persons and may provide for additional conditions that the court deems appropriate, including participation in any counseling programs available to the defendant.

J. When a peace officer responds to a call alleging that domestic violence has been or may be committed, the officer shall inform in writing any alleged or potential victim of the procedures and resources available for the protection of the victim including:

1. An order of protection pursuant to section 13-3602, an injunction pursuant to section 25-315 and an injunction against harassment pursuant to section 12-1809.

2. The emergency telephone number for the local police agency.

3. Telephone numbers for emergency services in the local community.

4. Websites for local resources related to domestic violence.

K. A peace officer is not civilly liable for noncompliance with subsection J of this section.

L. If a person is convicted of an offense involving domestic violence and the victim was pregnant at the time of the commission of the offense, at the time of sentencing the court shall take into consideration the fact that the victim was pregnant and may increase the sentence.

M. An offense that is included in domestic violence carries the classification prescribed in the section of this title in which the offense is classified. If the defendant committed a felony offense listed in subsection A of this section against a pregnant victim and knew that the victim was pregnant or if the defendant committed a felony offense causing physical injury to a pregnant victim and knew that the victim was pregnant, the maximum sentence otherwise authorized for that violation shall be increased by up to two years.

N. When a peace officer responds to a call alleging that domestic violence has been or may be committed, the officer shall determine if a minor is present. If a minor is present, the peace officer shall conduct a child welfare check to determine if the child is safe and if the child might be a victim of domestic violence or child abuse.

Aggravated domestic violence, 13-3601.02:

A. A person is guilty of aggravated domestic violence if the person within a period of eighty-four months commits a third or subsequent violation of a domestic violence offense or is convicted of a violation of a domestic violence offense and has previously been convicted of any combination of convictions of a domestic violence offense or acts in another state, a court of the United States or a tribal court that if committed in this state would be a violation of a domestic violence offense.

B. A person who is convicted under this section and who within a period of eighty-four months has been convicted of two prior violations of a domestic violence offense or acts in another state, a court of the United States or a tribal court that if committed in this state would be a domestic violence offense is not eligible for probation, pardon, commutation or suspension of sentence or release on any other basis until the person has served not less than four months in jail.

C. A person who is convicted under this section and who within a period of eighty-four months has been convicted of three or more prior violations of a domestic violence offense or acts in another state, a court of the United States or a tribal court that if committed in this state would be a domestic violence offense is not eligible for probation, pardon, commutation or suspension of sentence or release on any other basis until the person has served not less than eight months in jail.

D. The dates of the commission of the offenses are the determining factor in applying the eighty-four month provision in subsection A of this section regardless of the sequence in which the offenses were committed. For purposes of this section, a third or subsequent violation for which a conviction occurs does not include a conviction for an offense arising out of the same series of acts.

E. For the purposes of this section, prior convictions for misdemeanor domestic violence offenses apply only to convictions for offenses that were committed on or after January 1, 1999.

F. Aggravated domestic violence is a class 5 felony.

G. For the purposes of this section, "domestic violence offense" means an offense involving domestic violence as defined in section 13-3601.

Stalking, 13-2923:

A. A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:

1. Suffer emotional distress or reasonably fear that either:

(a) The victim's property will be damaged or destroyed.

(b) Any of the following will be physically injured:

(i) The victim.

(ii) The victim's family member, domestic animal or livestock.

(iii) A person with whom the victim has or has previously had a romantic or sexual relationship.

(iv) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

2. Reasonably fear death or the death of any of the following:

(a) The victim's family member, domestic animal or livestock.

(b) A person with whom the victim has or has previously had a romantic or sexual relationship.

(c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

B. This section does not apply to an interactive computer service, as defined in 47 United States Code section 230(f)(2), or to an information service or telecommunications service, as defined in 47 United States Code section 153, for content that is provided by another person.

C. Stalking under subsection A, paragraph 1 of this section is a class 5 felony. Stalking under subsection A, paragraph 2 of this section is a class 3 felony.

D. For the purposes of this section:

1. "Course of conduct":

(a) Means directly or indirectly, in person or through one or more third persons or by any other means, to do any of the following:

(i) Maintain visual or physical proximity to a specific person or direct verbal, written or other threats, whether express or implied, to a specific person on two or more occasions over a period of time, however short.

(ii) Use any electronic, digital or global positioning system device to surveil a specific person or a specific person's internet or wireless activity continuously for twelve hours or more or on two or more occasions over a period of time, however short, without authorization.

(iii) Communicate, or cause to be communicated, on more than one occasion words, images or language by or through the use of electronic mail or an electronic communication that is directed at a specific person without authorization and without a legitimate purpose.

(b) Does not include constitutionally protected activity or other activity authorized by law, the other person, the other person's authorized representative or if the other person is a minor, the minor's parent or guardian.

2. "Emotional distress" means significant mental suffering or distress that may, but does not have to, require medical or other professional treatment or counseling.

Sexual Assault, 13-1406:

A. A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

B. Sexual assault is a class 2 felony, and the person convicted shall be sentenced pursuant to this section and the person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by section 31-233, subsection A or B until the sentence imposed by the court has been served or commuted. If the victim is under fifteen years of age, sexual assault is punishable pursuant to section 13-705. The presumptive term may be aggravated or mitigated within the range under this section pursuant to section 13-701, subsections C, D and E. If the sexual assault involved the intentional or knowing administration of flunitrazepam, gamma hydroxy butyrate or ketamine hydrochloride without the victim's knowledge, the presumptive, minimum and maximum sentence for the offense shall be increased by three years. The additional sentence imposed pursuant to this subsection is in addition to any enhanced sentence that may be applicable. The term for a first offense is as follows:

Minimum Presumptive Maximum

5.25 years 7 years 14 years

The term for a defendant who has one historical prior felony conviction is as follows:

Minimum Presumptive Maximum

7 years 10.5 years 21 years

The term for a defendant who has two or more historical prior felony convictions is as follows:

Minimum Presumptive Maximum

14 years 15.75 years 28 years

C. The sentence imposed on a person for a sexual assault shall be consecutive to any other sexual assault sentence imposed on the person at any time.

D. Notwithstanding section 13-703, section 13-704, section 13-705, section 13-706, subsection A and section 13-708, subsection D, if the sexual assault involved the intentional or knowing infliction of serious physical injury, the person may be sentenced to life imprisonment and is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis except as specifically authorized by section 31-233, subsection A or B until at least twenty-five years have been served or the sentence is commuted. If the person was at least eighteen years of age and the victim was twelve years of age or younger, the person shall be sentenced pursuant to section 13-705.

Violent Sexual Assault, 13-1423

A. A person is guilty of violent sexual assault if in the course of committing an offense under section 13-1404, 13-1405, 13-1406 or 13-1410 the offense involved the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or involved the intentional or knowing infliction of serious physical injury and the person has a historical prior felony conviction for a sexual offense under this chapter or any offense committed outside this state that if committed in this state would constitute a sexual offense under this chapter.

B. Notwithstanding section 13-703, section 13-704, section 13-705, section 13-706, subsection A and section 13-708, subsection D, a person who is guilty of a violent sexual assault shall be sentenced to life imprisonment and the court shall order that the person not be released on any basis for the remainder of the person's natural life.

Rape

The crime of rape is included in the statute regarding sexual assault.

Fondling

The crime of fondling is included in the statute regarding sexual abuse.

Incest, 13-3608:

Persons who are eighteen or more years of age and are within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who knowingly intermarry with each other, or who knowingly commit fornication or adultery with each other are guilty of a class 4 felony.

Statutory Rape

The crime of statutory rape is included in the statute regarding sexual assault.

Consent (as it relates to sexual activity), 13-1401:

7. "Without consent" includes any of the following:

(a) The victim is coerced by the immediate use or threatened use of force against a person or property.

(b) The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, "mental defect" means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.

(c) The victim is intentionally deceived as to the nature of the act.

(d) The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

In addition to the definition of consent under state law, the University uses the following definition of consent in its sexual misconduct policies for the purpose of determining whether sexual violence (including sexual assault) has occurred.

For individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you do not. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence-- without actions demonstrating permission--cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a “No.”

Clery Act Definitions

The definitions of the offenses of sexual assault, dating violence, domestic violence, and stalking used in reporting Clery Act crimes in the annual statistics are different than what is found in state law. These definitions of dating violence, domestic violence, and stalking comes from the Violence Against Women Act (VAWA), and the definition of sexual assault comes from the FBI’s UCR program and which can be found in Appendix A of 34 C.F.R. 668. The University’s definitions for purposes of reporting Clery Act crimes are listed in Appendix A.

Reducing Risk

The Primary Prevention and Awareness Program includes instruction on how to avoid becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction.

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

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.

- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower you 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
- Do not make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider "mixed messages" a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Do not take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, do not be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation (slurred speech, staggering, etc.)

It is also important to be aware of the warning signs of an abusive person:

- Past abuse
- Threats of violence or abuse
- Breaking objects
- Using force during an argument
- Jealousy
- Controlling behavior
- Quick involvement
- Unrealistic expectations
- Isolation
- Blames others for problems
- Hypersensitivity
- Cruelty to animals or children
- "Playful" use of force during sexual activity
- Jekyll-and-Hyde personality

Primary Prevention and Awareness Program instruction also includes encouraging individuals to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

- Look out for those around you.

- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, do not hesitate to contact the police.

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.

Bystander Intervention

The Clery Act defines bystander intervention as, "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." (34 CFR 668.46(j)(2)(ii)).

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. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911.This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.
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.

- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior or experience with stalking.
- Refer people to on and off-campus resources for support in health, counseling or legal assistance.

Ongoing Prevention and Awareness Program

The University also conducts an Ongoing Prevention and Awareness Campaign aimed at all students and employees. This campaign covers the same material as provided in the Primary Prevention and Awareness Program, 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.

Park University's OPAC has in place, online, mandatory Title IX training for all students, staff, and faculty. For the students, this training is provided every semester for newly arriving students. The list is purged for students that may have already received the training. New staff and faculty members are trained when on-boarded to the university.

Freshman and transfer students receive information on a wide variety of topics during their orientation phase. including sexual harassment and sexual assault information. Students also receive a Parkville campus map indicating where to find the campus emergency phone.

Additionally, the University has formed the Culture of Respect Campus Leadership Team which develops and implements education and safety programs for the University's Sexual Assault Awareness Week during the spring semester and Sexual Assault Awareness Month during the fall semester.

The Campus Safety Department provides its staff and Campus Security Officers (CSOs) with safety training on a variety of campus safety related topics on an annual basis. The required training is planned and carried out in conjunction with the Health and Environmental Safety Manager, Facilities and local agencies such as the Fire Department and Parkville, Missouri Police Department.

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

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call 911 if it is an emergency. You can also call the Campus Safety Office at (816) 584-6444. At the earliest opportunity, you should also contact the University's Title IX Coordinator, Dr. Jayme Uden, at (816) 584-6595 or (816) 505-5456. You may also call Emily Sallee, Associate Provost at (816) 584-6779. Victims will be notified in writing of the applicable procedures, including the following:

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. To that end, keep in mind the following:
    a. You should not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
    b. Don't bathe, wash, or otherwise clean the environment in which the assault occurred.
    c. You can obtain a forensic examination at:

        Gilbert – Mesa Family Advocacy Center, 130 N. Robson, Mesa, AZ 85201, (480) 644-4075.

    d. 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.
    e. Evidence in electronic formats should also be retained e.g., text messages, emails, photos, social media posts, screenshots, etc.

f. Victims of stalking should also preserve evidence of the crime to the extent possible.

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 university is obligated to comply with such a request if it is made)
   c. the option to decline to notify such authorities.

To make a police report, a victim should contact one of the local police agencies listed throughout this policy either by phone or in-person. The victim should provide as much information as possible, including the name, address, and when and what occurred, to the best of the victim's ability.

In most states and under certain circumstances, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Adult Orders of Protection may be found at:

Additional information – Arizona Supreme Court Domestic Violence Web Page at https://www.azcourts.gov/domesticviolencelaw/
Domestic Violence Information – https://www.emergecenter.org/

When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The university will also enforce any temporary restraining order or other no-contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the university and can be enforced on campus, if necessary. Upon learning of any orders, the university will take all reasonable and legal action to implement the order.

The university does not issue legal orders of protection. However, as a matter of institutional policy, the university may impose a no-contact order between individuals in appropriate circumstances. The university may also issue a "no trespass warning" if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services

Whenever an individual reports a sexual assault, incident of dating violence, domestic violence, or stalking, the written explanation of the reporting party's rights and options provided by the university will include information on the following resources in the reporting student's area.

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:

Counseling, Mental Health and Victim Advocacy Services:

1. Park University Counseling
   8700 NW River Park Dr., Parkville, MO 64152
   (816) 584-6237 or (816) 584-6798
   http://www.park.edu/counseling-center/index.html
2. National Domestic Violence Hotline at 1-800-799-7233
3. National Sexual Assault Hotline at 1-800-656-4673
4. Metro Council of Community Mental Health Centers

   https://mentalhealthkc.org/

Health Services

1. Park University Student Health Services (listing numerous resources not listed herein)
   8700 NW River Park Dr., Parkville, MO 64152
   http://www.park.edu/student-health-services/index.html
2. Pima County – Health Services Resources
   http://webcms.pima.gov/health/
3. Maricopa County -Health Services Resources
   https://www.findhelpphx.org/

Legal Assistance

1. Legal Aid of Arizona
   3003 N Central Ave, Phoenix, AZ 85012
   (480) 658-2552
   http://legalaidaz.com/
2. Southern Arizona Legal Aid, Inc.
   2343 E Broadway Blvd #200, Tucson, AZ 85719
   (520) 623-9465
   http://www.sazlegalaid.org/
3. Arizona Community Legal Services
   https://clsaz.org/
4. State Bar of Arizona (guidance on legal assistance)
   https://www.azbar.org/for-the-public/legal-help-education/legal-aid-resources/

Accommodation 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 and/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. Requests of this nature should be made to the Associate Vice President and Dean of Student Services at (816) 584-6495 or (816) 505-5456. The Associate Vice President and Dean of Student Services is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the Associate Vice President and Dean of Student Services may consider, among other factors, the following:

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

The University will maintain as confidential any accommodations or protective measures provided to 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 to implement the accommodation or protective measure. Such decisions will be made by the Associate Vice President and Dean of Student Services in light of the surrounding circumstances. 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 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

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the University's Policy Regarding Sexual Harassment and Sexual Misconduct, the University Student Conduct Code or the Park University Student Harassment Policy. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

The complaint resolution procedures are invoked once a report is made to one of the following individuals:

Title IX Coordinator
Dr. Jayme Uden
Human Resources Manager
816-584-6495
MacKay Hall, Parkville, MO campus
jayme.uden@park.edu

Deputy Title IX Coordinator – Faculty/Staff
Dr. Emily Sallee
Associate Provost, Academic Affairs
816-584-6779
MacKay Building, 2nd Floor
Emily.sallee@park.edu

Deputy Title IX Coordinator

Mr. James Nelson
Associate Vice President, ITS
816-584-6548
James.nelson@park.edu

Deputy Title IX Coordinator
Dr. Molly Pierson
Dean of Students
816-584-6384
Molly.pierson@park.edu

An electronic form may also be used and is available at:

http://www.park.edu/current-students/sexual-harrassment-form.html

Once a formal complaint is made, the Title IX Coordinator or Deputy Coordinators will provide notice to the parties of receipt of the formal complaint and available University resources and assistance, including a description of the process to be utilized, the identities of the parties, the conduct at issue, the potential policy violations being investigated, and the date and location of the alleged incident.

The parties may agree to an informal resolution, unless the complaint alleges that a University employee sexually harassed a student. Informal resolutions will be concluded within 45 days. If the parties fail to completely resolve the allegations through informal resolution, then the formal process will resume.

If a Formal Complaint is dismissed under Title IX, the University may still investigate a Formal Complaint for allegations of Sexual Harassment under the Policy Regarding Sexual Harassment and Sexual Misconduct.

In the context of a formal investigation, the respondent will be allowed reasonable time after receiving notice to respond in writing and through an interview with the investigator. The parties may present any information, evidence, or names of any fact or expert witnesses that may be relevant to the Formal Complaint in the course of the investigation, and may have an advisor of their choice attend any related interview, meeting, or proceeding in the Complaint Resolution Process. Advisors are not permitted to actively participate in meetings or proceedings in the Complaint Resolution Process, unless explicitly allowed to under the Policy. The parties may submit to the investigator any questions they would like asked of any known potential witnesses or parties.

The investigator will interview relevant and available witnesses. The University is committed to providing prompt, fair, and impartial investigation and resolution of reports of violations of this policy, and therefore will aim to complete the investigation of a Formal Complaint within 90 days of the filing of a Formal Complaint.

Prior to the completion of the investigation report, the investigator will provide access to all evidence obtained (whether relevant or not) as part of the investigation to both parties (and the party's advisor, if any, upon a party's signed information release for their advisor of choice). Both parties will have 10 days to inspect, review, and respond to the evidence. All responses to the evidence must be submitted by the party in writing to the investigator. Advisors are not permitted to submit written responses to the evidence on their own or on behalf of the party they are advising. The investigators will consider all timely responses submitted by the parties.

The Investigator will prepare a draft investigative report and provide it contemporaneously to each of the parties and each party's advisor, if any, upon a party's signed information release for their advisor of choice. The parties will then have 10 days in which to provide a written response to the draft investigative report, which the investigator will consider prior to completing the investigative report. At least 10 days prior to the date of the scheduled hearing, the investigator must provide the final investigative report concurrently to all parties and each party's advisor, if any, upon a party's signed information release for their advisor of choice. The parties thus have the opportunity to review the investigative report and provide a written response prior to or at the hearing. A copy of the completed investigative report also will be provided to the Title IX Coordinator, and to the Hearing Officer(s) assigned for the hearing.

Unless a Formal Complaint is dismissed or the parties reach an informal resolution, the University will hold a live hearing. The University will provide at least 10 days' written notice to participants of the hearing (and the participants' advisors, if any, upon a participant's signed information release for their advisor of choice), including the date, time, location, names of all participants of the hearing (including the Hearing Officer(s), and all parties and participants in the investigation report), purpose of the hearing, a statement of the alleged conduct charges, and a summary statement of the evidence gathered.

Either party may challenge the fairness, impartiality or objectivity of a Hearing Officer through submission of a written statement to the office coordinating the hearing within 4 days of receiving notice of the identity of the Hearing Officer and must state the reasons for the challenge. The Hearing Officer will be the sole judge of whether he or she can serve with fairness, impartiality, and objectivity. In the event that the Hearing Officer recuses themselves, an alternative Hearing Officer will be assigned in accordance with the institution's procedures.

When a panel of three (3) Hearing Officers is used, one Hearing Officer will be designated as the Hearing Chair. The Hearing Chair will rule on all procedural matters and on objections to exhibits or testimony of participants at the hearing. If a single Hearing Officer is used, as may be the case for certain Complaint Resolution Process hearings based on Hearing Officer availability or straightforward nature of the issues, then no Hearing Chair needs to be appointed, and the single Hearing Officer will rule on all procedural matters and on objections regarding exhibits and testimony of participants at the hearing. All Hearing Officers, including the Hearing Chair, may question participants who testify at the hearing, and are entitled to have the advice and assistance of outside legal counsel.

Each party may have an Advisor of their choice at the hearing. If a party does not have an Advisor, the University will provide one. Advisors are not permitted to actively participate in the hearing, except for asking questions of the other party and any other witnesses. In addition, witnesses may have an Advisor of their choice at the hearing.

All Complaint Resolution Processes will use the preponderance of the evidence standard.

The Hearing Officer(s) will send a copy of the written determination concurrently to the parties, the Associate Vice President and Dean of Students (for student Respondents) or appropriate

administrator (for employee Respondents), and the Title IX Coordinator. The written determination must include the following:

1. The conduct alleged to constitute prohibited conduct under this Policy.
2. A description of the procedural history of the Complaint Resolution Process.
3. The findings of fact supporting the Hearing Officer(s)'s determination.
4. The conclusion(s) and a rationale as to whether the Respondent is responsible for each allegation.
5. The disciplinary sanctions, if applicable.
6. The remedies, if applicable, designed to restore the Complainant's access to the education program or activity; and (g) The University's appeal procedures and grounds for appeal.

Either party may appeal in writing to the Hearing Officer(s)'s determination regarding a Respondent's responsibility under the Complaint Resolution Process or from the University's dismissal of a Formal Complaint (or any allegations in the Formal Complaint) within 10 days of notification of such a determination. The Appeals Hearing Officer must not be the same person as the Title IX Coordinator, investigator(s), or Hearing Officer(s) in the Complaint Resolution Process. Both parties will be notified in writing when an appeal is filed and the appeal procedures will apply equally for both parties. Any non-appealing party (or the University) will have 7 days from the notification of an appeal to submit a written statement in support of the outcome. The decision-maker on the appeal will release a written decision within 21 days from the date of the appeal. The Appeals Hearing Officer will release a written decision within 21 days from the date of the appeal.

Note that for Formal Complaints where the Respondent is a student at the time of the alleged conduct, and the alleged conduct does not include Sexual Harassment under Title IX, all of the above procedures apply except that the completed investigation report will include a preliminary determination regarding the responsibility of the Respondent for each allegation, the findings of fact supporting the investigator's determination, and the rationale for the determination for each allegation. The completed investigation report and determination regarding responsibility will be referred to the Student Conduct Process.

The Student Conduct Officer will conduct an independent review of the investigation report, and will:

- Accept the preliminary determination regarding responsibility of the Respondent, and either dismiss the case or proceed to adjudication (if applicable);
- Amend the preliminary determination regarding responsibility of the Respondent, and proceed to adjudication (if applicable); or
- Remand the process back to the investigation stage to address an investigation concern.

Where responsibility finding(s) proceed to the adjudication stage, the Respondent and Complainant may elect one of the following options: (1) Agree to the determination of responsibility for each of the applicable allegations, the sanctions, and remedies outlined in an administrative disposition, and waive the option of a hearing; (2) Agree to the determination of responsibility for each of the applicable allegations, appeal (in writing) the sanctions and/or remedies outlined in the administrative disposition, and waive the option of a hearing; or (3) Select a live hearing where the determination regarding responsibility of the Respondent will be made by a Hearing Officer. If either party chooses option 3, then a live hearing must be initiated

for the adjudication of the conduct allegations, as outlined above. If either party chooses option 2, then any party choosing option 2 may appeal the sanctions and/or remedies outlined in the administrative disposition, using the Appeals process outlines above. The finding of responsibility may not be appealed by either party unless the parties elect to have a live hearing under option 3.

If both parties select option 1, then the administrative disposition will be final and there will not be any subsequent adjudication proceedings regarding the allegations. If a live hearing is selected for adjudication, the hearing procedures set forth above will apply.

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 the following:

1. A prompt, fair and impartial process from the initial investigation to the final result that is:
    - completed within reasonably prompt timeframes designated by the university'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;
    - 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; and
    - 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 domestic violence, dating violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. It is the University's goal that all Title IX coordinators, Title IX investigators and Campus Security Authorities complete annual training, updates, and education on a variety of sexual assault and harassment topics, including education on how training and education should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. 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 university may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
3. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.

4. 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 of Domestic Violence, Dating Violence, Sexual Assault or Stalking Offenses

Following a final determination in the University's disciplinary proceeding that domestic violence, dating violence, sexual assault, or stalking has been committed, the University may impose a sanction depending on the mitigating and aggravating circumstances involved.

Student sanctions include verbal warnings, reflection and educational assignments, activity or location restrictions, restitution; fine; loss of privileges; housing probation; temporary or permanent suspension; expulsion; and/or restriction on eligibility to represent the University at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. Following a suspension, a student will be required to meet with the Associate Vice President and Dean of Student Services to discuss re-entry and expectations going forward.

Employees' sanctions include verbal warnings, written warning, final written warning, termination, reassignment of duties, and suspension with or without pay. An employee may be suspended for any length of time determined appropriate by the Chief Human Resources Officer. Following a suspension, an employee will be required to meet with the Chief Human Resources Officer to discuss re-entry and expectations going forward.

Other remedial steps may include counseling, academic, transportation, work, or living accommodations for the complainant or separation of the parties, and training for the respondent and other persons. The University will consider the concerns and rights of both the complainant and the respondent.

The University may take any further protective action that it deems appropriate concerning the interaction of the parties pending the investigation including directing appropriate university officials to alter academic, housing, and/or university employment arrangements, together with such other protections as the Title IX Coordinator/Deputy Coordinator deems appropriate.

Consistent with Title IX regulations, when taking steps to separate the complainant and the respondent, the University will minimize the burden on the complainant and will not, as a matter of course, remove the complainant from his or her classes, housing, or employment while allowing the respondent to remain. Violations of the Title IX Coordinator/Deputy Coordinator's directive and/or protective actions will constitute separate violations of the University's Sexual Misconduct Policy that may lead to additional disciplinary action. The University will consider the concerns and rights of both the complainant and the respondent.

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 domestic violence, dating 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 domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the university will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

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 Title IX Coordinator at (816) 584-6386. State registry of sex offender information may be accessed at the following link: https://az.gov/directory/service/search-sex-offender

Emergency Response and Evacuation Procedures

Timely Warning

In the event of criminal activity occurring either on campus, at a campus center, or off campus and the Campus Safety Department, the President's Office, and/or Campus Center Operations and the Campus Center Directors decide that the activity constitutes a serious or continuing threat to members of the campus community, a campus-wide "timely warning" will be issued.

Examples include a sudden increase of motor vehicle thefts or sexual assaults in the area that merit a warning to the community.

This warning will be communicated to students and employees via the University's mass notification software, E2 Campus. Students and employees may opt in to receive messages sent by the University to provide timely warnings and traffic flow or weather-related issues. Instructions to sign-up for this notification system may be found at www.Park.edu/mypark.

Warning updates will be provided as appropriate. Anyone with information warranting a timely warning should immediately report the circumstances to:

- Campus Safety, 816-584-6444
- The Campus Center Director (found in the undergraduate catalog) responsible for your campus.

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

Emergency Response Procedures

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 Campus Safety at 816-584-6444 of situations that pose such a threat.

The Director of Campus 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 Director of Campus Safety will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The Chief of Staff, in collaboration with other appropriate personnel (including all executive staff), 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 Associate Vice President for University Engagement will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

This warning will be communicated to students and employees via the University's mass notification software, E2 Campus, which notifies registered constituents via text, voice, email and social media. Students and employees may opt in to receive messages sent by the University to provide timely warnings and traffic flow or weather-related issues. The form to sign-up for this notification system may be found at www.Park.edu/mypark. After registering, please verify that you are signed up to the proper group(s) by selecting one or more of the campus centers.

- Note for those in the Kansas City area --- It is highly recommended that you choose at least one campus (Parkville, Downtown Kansas City, Independence and/or Lenexa) AND the "All Kansas City Area Campuses" group.

If deemed necessary, the University's Chief of Staff 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. This will also be coordinated between Campus Safety and the Associate Vice President of University Engagement.

The University periodically tests its emergency response and evacuation procedures. The tests may be announced or unannounced. Also, at various times, the Emergency Management Team will meet to train and test and evaluate the University's emergency response plan. In addition, periodic active shooter scenarios will be conducted with Parkville Police Department to include lockdown procedures.

Fire

Fire spreads quickly; there is no time to gather valuables or make a phone call. In just two minutes, a fire can become life-threatening. In five minutes, a building can be engulfed in flames.

Heat and smoke from fire can be more dangerous than the flames. Fire produces poisonous gases that make you disoriented and drowsy. Asphyxiation is the leading cause of fire deaths, exceeding burns by a three-to-one ratio.

In the event of a fire, alarms will sound in the building where the fire is involved. If you discover a fire, call Campus Safety at (816) 584-6444 (ext. 6444 from campus phones), then follow these instructions:

- Listen to and follow and directions from responding emergency personnel.
- If evacuation becomes necessary, follow the evacuation procedures.
- If you are away from your workstation, do not attempt to return for personal items.
- If your clothes catch on fire, you should “Stop, drop, and roll” until the fire is extinguished. Running only makes the fire burn faster.

To escape a fire, you should:

- Check closed doors for heat before you open them. If you are escaping through a closed door, use the back of your hand to feel the top of the door, the doorknob and the crack between the door and door frame before you open it. Never use the palm of your hand or fingers to test for heat — burning those areas could impair your ability to escape a fire.
- If the door is hot, do not open it! Escape through a window. If this is not possible, hang a white or light-colored sheet outside the window to alert emergency personnel of your presence.
- If the door is cool, open it slowly and ensure fire and/or smoke is not blocking your escape route. If your route is blocked, shut the door immediately and use an alternate escape route. If it is clear, leave immediately and close the door behind you. Be prepared to crawl as smoke and heat rise. The air is clearer and cooler near the floor.

Earthquake

One of the most frightening and destructive phenomena of nature are earthquakes. They can strike suddenly, normally without warning, at any time of the day or night.

If an earthquake occurs:

- Stay inside. Do not leave the building until the shaking has stopped and it is safe to leave.
- Do not use the elevator.
- Stay clear of windows or areas of glass, and anything that could fall, such as lighting fixtures.
- Take cover under a sturdy table or other pieces of furniture and hold on until the shaking stops. If there isn’t a table or desk near you, cover your head and crouch in an inside corner of the building.

- After the earthquake, follow the evacuation procedures set forth for the building.
- Do not re-enter the building until you are cleared to do so by the security coordinator.
- If you are outside, stay clear of buildings, utility lines, trees and poles. Lie flat, face down, and wait for the shocks to subside.

If you do get trapped under debris:

- Do not use matches or lighters.
- Do not move about or kick up dust.
- Cover your mouth with a handkerchief or clothing.
- Tap on a pipe or a wall so rescuers can locate you. Shout only as a last resort as it can cause you to inhale dangerous amounts of dust.

After the earthquake is over:

- Expect aftershocks. These secondary shockwaves are usually less violent than the main quake but can be strong enough to do additional damage. These can occur in the first hours or even months after the quake.
- Listen to a battery-operated radio or television for the latest emergency information. Use the telephone only for emergency calls.
- Stay away from damaged areas unless your assistance has been specifically requested by emergency personnel.
- Help injured or trapped persons and give first aid where appropriate. Do not move seriously injured persons unless they are in immediate danger of further injury.
- Clean up flammable liquids immediately and leave the area if you smell gas or fumes from other chemicals.

Tornado

In the event of a tornado, the National Weather Service will issue a tornado warning and tornado sirens will be activated.

If you are inside when a tornado warning is issued:

- Move to the building's designated shelter, usually located on the lowest level of the building, or move to a small interior room or hallway on the lowest floor and get under a sturdy piece of furniture. Put as many walls as possible between you and the outside.
- Stay away from windows and do not open them.
- Do not use the elevators.
- Do not evacuate, unless instructed to do so. If instructed to do so, follow evacuation procedures.

If you are outside when a tornado warning is issued:

- Get out of automobiles. Do not try to outrun a tornado in your car; instead, leave it immediately for safe shelter.
- Lie flat in a nearby ditch or depression and cover your head with your hands.
- Do not get under an overpass or bridge. You are safer in a low, flat location.

Injury – First Aid

Call Campus Safety, (816) 584-6444 (ext. 6444 from campus phones) immediately to report the location and extent of injuries.

- To avoid exposure to blood and fluids, use latex gloves if possible.
- If severe bleeding exists, keep the victim sitting or lying down and use direct pressure on the wound to control bleeding.
- If direct pressure isn't working, apply pressure to points between the wound and the heart, and elevate the wound to a level above the heart.
- When bleeding is controlled, clean the wound and apply a dressing.
- If the wound is severe or the victim has large blood loss, have the victim lie down and elevate the feet if possible.
- Keep the victim covered.
- For injuries involving the head and neck, keep the victim from standing or moving about.

Evacuation

If it becomes necessary to evacuate your floor or building for any reason, an announcement will be made to that effect. Evacuation procedures are posted throughout the campus.

- Do not leave the floor you are on or the building until told to do so via an announcement or by your floor or building coordinator.
- Before entering stairwells, especially during a fire, check the door to see if it is hot or whether there is. If either condition exists, use other stairwells on your floor to exit.
- If you are away from your workstation, follow the instructions given for the floor that you are on, report to the muster area with others on that floor and check in with a floor coordinator at that muster area.
- Do not re-enter the building until an "all clear" has been called.

Facilities Emergencies

In the event of a facility emergency, call Campus Safety, (816) 584-6444 (ext. 6444 from campus phones). A facility emergency includes, but is not limited to, the following:

- Mechanical failure of objects required for a safe working environment (such as elevators, heating/cooling systems, etc.).
- Water problems of any kind.
- Strange odors throughout the building.
- Any broken windows or glass.
- Stuck or inoperative doors.
- Power outages.

Security - Intruder

Call the Office of Campus Safety at (816) 584-6888 (ext. 6444 from campus phones) immediately for the following occurrences:

- Any physical danger to yourself or other employees/students.
- Any threats made to yourself or other employees/students.
- Any theft of personal or University property.

If there is someone in your area who appears not to belong (for example: looks lost, looks out of place, etc.), please ask if you can help them. If they do not have a legitimate purpose for being there, contact Campus Safety immediately.

Bomb Threat

Be watchful of and report any packages or items of a suspicious nature. If you receive a threatening call of any nature, the following information should be gathered (bomb threat cards are available through the Office of Campus Safety):

- Keep the caller on the telephone as long as possible. Do not hang up!
- Take note of the date and exact time the call was received.
- Note any background noises such as radio, television, conversation, music and traffic.
- Note if a specific person was asked for by the caller.
- Note whether the conversation began with a threat.
- Note whether the voice was male, female, disguised or familiar.
- Note if the caller had a recognizable accent, apparent speech impediment or mispronunciation of words.
- Note if the person laughed or giggled, or sounded angry, calm or incoherent.
- Attempt to obtain answers to the following:
    - Location of the bomb
    - Detonation time
    - Why was it placed

Immediately following the threatening call, notify the Office of Campus Safety, (816) 584-6444 (ext. 6444 from campus phones). Local law enforcement will be notified immediately and if necessary, employees/students will be contacted to evacuate the building if necessary.

Report to your building or area coordinator for further instruction. If you are evacuated from the building, do not return to the building until told to do so by your building or area coordinator.

Suspicious Item/Letters/Packages

If you receive a suspicious letter or package, do not panic and immediately call the Office of Campus Safety, (816) 584-6444 (ext. 6444 from campus phones). Emergency personnel will respond and cordon off the area to minimize any exposure in the event a substance on the letter or package is hazardous.

Some signs of a suspicious letter or package include:

- No return address or restrictive markings such as “personal.”
- Excessive tape.
- Misspelled words or badly typed/written.
- Unknown powder or substance, including oily stains, discoloration or crystallization.
- Excessive postage.
- Strange odor.
- Protruding wires.

In the event of a suspicious letter or package:

- Do not open if it appears to be empty.
- Do not move it and isolate it if possible, keeping others away.
- Do not clean, smell or taste any substances that may be on the letter/package.
- If possible, cover the substance and/or letter/package with a trash can or plastic.
- Do not brush any substances off your clothing and do not leave the area.

Active Shooter in Your Vicinity

Quickly determine the most reasonable way to protect your own life. Remember that students and visitors are likely to follow the lead of employees and managers during an active shooter situation.

1. Evacuate

If there is an accessible escape path, attempt to evacuate the premises. Be sure to:

- Have an escape route and plan in mind
- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Prevent individuals from entering an area where the active shooter may be
- Keep your hands visible
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe

2. Hide out

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.

Your hiding place should:

- Be out of the active shooter's view
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)
- Not trap you or restrict your options for movement

To prevent an active shooter from entering your hiding place:

- Lock the door
- Blockade the door with heavy furniture

If the active shooter is nearby:

- Lock the door
- Silence your cell phone and/or pager
- Turn off any source of noise (i.e., radios, televisions)
- Hide behind large items (i.e., cabinets, desks)
- Remain quiet

If evacuation and hiding out are not possible:

- Remain calm
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the dispatcher to listen

3. Take action against the active shooter

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions

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 Campus Safety Lead Officer at 816-914-2806 and Campus Safety at 816-584-6444. Any University employee receiving a missing student report will immediately notify campus security (or local law enforcement, if necessary) so that an investigation can be initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University 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 person 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 campus officials and law enforcement in the course of the investigation.

A student who wishes to designate a confidential contact may do so by completing Park's online Housing Application. A student may also do so by contacting the Associate Vice President and Dean of Students.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the University will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student's parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Park University Hazing Policy

Policy Statement

Park University (the "University") prohibits hazing in all forms. Hazing undermines our core values, threatens student safety and will not be tolerated. This policy is established in compliance with the Stop Campus Hazing Act (the "Act"), which mandates transparency, prevention education, and accountability.

Definition of Hazing

Hazing is defined as any intentional, knowing or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

- Is committed in the course of an initiation into, an affiliation with or the maintenance of membership in a student organization; and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including, but not limited to the following:

    1. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body or similar activity.
    2. Causing, coercing or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics or other similar activity.
    3. Causing, coercing or otherwise inducing another person to consume food, liquid, alcohol, drugs or other substances.
    4. Causing, coercing or otherwise inducing another person to perform sexual acts.
    5. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct.
    6. Any activity against another person that includes a criminal violation of local, state or federal law.
    7. Any activity that induces, causes or requires another person to perform a duty or task that involves a criminal violation of local, state or federal law.
    8. Any activity that induces, causes or requires another person to perform a duty or task that involves a violation of any University policy or the Student Code of Conduct.
- **A student organization** is defined as "an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution"

Scope

This policy applies to the following:

- This Policy applies to all University administrators, faculty, staff, students, contractors, outside vendors, and other third parties within the University's control, including visitors, invitees, and applicants for admission or employment. It applies to conduct that occurs on University owned or controlled premises, in an education program or activity (including, but not limited to, admissions, employment, academics, athletics, housing, and student services) including University sponsored or supported events, buildings owned or controlled by student organizations officially recognized by the University, or off campus when the conduct potentially affects a person's education or employment with the University or potentially poses a risk of harm to members of the University community. All recognized and unrecognized student organizations, athletic teams and groups;
- Faculty, staff and advisors who supervise or interact with students or student groups.

Prohibited Conduct

The following are violations of this policy:

- Planning, directing, encouraging or participating in hazing.
- Failing to report known or suspected hazing.
- Witnessing hazing without intervening or reporting (when safe and feasible).
- Retaliating against any person who reports hazing or who participates in a hazing investigation.
- This applies to conduct that occurs on or off campus, including digital or virtual spaces.
- This policy applies whether or not the person subjected to hazing agreed to participate.

Reporting Hazing

Anyone may report hazing including students, faculty, employees, parents and community members. To the extent possible, the report should include a detailed description of the incident including names of individuals involved and actions taken by the Student Organization. The person reporting the hazing incident may stay anonymous. Reports may be made to:

- The Dean of Students.
- The Human Resources Manager or staff.
- The Director of Student Life.
- The Director of Residence Life.
- The Campus Safety Office.
- Via the online complaint form.

Investigation and Complaint Resolution Process

The Dean of Students and/or the Human Resources Manager will review all hazing reports and determine the appropriate investigator, depending on the individuals involved. When reports involve potential violations of multiple policies (e.g., Title IX, Discrimination, civil rights), there

will be coordination between the relevant offices to ensure appropriate and legally compliant handling of the case. Hazing investigations may be paused for, or proceed concurrently with, other investigations. Hazing investigations will, to the extent possible, be concluded within 90 days of the receipt of a report or complaint. Depending on the alleged parties involved, the matter will be referred to the appropriate office. The reviewing body will follow the University's established conduct procedures, including due process protections for all parties involved.

Investigative steps may include:

- Contacting individuals accused of hazing and notifying relevant organizational leaders.
- Interviewing victims, witnesses and any accused individual(s).
- Imposing interim measures, if necessary.
- Requiring individuals or groups to participate in investigatory meetings.
- Limiting communication or use of electronic devices during the investigation.
- With voluntary consent, requesting physical examinations if allegations include physical abuse (medical findings will be summarized for the investigator, in compliance with privacy laws).

Upon completion of an investigation, a written report will be submitted by the investigating person to the Dean of Students or the Human Resources manager. The Dean of Students or Human Resources manager will then determine next steps and if sanctions are warranted in accordance with current disciplinary policies. Determinations of responsibility will consider:

- Number of members involved or that are aware of the violation.
- Knowledge and actions of officers/leaders/advisors.
- Whether members acted in concert or under organizational influence.
- Connection to an organizationally sponsored or endorsed event.
- Presence of a pattern of past violations without organizational intervention.

Possible sanctions include, but are not limited to:

- Educational assignments or training.
- Disciplinary probation.
- Removal from the organization or athletic team.
- Suspension or expulsion from the University.
- Revocation of recognition for student organizations.
  Referral to local law enforcement authorities for criminal charges.

Education and Prevention

In accordance with the Act, the University will:

- Provide annual hazing and awareness and prevention education to all students and student organization advisors, including a clear explanation of what constitutes hazing, applicable laws, the consequences of participation and how to report hazing.
- Distribute this policy to all incoming students during orientation annually
- Require training for leaders of student organizations, athletic teams and University recognized groups.

- Provide regular educational programming to appropriate University employees regarding prevention and awareness of hazing.

Transparency and Annual Reporting

To promote accountability:

- The University will publish a Campus Hazing and Transparency Report of substantiated hazing incidents, to include date of incident, organization name involved, a description of the incident and any outcomes.
- The report will be posted on the University's public website and maintained in a publicly accessible database for at least five (5) years.
- Beginning with the Annual Security Report due October 1, 2026, the University's hazing policy and all reports of hazing will be included in the report for the previous three (3) calendar years as required by federal law.

No Retaliation

Retaliation against any person who makes a good faith report of hazing or participates in an investigation is strictly prohibited and may result in disciplinary action.

Policy Review and Updates

This policy will be reviewed annually by the Dean of Students in coordination with the Office of Human Resources, the Department of Campus Safety and Legal Counsel to ensure compliance with federal and state laws and evolving best practices in hazing prevention.

Crime Statistics

Gilbert, AZ

Offense	Year	On-Campus Property	Public Property	Non-Campus Property
Murder/Non-Negligent Manslaughter	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Negligent Manslaughter	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Rape	2022	0	0	1
	2023	0	0	0
	2024	0	0	0
Fondling	2022	0	0	0
	2023	0	0	2
	2024	0	0	0
Incest	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Statutory Rape	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Robbery	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Aggravated Assault	2022	0	0	3
	2023	0	0	3
	2024	0	1	0
Burglary	2022	0	0	8
	2023	0	0	5
	2024	0	0	2
Motor Vehicle Theft	2022	0	0	6
	2023	0	0	6
	2024	0	0	2

Arson	2022	0	0	1
	2023	0	0	0
	2024	0	0	0
Arrest: Liquor Law Violation	2022	0	1	0
	2023	0	0	3
	2024	0	8	6
Arrest: Drug Abuse Violations	2022	0	0	0
	2023	0	0	3
	2024	0	0	4
Arrest: Weapons: Carrying, Possessing, ETC.	2022	0	0	0
	2023	0	0	0
	2024	0	0	7
Disciplinary Referral - Liquor Law Violation	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Disciplinary Referral - Drug Abuse Violation	2022	0	0	0
	2023	1	0	0
	2024	0	0	0
Disciplinary Referral - Weapons: Carrying, Possessing, ETC.	2022	0	0	0
	2023	0	0	0
	2024	0	0	1
Domestic Violence	2022	0	0	9
	2023	0	0	12
	2024	0	0	16
Dating Violence	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Stalking	2022	0	0	1
	2023	0	0	0
	2024	0	0	0
Hate Crimes	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
Unfounded Crimes	2022	0	0	0
	2023	0	0	0
	2024	0	0	0

APPENDIX

Clery Act Definitions

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

The definitions of these offenses follow FBI guidelines and are found below:

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

Manslaughter by Negligence: The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting System. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age of because of his/her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

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

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

Burglary: The unlawful entry of a structure to commit a felony or a theft. (For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.)

Motor vehicle theft: The theft or attempted theft of a motor vehicle. (Classify a motor vehicle theft for all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joyriding.)

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

HATE CRIMES

A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability. Hate crimes include those crimes defined above and larceny-theft, simple assault, intimidation, and the destruction/damage/vandalism of property (defined below).

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

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

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

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

ARRESTS & REFERRALS FOR DISCIPLINARY ACTION

The third category of crime statistics disclosed related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs or liquor. For this purpose, the following definitions apply:

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

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

Weapons: Carrying, Possessing, Etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Classify as a weapon: carrying, possessing, etc. violation: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the aforementioned acts.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment of devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations

of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). Classify as a drug abuse violation: all drugs, without exception, that are illegal under local or state law Clery Act Guidelines for Campus Security Authorities - Clery Crime Definitions Page 4 of 4 where your institution is located and all illegally obtained prescription drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Classify as a liquor law violation: the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the aforementioned acts.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA) OFFENSES

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based upon the reporting party's statement with consideration of the following factors: (i) The length of the relationship (ii) The type of relationship (iii) The frequency of interaction between the persons involved in the relationship. Clery Act Guidelines for Campus Security Authorities - Clery Crime Definitions Page 3 of 4 Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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