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**SPECIAL MESSAGE FROM PARK UNIVERSITY DIRECTOR OF CAMPUS SAFETY**

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

Each year, in compliance with the Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act, Park University publishes the Park University Security and Fire Safety Report. This document, posted online at park.edu and distributed via hard copy 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. Although all colleges and universities participating in federal financial aid programs are required to share this data with the public, we provide it with intention 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. In 2017, we have taken measures to promote a safe and desirable college experience for all students, faculty and staff by implementing contingency plans for incidents such as active shooter and bomb threat through cooperative training with local police, fire and ambulance services.

The Park University Department of Campus Safety is proud to help foster a safe University environment that is conducive to collaboration, development and growth for all who live, learn and work on Park's campuses. Thank you for your interest in our processes and outcomes.

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

Sincerely,

/s/ Will London  
Director of Campus Safety, Park University  
[will.london@park.edu](mailto:will.london@park.edu)

Founded in 1875 in Parkville, Mo., a suburb of Kansas City, Park University is a comprehensive, independent institution that is a national leader in higher education. In 2000, Park achieved university status and currently serves 16,293 students at 42 campuses in 22 states and online, including campuses in Parkville, Independence and Kansas City, Mo.; Lenexa, Kan., Austin and El Paso, Texas; Barstow and Victorville, Calif.; Gilbert, Ariz.; and at 33 military installations across the country.

Serving an ethnically diverse student population and non-traditional adult learners has, for many years, been central to Park's educational mission. Even in its first year, Park University enrolled women students as well as men, something that was unusual at the time; and two of the original 17 students were Native Americans. Park was also an early integrator when it welcomed African-American students to live in Park's residence halls in the 1950s.

Park continues to increase access to higher education by offering the quality undergraduate and graduate degrees students desire at locations, times and delivery formats that best serve their needs. The University has been ranked among the top private colleges/universities in the country for adult learners (Washington Monthly) as well as for annual return on investment (PayScale College ROI Report), and it is consistently ranked among the top least expensive private schools in the country.

Providing such access has developed considerable diversity among the student population, with 447 international students from 89 countries, and a 55 percent student representation from racial, ethnic and cultural groups typically underrepresented in colleges and universities. In addition, extracurricular activities and championship-caliber athletic programs (NAIA) complement Park's outstanding scholastic programs.

Park University offers numerous degree programs online, and it maintains a long-standing relationship with the U.S. military for which it has been recognized as one of the largest providers of online undergraduate education to military learners worldwide. Since 2009, Park has received international recognition each year by various military-related publications as a top military friendly college/university. In addition, Park is among the top-ranked "Best for Vets" private college/university in the country as determined by Military Times magazine

**Mission Statement**

*Park University transforms lives through accessible, student-centered, quality higher education.*

**Vision Statement**

*Park University will meet learners' needs for a lifetime.*

**Core Values**

*We expect accountability for our actions at all levels, to each other and to Park University.*

*We treat all with civility and respect while being open and honest in our communication.*

*We seek excellence in all we do, with passionate learning as our highest priority.*

*We celebrate global citizenship through our connected learning and working environment, liberal arts education and community stewardship.*

*We embrace inclusivity that fosters diversity, teamwork and collaboration.*

*We act with integrity through honesty, efficiency and reliability.*

[www.park.edu](http://www.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 and employees of Park University (“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 students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

## **Policy for Preparing the Annual Report**

This report is prepared by the Compliance Coordinator and the Director of Campus Safety in cooperation with local law enforcement authorities and includes information provided by them as well as by the University’s campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report’s availability. Hard copies of the report may also be obtained at no cost by contacting the Campus Safety Department at (816) 584-6444 or [campussafety@park.edu](mailto:campussafety@park.edu).

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

## **General Safety and Security Policies**

### **Policies Concerning the Law Enforcement Authority of Campus Security Personnel**

The Campus Safety Department (“department”) is responsible for campus safety at the Parkville, Missouri campus. The department provides the security, crime prevention, and premise access functions on the University’s main campus 24 hours a day, seven days a week. The department’s jurisdiction covers all of the University’s property and the neighborhoods surrounding the main campus, including several acres of wooded area. They have the authority to ask persons for identification and determine whether individuals have lawful business on the institution’s property. They also have the authority to issue parking citations. 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 University has agreements persons and companies to provide security at other campus centers not on military installations. Please contact your Campus Center Director (information available in the Undergraduate Catalog pp. 48-50) for more information. Campus Centers on military installations are secured by the application branch of the military responsible for the base.

The department’s jurisdiction covers all of the institution’s property and the neighborhoods surrounding the main campus. This includes several acres of wooded areas.

The University’s Scott AFB Campus Center maintains a close relationship with the military base security

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

The University also has designated other officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as

part of the University's annual report of crime statistics. The additional campus security authorities to whom the University would prefer that crimes be reported are as follows:

1. William L. London, Director of Campus Safety at 816-584-6226 or [william.london@park.edu](mailto:william.london@park.edu)
2. Laure Christensen, Chief of Staff at 816-584-6810 or [laure.christensen@park.edu](mailto:laure.christensen@park.edu)
3. Jayme Uden, Associate Vice President and Dean of Students at 816-584-6595 or [jayme.uden@park.edu](mailto:jayme.uden@park.edu)

### **Policies on Reporting a Crime or 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 Parkville, Missouri Police Department and other departments where Park campus centers are located. They are aware they need to contact Campus Safety in the event a crime is reported directly to them.

A report is encouraged even when the victim of a crime elects not to make a report or is unable to do so. Such reports should be made as follows:

1. At the main campus, a Campus Safety dispatcher is available anytime classes are in session. The number to contact is (816) 665-1463. When no one is in the office, the phone calls automatically roll to a cell phone carried by an on-duty officer on campus. If no contact can be made with the on-duty officer, people may call the Lead Campus Safety Officer at (816) 914-2806.
2. Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling 911 from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
3. Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of 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. A victim of other types of crimes who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. 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.

### **Timely Warning**

In the event of criminal activity occurring either on campus, at a campus center, or off campus, the Campus Safety Department, the President's Office, and/or Campus Center Operations and the Campus Center Directors decide what 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](http://www.Park.edu/mypark).

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

1. Campus Safety, 816-584-6444
2. The Campus Center Director (found in the undergraduate catalog) responsible for your campus.
3. Roger Dusing, Chief Human Resources Officer, 816-584-6386

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.

### **Security of and Access to Campus Facilities**

For all campus centers, all academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members.

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:

- Do not prop doors open or allow strangers into campus buildings that have been secured.
- Do not lend keys or access cards to non-students and do not leave them unattended.
- Do not give access codes to anyone who does not belong to the campus community.

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.

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 must have authorized access.

### **Security Considerations in the Maintenance of Facilities**

Security also is a consideration in maintaining campus facilities.

Maintenance personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells.

The EHS Manager also annually checks emergency equipment such as AED's 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 and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

1. Crime prevention programs are presented each semester by the Campus Activities Board and Student Services. In addition, pamphlets and videos on crime prevention are available at the Student Center and for employees at the Human Resources Office, and periodically e-mail blasts are sent out to students and employees with crime prevention and other safety tips.
2. The University also provides information at the beginning of each academic term for students and employees 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 the paragraph.

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

## **Drug and Alcohol Policies**

Park University recognizes that misuse of alcohol and other drugs and the unlawful possession, use or distribution of 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 (“Network”) committed to the elimination of drug and alcohol abuse. Park University is committed to the standards outlined by The Network and to compliance with the Federal Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, and other federal, state, and local laws.

As a result of this commitment, Park University has established regulations forbidding the unlawful manufacture, dispensing, distribution, possession, display, use, or consumption of illegal or illicit drugs and alcohol on University owned or controlled property or as part of any University programs or activities.

This policy applies to University employees, faculty, students and student organizations. Faculty and staff are collectively referred to as “Employees” throughout this policy.

To report manufacture, dispensing, distribution, possession, display, use, or consumption of drugs or alcohol on campus, dial Campus Safety at extension 6444 (816-584-6444 from any outside phone). Or report anonymously here: <https://my.park.edu/ICS/Student/ConcernComplaint/>.

Alternatively, as part of Campus Safety’s “See Something Say Something” campaign, individuals may also report such incidents anonymously by texting SAFETY and a brief description of what is happening to 50911.

### **Drug Free University**

Park prohibits the unlawful manufacture, dispersal, distribution, possession, display, use, or consumption of controlled substances on Park owned or controlled property, as any part of its programs or activities, and while doing work on behalf of Park.

1. This policy does not prohibit use of legally obtained drugs, including prescription drugs and over-the-counter drugs, provided those drugs are used in accordance with the prescription by the prescription-holder or with over-the-counter directions. Such use by a Park employee must not impair the employee’s ability to perform the essential functions of his or her job effectively and safely.
2. Students and employees must report to Park any conviction or guilty plea under a criminal drug statute for violations occurring on or off University premises. Students and employees must submit a conviction report to the Dean/Associate Dean of Students, and employees to Human Resources within five (5) days after the conviction or guilty plea.
3. Federal regulations require students convicted for a drug offense that occurred during a period of enrollment while they were receiving Title IV Federal Student (Financial) Aid to lose financial aid eligibility. Federal Student Aid includes grants, loans, and work assistance otherwise provided to eligible college students under Title IV of the Higher Education Act. The period of non-eligibility begins on the date of the conviction and remains in effect until the student has met certain rehabilitation requirements.
  - a. The prohibition on federal aid applies to any student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance as defined by Section 102(6) of the Controlled Substances Act (21 U.S.C. § 802(6)). Laws regulating distilled spirits, wine, and malt beverages are not included within the definition of “controlled substance.”



- b. Other financial aid programs, including certain state programs, may also limit eligibility for students convicted of a drug offense.

### Alcohol Use

1. Except as provided and permitted under this Policy at University-Sponsored Events, the manufacture, dispensing, distribution, possession, display, use, or consumption of alcoholic beverages is forbidden on Park-owned or controlled property, as any part of any University-sponsored programs or activities, and while doing work on behalf of the University.
2. To the extent permitted under this Policy at University-Sponsored Events, any possession, use, consumption, or distribution of alcoholic beverages must not negatively affect either the individual or the community and must be in compliance with the law.

### Drugs, Alcohol, and Violations of University Policy and Law

1. Drug/alcohol use does not excuse misconduct

The use of illegal drugs, abuse of other drugs, or consumption of alcoholic beverages (even if consumption is permissible under this Policy at University-Sponsored Events) is not an excuse for misconduct of any kind—including violations Park’s policies and civil or criminal law. For example, alcohol and drug use do not excuse violence, property damage, or disruptions caused by excessive noise related to drug or alcohol use.

2. Interplay between policy and law

If and to the extent the Drug-Free Workplace, Campus and Community regulations conflict with or contradict this policy, the Drug-Free Workplace, Campus and Community regulations control.

### Disciplinary Actions

1. Amnesty

Park’s primary concern is with student health and safety. For that reason, Park encourages students to seek treatment or assistance for themselves or others, regardless of their drug or alcohol use. If medical assistance is sought, the Office of Student Life/Office of Residence Life will not pursue punitive sanctions based on drug or alcohol use against the intoxicated student who reported or who was assisted. Students may be required to complete other steps, such as substance abuse assessment, rehabilitation, and other corrective actions.

Student voluntary self-disclosure is also recommended. If a student has been using alcohol or drugs and chooses to come forward for assistance on their own – they will not be subject to the sanctions for the use of drugs or alcohol that would have been imposed if found out by other means. This protection will only be in place if the student complies with other required steps, such as assessment, rehabilitation, and further corrective actions.

This policy does not preclude punitive sanctions due to any violations of other University policies, such as causing or threatening physical harm, sexual misconduct, damage to property, hazing, and possession with intent to distribute drugs.

2. Internal Sanctions

Students who violate Park’s AOD policy are subject to the following disciplinary sanctions as more fully set forth in the Park University Student Conduct Code: warning, fines and restitution, task compliance/community service, disciplinary probation, suspension from residence halls, temporary or permanent suspension, or dismissal from Park.

- a. Sanctions for student clubs could include warning, community service, fines/restitution, or suspension/removal of Club Certification. Full information is available in the Student Organizations Manual, available at:

<http://www.park.edu/clubs-and-organizations/index.html>.

- b. Employees who violate this policy are subject to sanctions up to and including termination.
- c. Required counseling/rehabilitation. In conjunction with or in lieu of any of the disciplinary sanctions listed above, students or employees may be required to complete an appropriate counseling or rehabilitation program.
- d. Referral for criminal prosecution. In conjunction with or in lieu of the imposition of any of the disciplinary sanctions set forth above, students or employees may also be referred to appropriate local, state, or federal law enforcement agencies for prosecution.
- e. Discretion of the University in administering disciplinary action. Park's response to AOD policy violations may depend on the circumstances of the individual case and the judgment of appropriate officials. In ANY case where disciplinary sanction is deemed necessary, including cases where the disciplined individual is receiving a sanction for the first time, Park reserves the right to impose the most severe sanction available (including suspension, dismissal and/or referral for prosecution).

### 3. Legal Sanctions

In addition to Park's disciplinary action policies, individuals who engage in the unlawful manufacture, dispensing, distribution, possession, display, use, or consumption of controlled substances or alcohol are subject to legal sanctions.

- a. Federal law. Federal law provides strict penalties for violation of federal drug laws. For a first conviction of illegal possession of a controlled substance, a person may be imprisoned for up to one year and/or fined at least \$1,000 but not more than \$100,000; after two or more prior convictions the penalty increases to at least 90 days in jail but not more than three years and/or a fine of at least \$5,000 but not more than \$250,000. Federal trafficking penalties for controlled substances (such as marijuana, heroin, cocaine, PCP and LSD) range from less than five years in prison and/or a fine of less than \$250,000 to life imprisonment and/or a fine of up to \$8 million (for an individual). Other penalties may apply, such as forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance, denial of certain federal benefits, and revocation of certain federal licenses. Certain federal laws may apply to unlawful manufacture, possession, and trafficking of alcohol as well. Penalties range from fines to prison terms.
- b. State and local law. State and local law also provide penalties relating to the unlawful manufacture, sale, use or possession of controlled (and/or imitation of) controlled substances and alcohol. In addition, states and municipalities have laws relating to underage drinking, driving while intoxicated or under the influence of alcohol and/or illicit drugs. Sanctions for violations may range from local citation to state law felonies. Penalties may range from small fines to prison terms, depending on the violation and the individual's past criminal history.

### 4. Procedures

- a. Student Conduct Code procedures. All disciplinary hearings or proceedings due students charged with violations of this regulation shall be conducted in accordance with or as provided by the Student Conduct Code.

- b. Further procedures for student organizations are outlined in the Ethical Standards for Conduct and Responsibility section of the Student Organizations Manual available online at: <http://www.park.edu/clubs-and-organizations/index.html>.
- c. Procedures for employees are outlined in the Employee Handbook available within Park's internal webpage, MyPark.

**Health Risks**

Risk of alcohol use and abuse include, among others, drinking/driving accidents, increased incidents of rape and assault, academic problems, police involvement, medical problems including alcohol dependence, fetal alcohol syndrome, organ damage, and fatalities.

Drug abuse may result in a wide variety of serious short- and long-term health and behavioral problems. These problems may include toxicity, HIV infection with intravenous drug use, heart attack, stroke, sudden death, pregnancy complications, birth complications and defects, physical and psychological dependence, withdrawal, disruption of normal heart rhythm, high blood pressure, stroke, bleeding and destruction of brain cells, memory loss, depression, infertility, impotency, immune system impairment, kidney failure, cirrhosis of the liver, and neurological and pulmonary damage.

Please review further information about the health and safety risks, by reviewing the Campus Safety website at: <http://www.park.edu/campus-safety/drug-health-risks.html>.

**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 by checking online at [www.Park.edu/Counseling-Center](http://www.Park.edu/Counseling-Center), calling the counselors at 816-584-6237 or 816-584-6798, or sending an email to [CounselingAppointments@Park.edu](mailto: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)  
<http://www.samhsa.gov/>

National Institute of Health (NIH)--National Institute on Drug Abuse (NIDA)  
301-443-1124  
<http://www.drugabuse.gov/>

National Institute of Health (NIH)--National Institute on Alcohol Abuse and Alcoholism  
301-443-1124  
<http://www.niaaa.nih.gov/>

**Mountain Home area services:**

Emergency 911

## PARK UNIVERSITY CLERY ANNUAL SECURITY REPORT

Park – Scott Campus Center  
 404 West Martin Street - Bldg 1650, Room 79  
 Scott Air Force Base, IL 62225-1607  
 (618) 744-1555  
[scot@park.edu](mailto:scot@park.edu)

Scott AFB Police Department  
 201 W Winters St, Scott AFB, IL 62225  
 (618) 256-2223

DeRousse Counseling and DUI Services  
 100 West Main Street  
 Belleville, IL 62220  
 (618) 277-7616  
<http://www.derousseduicounseling.com/>

The Campus Safety Department and the Lead Campus Safety Officer are located on Park’s main campus in Parkville, Missouri. However, staff members can assist callers remotely and/or make appropriate referrals to local resources.

### **Policy Review**

The Dean of Students takes necessary steps to provide for Park’s biennial review of its AOD Policy to determine its effectiveness, implement needed changes, and ensure that disciplinary sanctions are consistently enforced.

### **Enforcement**

The primary sources enforcing the alcohol and drug policies for students are the Campus Safety Staff, and Dean of Students Staff. The Coordinator of Student Advocacy serves as Park’s Chief Judicial Officer. The CJO primarily utilizes administrative hearings to assess infractions and determine sanctions. A campus judicial board may be utilized if the hearing officer believes the case has had a great impact on the larger community and a judicial board process will be perceived more positively, and with less bias, than an administrative hearing. The Dean of Students serves as the judicial officer for any infraction occurring inside the residence halls unless the temporary suspension or expulsion is a possible sanction due to repeat offenses or due to the seriousness of the first offense. In that instance, the Coordinator of Student Advocacy is the judicial officer. The Dean of Students is the appeal officer for all conduct cases unless they are academic in nature. For academic violations, the Provost is the appeal officer.

### **Drug and Alcohol Student Incident Report: Academic Years 2014-2015 and 2015-2016, including Fall Semester 2016**

| Academic Year | Alcohol Violations | Drug Violations | Repeat Offenses | Expulsions from Drug or Alcohol violations | Fatalities Related to Drug or Alcohol |
|---------------|--------------------|-----------------|-----------------|--|---------------------------------------|
| 2014-2015     | 15                 | 2               | 0               | 0  | 0                                     |
| 2015-2016     | 6                  | 2               | 0               | 0  | 0                                     |

**PARK UNIVERSITY CLERY ANNUAL SECURITY REPORT**

|           |   |   |   |   |   |
|-----------|---|---|---|---|---|
| Fall 2016 | 5 | 0 | 0 | 0 | 0 |
|-----------|---|---|---|---|---|

**Drug and Alcohol Employee Incident Report: Academic Years 2014-2015 and 2015-2016, including Fall Semester 2016**

| Academic Year | Alcohol Violations | Drug Violations | Repeat Offenses | Expulsions from Drug or Alcohol violations | Fatalities Related to Drug or Alcohol |
|---------------|--------------------|-----------------|-----------------|--|---------------------------------------|
| 2014-2015     | 0                  | 0               | 0               | 0  | 0                                     |
| 2015-2016     | 0                  | 0               | 0               | 0  | 0                                     |
| Fall 2016     | 0                  | 0               | 0               | 0  | 0                                     |

**Sanctions**

**1. Student Alcohol Policy Sanctions**

A variety of educational sanctions are assigned AOD policy violations. The most common sanction for a first offense is a general warning and an essay. The essay is focused on the AOD policy to make sure the student understands it and the consequences of violating the policy a second time. If other concerning behaviors are involved in the alcohol violation, counseling is often required on a short-term basis with an on-campus counselor. For repeat offenders or very serious behaviors, long-term counseling is usually a requirement. An off-campus alcohol assessment and the costs of such assessment is also required. The results are provided to the counselor to help guide counseling sessions. These sanctions are the same for incidents occurring within and outside of the residence halls.

**2. Student Drug Policy Sanctions**

One egregious offense would result in the student's removal from the residence halls and long term counseling at the least. Distribution and manufacturing of drugs would, in most cases, result in expulsion. Possession and/or use of most drugs on campus not in the residence halls may result in a mandated drug assessment. The offending student may also be referred to an off-campus therapy program if the results show engaging in more than moderate drug use. The only exception to this is the use of marijuana. Possession, without evidence of use, of marijuana may be sanctioned to the lesser extent of an educational essay and/or community service sanction.

**3. Employee Alcohol/Drug Policy Sanctions**

There are a variety of sanctions that may be applied to employees' AOD policy violations. Possible sanctions include: referral to an Employee Assistance Program who could then refer the employee directly to a drug/alcohol treatment program or a direct referral to a drug/alcohol treatment center for an assessment in

the case of alcohol violations. In all cases, employee-violations of Park's AOD policy will result in disciplinary action, up to and including termination.

## DEPARTMENT OF ATHLETICS DRUG AND ALCOHOL USE AND DRUG TESTING POLICY

Park's Department of Athletics has developed a drug education and testing program aimed at drug abuse prevention. The program includes the education, testing, and, if necessary, rehabilitation of those student-athletes who test positive for illicit drugs. The following is an outline of the program.

### Purpose

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

### Participation

As a condition to participate in Park's intercollegiate athletics, every student-athlete is required to participate in the Drug Education and Testing Program. Annually, all student-athletes will be required to sign Park's consent form.

Refusal to sign Park's 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 as soon as possible pursuant to Park's policies and NAIA and conference 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

Park Athletics will use the same list of banned substances as the NCAA for the purposes of the Drug Education and Testing program. An updated list can be found on the NCAA website, available at [www.ncaa.org](http://www.ncaa.org).

Further information on banned substances and dietary supplements can be located on the Dietary Supplement Resource Exchange website, available at [www.drugfreesport.com/rec](http://www.drugfreesport.com/rec).

### Methods of Selection

1. Random Selection

All athletes will be selected randomly to undergo drug testing.

2. Individualized Reasonable Suspicion

Student-athlete may be chosen to undergo drug testing due to reasonable suspicion if identified by one or more of the following athletic staff members: Sports Medicine staff, Coaching Staff, and/or a Team Physician. The identification of an athlete should be based on objective 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 grades, decreased class attendance, fluctuation in bodyweight, acts of violence, an incident involving law enforcement or campus security, a positive previous drug test, or emotional disturbances. A reasonable suspicion allegation must be made in writing to the Drug Program Administrator, who will present the case to a committee made up of the Drug Program Administrator, and Director of Athletics. They will review the allegation and decide whether the student-athlete will be required to undergo drug testing.

### 3. NAIA/Conference Qualifier

Park has the right to test any individual athlete or team that has qualified for post-season competition.

### 4. Team Testing

Circumstances may arise that 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, and
- b. Suspected widespread use of banned substances (refer to process for identifying an individual for reasonable suspicion).

### Notification of Selection for Testing

The Drug Program Administrator will notify all student-athletes selected for drug testing. The Drug Program Administrator will contact the student-athlete by phone i.e., dorm/house phone or cell phone and/or text message. 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-athletes' respective sport will be notified of their selection.

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 appropriately sanctioned.

The student-athlete will be given no more than 24 hours-notice regarding selection for drug testing. There is no minimum period of time that student athlete must be provided between notification and testing.

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.

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

The Counseling Center will notify the Director of Athletics directly of any positive test results by number code. Only at this time will the number code be broken and the student-athlete identified. The Drug Program Administrator, Director of Athletics, and the head coach will meet to discuss the results.

### Sanctions

Park 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. Positive test results on any NAIA drug test will also be considered a violation of the Park University Drug Education and Testing Program.

1. First Violation

Upon a positive drug test confirmation for any substance banned by the NCAA 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.

2. Second Violation

Upon a second positive drug test confirmation for any substance banned by the NCAA 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.

3. 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.

**Substance Abuse Intervention**

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.

In the event that the dependency issues are beyond the realm of practice for the Park University Counseling Center staff or other approved counseling facilities, referrals 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.

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 Park's athletics programs 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's guidelines.

**Appeal and Reinstatement**

Students have a right to an appeal. The athletic director serves as the appeal officer. An appeal must be based on the existence of new information, to determine if the process was handled fairly, or to determine if the sanction imposed was appropriate for the violation. The appeal must be made in writing within five business days of notification of the original decision.

**Alcohol and Tobacco Policy**



Park athletics supports and enforces the NAIA ban on tobacco use by student-athletes, coaches, and athletic personnel as per the NAIA Substance Abuse Program. See Appendix T.

### **Safe Harbor Program**

Park's Safe Harbor Program policies are being created and will be implemented by Fall 2018. Athletics – Drug and Alcohol Use and Drug Testing Policy is available at: [http://www.park.edu/pirate-archives/piratepost/park\\_university\\_drug\\_testing\\_procedures.pdf](http://www.park.edu/pirate-archives/piratepost/park_university_drug_testing_procedures.pdf).

### **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 program conducted between January 2015 through March 2017:

1. Facilitated Resident Assistant Training regarding AOD elements specific to residential students
2. Facilitated First-Year Experience Mentor regarding AOD elements specific to first-year students
3. Conducted Student Organization Officer Training focused on AOD elements specific to student organizations
4. Conducted mandatory athlete orientation regarding AOD elements and NAIA standards of conduct
5. Conducted International Student Services and Admissions extended orientation regarding AOD elements focused on culture, use, and policies
6. Coordinated Counseling Center availability for student support and information regarding AOD elements
7. Facilitated distribution and implementation of Park University's online magazine (Student Health 101) which provided information regarding AOD education and support resources
8. Facilitated on-campus events focused on AOD education and prevention
  - a. Sex and Drugs Show (Title IX Engagement Programming)
  - b. Sexual Assault Awareness Week Programming

### **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 DAAPP, see below.

## PARK UNIVERSITY CLERY ANNUAL SECURITY REPORT

- [https://my.park.edu/ICS/Offices/Policy/University\\_Policies.jnz?portlet=University\\_Policies](https://my.park.edu/ICS/Offices/Policy/University_Policies.jnz?portlet=University_Policies)
- Athletics – Drug and Alcohol Use and Drug Testing Policy:  
[https://my.park.edu/ICS/Offices/Policy/University\\_Policies.jnz?portlet=University\\_Policies](https://my.park.edu/ICS/Offices/Policy/University_Policies.jnz?portlet=University_Policies)
- Alcohol/drug webpage: <https://www.park.edu/about-park/campus-safety/drug-alcohol-use-policy/>
- The Dean of Students is responsible for conducting a biennial review of the University’s DAAPP. For more information, please see: <https://www.park.edu/about-park/campus-safety/drug-alcohol-use-policy/>.

| <b>Date</b>  | <b>Activity</b>   | <b>Audience</b>                         | <b>Responsibility</b>  |
|--|---|---|--|
| 8/21/2015 1/22/2016<br>8/19/2016 1/20/2017   | Park University Activities Fair   | All Kansas City Area Students           | Office of Student Leadership and Engagement                  |
| 3/29/2016  | All University Health Fair  | All Kansas City Area Students           | Department of Nursing  |
| 8/16/2015 8/14/2016  | Athletics Mandatory Orientation   | Student Athletes at Park University     | Department of Athletics                                      |
| University Business Hours  | Counseling Center   | All Kansas City Area Students           | Counseling Center  |
| 8/8/2015 - 8/12/2015<br>8/9/2016 - 8/13/2016   | FYE Training  | First Year Experience Mentors           | Office of Student Leadership and Engagement                  |
| 8/14/2015 1/15/2016<br>8/12/2016 8/26/2016   | International Student Services and Admissions Extended Orientation  | All Kansas City Area Students           | Department of International Student Admissions and Services. |
| 8/15/2015 1/4/2016 - 1/15/2016<br>8/13/2016 1/9/2017 - 1/13/2017                               | New Student Orientation   | All New Parkville and Transfer Students | Department of Student Life                                   |
| Monthly Releases Starting 1/18/2015 - 05/12/2017   | Park University Online magazine, Student Health 101, provides healthy and safe alternatives regarding AOD consumption and provides valuable resources regarding addiction help. | All Kansas City Area Students           | Department of Student Life                                   |
| 1/5/2015 - 1/9/2015;<br>8/10/2015 - 8/15/2015 ;<br>1/4/2016-1/8/2016;<br>8/03/2016 - 8/15/2016 | Resident Assistant Training   | Resident Assistants                     | Office of Residence Life                                     |

**PARK UNIVERSITY CLERY ANNUAL SECURITY REPORT**

|  |  |                                  |  |
|--|--|----------------------------------|--|
| 8/13/2015 - 8 /21/2015;<br>8/12/2016 - 8/22/2016 | Residence Life and Education<br>First Floor Meeting                        | All Residential Students         | Office of Residence Life                       |
| 8/18/2016 (2 Shows)                              | Sex and Drugs Show (Alcohol<br>Awareness and Consent<br>Awareness Program) | All Kansas City Area<br>Students | Office of Student Leadership and<br>Engagement |
| 8/14/2015 8/12/2016                              | Parent and Family Orientation  | Parents of All Park<br>Students  | Dean of Students                               |
| 8/19/2015 1/14/2015<br>8/17/2016 1/18/2017       | Student Organization Leadership<br>Retreat                                 | All Kansas City Area<br>Students | Office of Student Leadership and<br>Engagement |
| 3/15/2015 - 5/12/2017                            | Online Orientation   | All Kansas City Area<br>Students | Department of Student Life                     |
| 8/13/2015 8/12/2016                              | All Residence Halls Meeting  | All Parkville Students           | Office of Residence Life                       |
| 1/4/2016 8/8/2016                                | Park Student Activities Board<br>Retreat                                   | All Parkville Students           | Office of Student Leadership and<br>Engagement |
| 10/26/2016                                       | Sexual Assault Awareness Week<br>- Audrie & Daisy Screening                | All Parkville Students           | Office of Student Leadership and<br>Engagement |
| 10/27/2016                                       | Sexual Assault Awareness Week<br>- Synergy Presentation                    | All Parkville Students           | Office of Student Leadership and<br>Engagement |

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

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act (“VAWA”), 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) 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 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.

| <b>Crime Type<br/>(Illinois Compiled Statutes)</b> | <b>Definitions</b>   |
|--|--|
| 720 ILCS 5/11-0.1<br>Definitions [Sex Offenses]    | <p>In this Article, unless the context clearly requires otherwise, the following terms are defined as indicated:</p> <ol style="list-style-type: none"> <li>1. "Accused" means a person accused of an offense prohibited by Section 11-1.20, 11-1.30, 11-1.40, 11- 1.50, or 11-1.60 of this Code [720 ILCS 5/11-1.20, 720 ILCS 5/11-1.30, 720 ILCS 5/11-1.40, 720 ILCS 5/11- 1.50 or 720 ILCS 5/11-1.60] or a person for whose conduct the accused is legally responsible under Article 5 of this Code [720 ILCS 5/5-1 et seq.].</li> <li>2. "Adult obscenity or child pornography Internet site". See Section 11-23 [720 ILCS 5/11-23].</li> <li>3. "Advance prostitution" means: (1) Soliciting for a prostitute by performing any of the following acts when acting other than as a prostitute or a patron of a prostitute: (A) Soliciting another for the purpose of prostitution. (B) Arranging or offering to arrange a meeting of persons for the purpose of prostitution. (C) Directing another to a place knowing the direction is for the purpose of prostitution. (2) Keeping a place of prostitution by controlling or exercising control over the use of any place that could offer seclusion or shelter for the practice of prostitution and performing any of the following acts when acting other than as a prostitute or a patron of a prostitute: (A) Knowingly granting or</li> </ol> |

permitting the use of the place for the purpose of prostitution. (B) Granting or permitting the use of the place under circumstances from which he or she could reasonably know that the place is used or is to be used for purposes of prostitution. (C) Permitting the continued use of the place after becoming aware of facts or circumstances from which he or she should reasonably know that the place is being used for purposes of prostitution. "Agency". See Section 11-9.5 [720 ILCS 5/11-9.5].

4. "Arranges". See Section 11-6.5 [720 ILCS 5/11-6.5].
5. "Bodily harm" means physical harm, and includes, but is not limited to, sexually transmitted disease, pregnancy, and impotence. "Care and custody". See Section 11-9.5.
6. "Child care institution". See Section 11-9.3 [720 ILCS 5/11-9.3]. "Child pornography". See Section 11-20.1 [720 ILCS 5/11-20.1].
7. "Child sex offender". See Section 11-9.3.
8. "Community agency". See Section 11-9.5.
9. "Conditional release". See Section 11-9.2 [720 ILCS 5/11-9.2].
10. "Consent". See Section 11-1.70 [720 ILCS 5/11-1.70].
11. "Custody". See Section 11-9.2.
12. "Day care center". See Section 11-9.3.
13. "Depict by computer". See Section 11-20.1.
14. "Depiction by computer". See Section 11-20.1.
15. "Disseminate". See Section 11-20.1.
16. "Distribute". See Section 11-21 [720 ILCS 5/11-21].
17. "Family member" means a parent, grandparent, child, aunt, uncle, great-aunt, or great-uncle, whether by whole blood, half-blood, or adoption, and includes a step-grandparent, step-parent, or step-child.
18. "Family member" also means, if the victim is a child under 18 years of age, an accused who has resided in the household with the child continuously for at least 6 months.
19. "Force or threat of force" means the use of force or violence or the threat of force or violence, including, but not limited to, the following situations: (1) when the accused threatens to use force or violence on the victim or on any other person, and the victim under the circumstances reasonably believes that the accused has the ability to execute that threat; or (2) when the accused overcomes the victim by use of superior strength or size, physical restraint, or physical confinement.

20. "Harmful to minors". See Section 11-21.
21. "Loiter". See Section 9.3.
22. "Material". See Section 11-21.
23. "Minor". See Section 11-21.
24. "Nudity". See Section 11-21.
25. "Obscene". See Section 11-20 [720 ILCS 5/11-20].
26. "Part day child care facility". See Section 11-9.3.
27. "Penal system". See Section 11-9.2.
28. "Person responsible for the child's welfare". See Section 11-9.1A [720 ILCS 5/11-9.1A].
29. "Person with a disability". See Section 11-9.5.
30. "Playground". See Section 11-9.3.
31. "Probation officer". See Section 11-9.2.
32. "Produce". See Section 11-20.1.
33. "Profit from prostitution" means, when acting other than as a prostitute, to receive anything of value for personally rendered prostitution services or to receive anything of value from a prostitute, if the thing received is not for lawful consideration and the person knows it was earned in whole or in part from the practice of prostitution.
34. "Public park". See Section 11-9.3.
35. "Public place". See Section 11-30 [720 ILCS 5/11-30]. "
36. "Reproduce". See Section 11-20.1.
37. "Sado-masochistic abuse". See Section 11-21.
38. "School". See Section 11-9.3.
39. "School official". See Section 11-9.3.
40. "Sexual abuse". See Section 11-9.1A.
41. "Sexual act". See Section 11-9.1.
42. "Sexual conduct" means any knowing touching or fondling by the victim or the

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|   | <p>accused, either directly or through clothing, of the sex organs, anus, or breast of the victim or the accused, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the accused upon any part of the clothed or unclothed body of the victim, for the purpose of sexual gratification or arousal of the victim or the accused.</p> <p>43. "Sexual excitement". See Section 11-21.</p> <p>44. "Sexual penetration" means any contact, however slight, between the sex organ or anus of one person and an object or the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.</p> <p>45. "Solicit". See Section 11-6 [720 ILCS 5/11-6].</p> <p>46. "State-operated facility". See Section 11-9.5.</p> <p>47. "Supervising officer". See Section 11-9.2.</p> <p>48. "Surveillance agent". See Section 11-9.2.</p> <p>49. "Treatment and detention facility". See Section 11-9.2.</p> <p>50. "Victim" means a person alleging to have been subjected to an offense prohibited by Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of this Code.</p> |
| <p>720 ILCS 5/11-1.70<br/>Defenses with respect to offenses described in Sections 11-1.20 through 11-1.60<br/>[Consent]</p> | <p>A. It shall be a defense to any offense under Section 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of this Code [720 ILCS 5/11-1.20, 720 ILCS 5/11-1.30, 720 ILCS 5/11-1.40, 720 ILCS 5/11-1.50 or 720 ILCS 5/11-1.60] where force or threat of force is an element of the offense that the victim consented. "Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent.</p> <p>B. It shall be a defense under subsection (b) and subsection (c) of Section 11-1.50 and subsection (d) of Section 11-1.60 of this Code that the accused reasonably believed the person to be 17 years of age or over.</p> <p>C. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.</p>   |
| <p>720 ILCS 5/11-1.20<br/>Criminal sexual assault</p>   | <p>A. A person commits criminal sexual assault if that person commits an act of sexual penetration and: (1) uses force or threat of force; (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent; (3) is a family member of the victim, and the victim is under 18 years of age; or (4)</p>  |

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|  | <p>is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.</p> <p>B. Sentence. (1) Criminal sexual assault is a Class 1 felony, except that: (A) A person who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of criminal sexual assault or the offense of exploitation of a child, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of criminal sexual assault or to the offense of exploitation of a child, commits a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 30 years and not more than 60 years, except that if the person is under the age of 18 years at the time of the offense, he or she shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections [730 ILCS 5/5-4.5-105]. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (A) to apply. (B) A person who has attained the age of 18 years at the time of the commission of the offense and who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted of the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child, or who is convicted of the offense of criminal sexual assault as defined in paragraph (a)(1) or (a)(2) after having previously been convicted under the laws of this State or any other state of an offense that is substantially equivalent to the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (B) to apply. An offender under the age of 18 years at the time of the commission of the offense covered by this subparagraph (B) shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections. (C) A second or subsequent conviction for a violation of paragraph (a)(3) or (a)(4) or under any similar statute of this State or any other state for any offense involving criminal sexual assault that is substantially equivalent to or more serious than the sexual assault prohibited under paragraph (a)(3) or (a)(4) is a Class X felony.</p> |
| <p>720 ILCS 5/11-1.30<br/>Aggravated criminal sexual assault</p> | <p>A. A person commits aggravated criminal sexual assault if that person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense: (1) the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon; (2) the person causes bodily harm to the victim, except as provided in paragraph (10); (3) the person acts in a manner that threatens or endangers the life of the victim or any other person; (4) the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony; (5) the victim is 60 years of age or older; (6) the victim is a person with a physical disability; (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes; (8) the</p>  |



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|   | <p>person is armed with a firearm; (9) the person personally discharges a firearm during the commission of the offense; or (10) the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.</p> <p>B. A person commits aggravated criminal sexual assault if that person is under 17 years of age and: (i) commits an act of sexual penetration with a victim who is under 9 years of age; or (ii) commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act.</p> <p>C. A person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is a person with a severe or profound intellectual disability.</p> <p>D. Sentence. (1) Aggravated criminal sexual assault in violation of paragraph (2), (3), (4), (5), (6), or (7) of subsection (a) or in violation of subsection (b) or (c) is a Class X felony. A violation of subsection (a)(1) is a Class X felony for which 10 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(8) is a Class X felony for which 15 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(9) is a Class X felony for which 20 years shall be added to the term of imprisonment imposed by the court. A violation of subsection (a)(10) is a Class X felony for which 25 years or up to a term of natural life imprisonment shall be added to the term of imprisonment imposed by the court. An offender under the age of 18 years at the time of the commission of aggravated criminal sexual assault in violation of paragraphs (1) through (10) of subsection (a) shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections [730 ILCS 5/5-4.5-105]. (2) A person who has attained the age of 18 years at the time of the commission of the offense and who is convicted of a second or subsequent offense of aggravated criminal sexual assault, or who is convicted of the offense of aggravated criminal sexual assault after having previously been convicted of the offense of criminal sexual assault or the offense of predatory criminal sexual assault of a child, or who is convicted of the offense of aggravated criminal sexual assault after having previously been convicted under the laws of this or any other state of an offense that is substantially equivalent to the offense of criminal sexual assault, the offense of aggravated criminal sexual assault or the offense of predatory criminal sexual assault of a child, shall be sentenced to a term of natural life imprisonment. The commission of the second or subsequent offense is required to have been after the initial conviction for this paragraph (2) to apply. An offender under the age of 18 years at the time of the commission of the offense covered by this paragraph (2) shall be sentenced under Section 5-4.5-105 of the Unified Code of Corrections.</p> |
| <p>720 ILCS 5/11-1.50<br/>Criminal sexual abuse</p> | <p>A. A person commits criminal sexual abuse if that person: (1) commits an act of sexual conduct by the use of force or threat of force; or (2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent.</p> <p>B. A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is</p>  |

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|  | <p>at least 9 years of age but under 17 years of age.</p> <p>C. A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.</p> <p>D. Sentence. Criminal sexual abuse for a violation of subsection (b) or (c) of this Section is a Class A misdemeanor. Criminal sexual abuse for a violation of paragraph (1) or (2) of subsection (a) of this 720 ILCS 5/11-1.50 Criminal sexual abuse (a) A person commits criminal sexual abuse if that person: (1) commits an act of sexual conduct by the use of force or threat of force; or (2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent. (b) A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age. (c) A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim. (d) Sentence. Criminal sexual abuse for a violation of subsection (b) or (c) of this Section is a Class A misdemeanor. Criminal sexual abuse for a violation of paragraph (1) or (2) of subsection (a) of this Section is a Class 4 felony. A second or subsequent conviction for a violation of subsection (a) of this Section is a Class 2 felony. For purposes of this Section it is a second or subsequent conviction if the accused has at any time been convicted under this Section or under any similar statute of this State or any other state for any offense involving sexual abuse or sexual assault that is substantially equivalent to or more serious than the sexual abuse prohibited under this Section.</p> |
| <p>720 ILCS 5/11-1.60<br/>Aggravated criminal sexual abuse</p> | <p>A. A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense: (1) the person displays, threatens to use, or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon; (2) the person causes bodily harm to the victim; (3) the victim is 60 years of age or older; (4) the victim is a person with a physical disability; (5) the person acts in a manner that threatens or endangers the life of the victim or any other person; (6) the person commits the criminal sexual abuse during the course of committing or attempting to commit any other felony; or (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception.</p> <p>B. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member.</p> <p>C. A person commits aggravated criminal sexual abuse if: (1) that person is 17 years of age or over and: (i) commits an act of sexual conduct with a victim who is under 13 years of age; or (ii) commits an act of sexual conduct with a victim who is</p>   |

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|   | <p>at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or (2) that person is under 17 years of age and:</p> <ul style="list-style-type: none"> <li>(i) commits an act of sexual conduct with a victim who is under 9 years of age; or</li> <li>(ii) commits an act of sexual conduct with a victim who is at least 9 years of age but under 17 years of age and the person uses force or threat of force to commit the act.</li> </ul> <p>D. A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim.</p> <p>E. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a person with a severe or profound intellectual disability.</p> <p>F. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.</p> <p>G. Sentence. Aggravated criminal sexual abuse is a Class 2 felony.</p> |
| <p>720 ILCS 5/11-11<br/>Sexual Relations<br/>Within Families</p>                        | <p>A. A person commits sexual relations within families if he or she: (1) Commits an act of sexual penetration as defined in Section 11-0.1 of this Code [720 ILCS 5/11-0.1]; and (2) The person knows that he or she is related to the other person as follows: (i) Brother or sister, either of the whole blood or the half blood; or (ii) Father or mother, when the child, regardless of legitimacy and regardless of whether the child was of the whole blood or half-blood or was adopted, was 18 years of age or over when the act was committed; or (iii) Stepfather or stepmother, when the stepchild was 18 years of age or over when the act was committed; or (iv) Aunt or uncle, when the niece or nephew was 18 years of age or over when the act was committed; or (v) Great-aunt or great-uncle, when the grand-niece or grand-nephew was 18 years of age or over when the act was committed; or (vi) Grandparent or step-grandparent, when the grandchild or step-grandchild was 18 years of age or over when the act was committed.</p> <p>B. Sentence. Sexual relations within families is a Class 3 felony.</p>  |
| <p>750 ILCS 60/103<br/>Definitions [Illinois<br/>Domestic Violence Act<br/>of 1986]</p> | <p>For the purposes of this Act, the following terms shall have the following meanings:</p> <ol style="list-style-type: none"> <li>1. "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.</li> <li>2. "Adult with disabilities" means an elder adult with disabilities or a high-risk adult with disabilities. A person may be an adult with disabilities for purposes of this Act even though he or she has never been adjudicated an incompetent adult. However, no court proceeding may be initiated or continued on behalf of an adult with disabilities over that adult's objection, unless such proceeding is approved by his or her legal guardian, if any.</li> </ol>  |

3. "Domestic violence" means abuse as defined in paragraph (1).
4. "Elder adult with disabilities" means an adult prevented by advanced age from taking appropriate action to protect himself or herself from abuse by a family or household member.
5. "Exploitation" means the illegal, including tortious, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
6. "Family or household members" include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012 [720 ILCS 5/12-4.4a]. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.
7. "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances; would cause a reasonable person emotional distress; and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress: (i) creating a disturbance at petitioner's place of employment or school; (ii) repeatedly telephoning petitioner's place of employment, home or residence; (iii) repeatedly following petitioner about in a public place or places; (iv) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows; (v) improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner's from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or (vi) threatening physical force, confinement or restraint on one or more occasions.
8. "High-risk adult with disabilities" means a person aged 18 or over whose physical or mental disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.
9. "Interference with personal liberty" means committing or threatening physical

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|  | <p>abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.</p> <p>10. "Intimidation of a dependent" means subjecting a person who is dependent because of age, health or disability to participation in or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.</p> <p>11. (A) "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to: (i) the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse; (ii) the repeated, careless imposition of unreasonable confinement; (iii) the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance; (iv) the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or (v) the failure to protect a high-risk adult with disabilities from health and safety hazards. (B) Nothing in this subsection (10) shall be construed to impose a requirement that assistance be provided to a high-risk adult with disabilities over his or her objection in the absence of a court order, nor to create any new affirmative duty to provide support to a high-risk adult with disabilities.</p> <p>12. "Order of protection" means an emergency order, interim order or plenary order, granted pursuant to this Act, which includes any or all of the remedies authorized by Section 214 of this Act [750 ILCS 60/214].</p> <p>13. "Petitioner" may mean not only any named petitioner for the order of protection and any named victim of abuse on whose behalf the petition is brought, but also any other person protected by this Act.</p> <p>14. "Physical abuse" includes sexual abuse and means any of the following: (i) knowing or reckless use of physical force, confinement or restraint; (ii) knowing, repeated and unnecessary sleep deprivation; or (iii) knowing or reckless conduct which creates an immediate risk of physical harm. (14.5) "Stay away" means for the respondent to refrain from both physical presence and nonphysical contact with the petitioner whether direct, indirect (including, but not limited to, telephone calls, mail, email, faxes, and written notes), or through third parties who may or may not know about the order of protection.</p> <p>15. "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, accessible shelter or services, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forgo such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.</p> |
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720 ILCS 5/12-7.3

A. A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that

Stalking

this course of conduct would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress. (a-3) A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or (2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person. (a-5) A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion: (1) follows that same person or places that same person under surveillance; and (2) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.

- B. Sentence. Stalking is a Class 4 felony; a second or subsequent conviction is a Class 3 felony.
- C. Definitions. For purposes of this Section: (1) "Course of conduct" means 2 or more acts, including but not limited to acts in which a defendant 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, engages in other non-consensual contact, or interferes with or damages a person's property or pet. A course of conduct may include contact via electronic communications. (2) "Electronic communication" means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system. "Electronic communication" includes transmissions by a computer through the Internet to another computer. (3) "Emotional distress" means significant mental suffering, anxiety or alarm. (4) "Family member" means a parent, grandparent, brother, sister, or child, whether by whole blood, half-blood, or adoption and includes a step-grandparent, step-parent, step-brother, step-sister or stepchild. "Family member" also means any other person who regularly resides in the household, or who, within the prior 6 months, regularly resided in the household. (5) "Follows another person" means (i) to move in relative proximity to a person as that person moves from place to place or (ii) to remain in relative proximity to a person who is stationary or whose movements are confined to a small area. "Follows another person" does not include a following within the residence of the defendant. (6) "Non-consensual contact" means any contact with the victim that is initiated or continued without the victim's consent, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim. (7) "Places a person under surveillance" means: (1) remaining present outside the person's school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or (2) placing an electronic tracking device on the person or the person's property. (8) "Reasonable person" means a person in the victim's situation. (9) "Transmits a

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|  | <p>threat" means a verbal or written threat or a threat implied by a pattern of conduct or a combination of verbal or written statements or conduct.</p> <p>D. Exemptions. (1) This Section does not apply to any individual or organization (i) monitoring or attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements, or (ii) picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute, including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the making or maintaining of collective bargaining agreements, and the terms to be included in those agreements. (2) This Section does not apply to an exercise of the right to free speech or assembly that is otherwise lawful. (3) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section. (d-5) The incarceration of a person in a penal institution who commits the course of conduct or transmits a threat is not a bar to prosecution under this Section. (d-10) A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code [720 ILCS 5/5-1 et seq.], is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.</p> |
| <p>720 ILCS 5/12-7.4<br/>Aggravated stalking</p> | <p>A. A person commits aggravated stalking when he or she commits stalking and: (1) causes bodily harm to the victim; (2) confines or restrains the victim; or (3) violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986 [750 ILCS 60/214]. (a-1) A person commits aggravated stalking when he or she is required to register under the Sex Offender Registration Act [730 ILCS 150/1 et seq.] or has been previously required to register under that Act and commits the offense of stalking when the victim of the stalking is also the victim of the offense for which the sex offender is required to register under the Sex Offender Registration Act or a family member of the victim.</p> <p>B. Sentence. Aggravated stalking is a Class 3 felony; a second or subsequent conviction is a Class 2 felony.</p> <p>C. Exemptions. (1) This Section does not apply to any individual or organization (i) monitoring or attentive to compliance with public or worker safety laws, wage and hour requirements, or other statutory requirements, or (ii) picketing occurring at the workplace that is otherwise lawful and arises out of a bona fide labor dispute including any controversy concerning wages, salaries, hours, working conditions or benefits, including health and welfare, sick leave, insurance, and pension or retirement provisions, the managing or maintenance of collective bargaining agreements, and the terms to be included in those agreements. (2) This Section does not apply to an exercise of the right of free speech or assembly that is</p>  |

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|  | <p>otherwise lawful. (3) Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.</p> <p>D. A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code [720 ILCS 5/5-1 et seq.], is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.</p>   |
| <p>720 ILCS 5/12-7.5<br/>Cyberstalking</p> | <p>A. A person commits cyberstalking when he or she engages in a course of conduct using electronic-communication directed at a specific person, and he or she knows or should know that would cause a reasonable person to: (1) fear for his or her safety or the safety of a third person; or (2) suffer other emotional distress. (a-3) A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and: (1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person, or (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person. (a-5) A person commits cyberstalking when he or she, knowingly and without lawful justification, creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours, and which contains statements harassing another person and: (1) which communicates a threat of immediate or future bodily harm, sexual assault, confinement, or restraint, where the threat is directed towards that person or a family member of that person, or (2) which places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint, or (3) which knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.</p> <p>B. Sentence. Cyberstalking is a Class 4 felony; a second or subsequent conviction is a Class 3 felony.</p> <p>C. For purposes of this Section: (1) "Course of conduct" means 2 or more acts, including but not limited to acts in which a defendant 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, engages in other non-consensual contact, or interferes with or damages a person's property or pet. The incarceration in a penal institution of a person who commits the course of conduct is not a bar to prosecution under this Section. (2) "Electronic communication" means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio,</p> |



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|  | <p>electromagnetic, photoelectric, or photo-optical system. "Electronic communication" includes transmissions through an electronic device including, but not limited to, a telephone, cellular phone, computer, or pager, which communication includes, but is not limited to, e-mail, instant message, text message, or voice mail. (3) "Emotional distress" means significant mental suffering, anxiety or alarm. (4) "Harass" means to engage in a knowing and willful course of conduct directed at a specific person that alarms, torments, or terrorizes that person. (5) "Non-consensual contact" means any contact with the victim that is initiated or continued without the victim's consent, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim. (6) "Reasonable person" means a person in the victim's circumstances, with the victim's knowledge of the defendant and the defendant's prior acts. (7) "Third party" means any person other than the person violating these provisions and the person or persons towards whom the violator's actions are directed.</p> <p>D. Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section.</p> <p>E. A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code [720 ILCS 5/5-1 et seq.], is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.</p> |
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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 PPAP 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.

1. Make your limits known before going too far.
2. You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
3. Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
4. Grab someone nearby and ask them for help.
5. Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
6. Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
7. 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:

1. Remember that you owe sexual respect to the other person.
2. Don’t make assumptions about the other person’s consent or about how far they are willing to go.
3. Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
4. If your partner expresses a withdrawal of consent, stop immediately.
5. Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
6. Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
7. Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.

8. Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

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

1. Past abuse
2. Threats of violence or abuse
3. Breaking objects
4. Using force during an argument
5. Jealousy
6. Controlling behavior
7. Quick involvement
8. Unrealistic expectations
9. Isolation
10. Blames others for problems
11. Hypersensitivity
12. Cruelty to animals or children
13. “Playful” use of force during sex
14. Jekyll-and-Hyde personality

PPAP 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:

1. Look out for those around you.
2. Realize that it is important to intervene to help others.
3. Treat everyone respectfully. Do not be hostile or an antagonist.
4. Be confident when intervening.
5. Recruit help from others if necessary.
6. Be honest and direct.
7. Keep yourself safe.
8. If things get out of hand, don't 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.

### **Ongoing Prevention and Awareness Program**

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

### **PPAP and OPAC Programming Methods**

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") quarterly safety training on a variety of campus safety related topics. The CSOs are required to complete annual Campus Community Emergency Response Team ("CERT") training providing education on disaster preparedness and medical operations, CERT organization, disaster psychology, terrorism and CERT, fire safety and utility controls, and light search and rescue operations. The CSOs are also required to complete annual active, live shooter training. All Park staff members are invited and encouraged to participate in CERT training as well.

### **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, the University's Dean of Students at (816) 584-6595 or (816) 505-5456, or reference the resources listed throughout this policy.

At the earliest opportunity, you should also contact the University's Title IX Coordinator, Roger Dusing, at (816) 584-6386. Victims will be notified in writing of the applicable procedures, including the following.

1. To whom and how the alleged offense should be reported.
  - a. 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: Memorial Hospital, 4500 Memorial Dr., Belleville, IL 62226, (618) 233-7750, <https://www.memhosp.com/>.
  - 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); and (c) the option to decline to notify such authorities.

- a. Emergency 911
  - b. The Campus Safety Department can be reached at (816) 584-6444
  - c. Scott AFB Police Department at (618) 256-2223
  - d. To make a police report, a victim should contact the local police agency 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.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- a. In Illinois, 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: Courtroom 305 of the St. Clair County Courthouse, <http://www.sao.co.st-clair.il.us/victim/domestic/Pages/default.aspx>. Call the Violence Prevention Center at (618) 235-0892 to obtain assistance with filling out the paperwork. Please call as soon as possible so the court can get you in immediately.
  - b. Individuals who have been victims of domestic violence can seek help through the Court system. This is called an Order of Protection. An order of protection is a court order which restricts an abuser and only is available to family or household members, this includes people with a dating relationship. An order of protection may:
    - i. prohibit the abuser from continuing threats and abuse (abuse includes physical abuse, harassment, intimidation, interference with personal liberty, or willful deprivation);
    - ii. bar the abuser from a shared residence;
    - iii. order the abuser to stay away from the victim and other persons protected by the order and/or bar the abuser from the victim's work, school, or other specific locations;
    - iv. require the abuser to attend counseling;
    - v. prohibit the abuser from hiding the child of the victim from the victim or taking a child out of state;
    - vi. require the abuser to appear in court or bring a child to court;
    - vii. give the victim temporary physical or legal possession of children;
    - viii. specify visitation rights (if and when visitation is awarded);
    - ix. bar the abuser from accessing child's records;
    - x. award certain property or bar the abuser from damaging, destroying or selling certain personal property;
    - xi. require the abuser to pay support for minor children, require the abuser to pay for losses suffered from the abuse, and/or require the abuser to pay for victim or children's shelter or counseling services; and/or
    - xii. require the abuser to turn weapons over to local law enforcement.

- c. Orders of protection can be applied for Monday through Friday, from 8:30 a.m. to 11:00 a.m. in Courtroom 305 of the St. Clair County Courthouse, with hearings on those applications in the afternoon of the same day. Personnel from the Violence Prevention Center and Land of Lincoln Legal Assistance Foundation are present in that courtroom to assist people in filling out the necessary paperwork.
- d. 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.

- e. Additional Resources:
  - i. The Violence Prevention Center of Southwestern Illinois: for more than 30 years the Violence Prevention Center of Southwestern Illinois has been dedicated to providing comprehensive services to victims of domestic violence and their children. The Center provides free, confidential services to St. Clair, Monroe and Randolph Counties in southwestern Illinois. 24 Hour Hotline: 618-235-0892 <http://www.vpcswi.org/>.
  - ii. Land of Lincoln Legal Assistance Foundation: Land of Lincoln Legal Assistance Foundation’s mission is to provide low income and senior residents of central and southern Illinois with high quality civil legal services in order to obtain and maintain their basic human needs. Land of Lincoln’s goals in family law cases are to protect victims of domestic violence, sexual assault, or stalking, and their children, from further abuse; and to achieve safety and/or stability for children in custody determinations. [http://lollaf.org/?page\\_id=87](http://lollaf.org/?page_id=87).

### 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 & 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. St. Clair County – Illinois Dept. of Human Services  
<http://www.dhs.state.il.us/page.aspx?module=12&officetype=&county=St%20Clair>
3. St. Clair County Mental Health Board  
307 E Washington St., Belleville, IL 62220  
(618) 277-6022  
<http://stc708.org/>
4. Psychiatric Services of Southern Illinois  
2900 Frank Scott Pkwy W #990, Belleville, IL 62223  
(618) 236-6501  
<http://www.drchalfant.com/>

Health Services:

1. Park University Student Health Services  
8700 NW River Park Dr., Parkville, MO 64152  
<http://www.park.edu/student-health-services/index.html>
2. Chestnut Health Systems  
12 N 64th St, Belleville, IL 62223  
(618) 397-0900  
<http://chestnut.org/>
3. Belleville Healthcare  
<http://briahs.com/>  
150 N 27th St, Belleville, IL 62226  
(618) 235-6600
4. Saint Elizabeth Hospital-Occupational Medicine  
301 W Lincoln St, Belleville, IL 62220  
(618) 234-2120  
<http://www.steliz.org/>

Legal Assistance:

1. Land of Lincoln Legal Assistance Foundation, Inc.  
8787 State St #101, East St Louis, IL 62203  
(618) 398-0958  
<http://lollaf.org/>
2. Illinois Legal Aid Online  
10 Public Square, First Floor - Law Library, Belleville, IL 62220  
(618) 825-2634  
<https://www.illinoislegalaid.org/counties/stclair>

Visa & Immigration Assistance:

1. Park Office of International Students  
8700 NW River Park Dr., Herr House Room 207 / PMB 3  
Parkville, Missouri, 64152-3795, U.S.A.  
00 + 1 + 816 + 584 + 6820  
E-mail: [international@park.edu](mailto:international@park.edu)  
<http://www.park.edu/office-of-international-students/index.html>

2. Immigration Advocates Network  
<http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
3. U.S. Citizenship and Immigration  
Services: [https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office\\_type=A SC&OfficeLocator.statecode=MO](https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=A SC&OfficeLocator.statecode=MO)

Student Financial Aid:

1. Park Financial Aid Office  
8700 NW River Park Dr., Parkville, MO 64152  
(816) 741-2000  
<http://www.park.edu/student-financial-aid/index.html>
2. The Department of Education's Federal Student Aid office  
1-800-433-3243

**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 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 Dean of Students at (816) 584-6495 or (816) 505-5456. The Dean of Students is responsible for deciding what, if any, accommodations or protective measures will be implemented. When determining the reasonableness of such a request, the Dean of Students may consider, among other factors, the following:

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

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party to implement the accommodation or protective measure. Such decisions will be made by the Dean of Students 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 Sexual Harassment and Sexual Misconduct (Title IX) Policy and the related complaint resolution procedures. 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

Roger Dusing  
Chief Human Resources Officer  
816-584-6386  
MacKay Building, Parkville, MO  
[Roger.dusing@park.edu](mailto:Roger.dusing@park.edu)

Deputy Title IX Coordinator - students

Dr. Jayme Uden  
Dean of Students  
816-584-6495  
Thompson Commons, Parkville, MO  
[jayme.uden@park.edu](mailto:jayme.uden@park.edu)

Deputy Title IX Coordinator - Staff

James Nelson  
Associate Vice President of Information Technology Services  
816-584-6548  
Thompson Commons, Parkville, MO  
[james.nelson@park.edu](mailto:james.nelson@park.edu)

Deputy Title IX Coordinator - Faculty

Dr. Emily Sallee  
Associate Provost, Academic Affairs  
816-584-6779  
MacKay Building, 2<sup>nd</sup> Floor  
[Emily.sallee@park.edu](mailto:Emily.sallee@park.edu)

An electronic form may also be used and is available at <http://www.park.edu/current-students/sexual-harrasment-form.html>.

Once a complaint is made, the Title IX Coordinator or Deputy Coordinators will commence the investigatory process as soon as practicable, but not later than seven (7) days after the complaint is made. The Title IX Coordinator and/or designee will analyze the complaint and notify the respondent that a complaint has been filed.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Upon completion of the investigation, the investigator(s) make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. The investigator(s) will then prepare an investigation report outlining the findings and include, if necessary, sanctions or other remedial measures to impose. The parties will be notified of this determination in writing within three (3) days of it being made. The university strives to complete investigations of this nature within sixty (60) calendar days.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Title IX Coordinator within ten (10) days of being notified of the outcome of the investigation. The appeal will then be assigned to a collective panel of Title IX Deputies and the Coordinator for evaluation. The Appeal Panel

will resolve the appeal within fifteen (15) days of receiving it and may take any and all actions that the Panel determines to be in the interest of a fair and just decision. The Appeal Panel will issue a statement of the appeal, including any changes made to the Deputy Coordinators' previous written determination. The written statement will be provided to the complainant, respondent, and the Title IX Coordinator within three (3) days of the resolution.

### **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.
  - a. A prompt, fair and impartial process is one that is:
    - i. 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;
    - ii. conducted in a manner that:
      1. is consistent with the institution's policies and transparent to the accuser and the accused;
      2. includes timely notice of meetings at which the accuser or accused, or both, may be present;
      3. 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
    - iii. 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 Park's goal that all Title IX coordinators and Campus Security Authorities complete quarterly 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. They are also required to compete annual Title IX training online.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The 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.
4. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that University May Impose for 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 Dean of Students 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 Director of Human Resources. Following a suspension, an employee will be required to meet with the Director of Human Resources 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 he or she 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

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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://www.isp.state.il.us/sor/>.

## Emergency Response and Evacuation 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 the Director, Campus Safety at 816-584-6226 of any situation that poses such a threat.

The Director of Campus Safety, Will London, 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 Financial Officer 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 Director of Communications and Public Relations 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. 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](http://www.Park.edu/mypark).

At the direction the University's Chief Financial Officer 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 Director of Public Relations and Communication.

The University tests its emergency response and evacuation procedures at least once a year. 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, annual active shooter scenarios will be conducted with Parkville Police Department to include lockdown procedures.

The Director of Campus Safety maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students' and employees' information to remind them of the University's emergency response and evacuation procedures.

## APPENDIX A

### 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.

#### PRIMARY CRIMINAL OFFENSES

*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.

*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 or 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, usually accompanied by the use of a weapon or by a means likely to produce death or great bodily harm.

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

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

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

#### HATE CRIMES

Hate crimes involve those crimes motivated by the following biases: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. As noted, hate crimes include those defined above (except manslaughter by negligence) that were motivated by one or more of these biases. They also include the following crimes:

*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 Violation (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.

*Drug Abuse Violations:* The violation of law prohibiting the production, distribution and/or use of certain controlled substances and the equipment or 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.

*Liquor Law Violations:* The violation of state or local laws or ordinance prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

## **VAWA OFFENSES**

*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 will be determined based on the reporting party's statement and with consideration of the length, and type of relationship and the frequency of interaction between the persons involved in the relationship.

*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, 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.

*Stalking:* A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his or others' safety, or to suffer substantial emotional distress.

## Crime Statistics

### Scott AFB

| Offense                           | Year | On-Campus Property | On-Campus Student Housing Facilities | Non-Campus Property | Public Property |
|-----------------------------------|------|--------------------|--------------------------------------|---------------------|-----------------|
| Murder/Non-Negligent Manslaughter | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |
| Negligent Manslaughter            | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |
| Rape                              | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |
| Fondling                          | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |
| Incest                            | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |
| Statutory Rape                    | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |
| Robbery                           | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |
| Aggravated Assault                | 2016 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2017 | 0                  | 0                                    | 0                   | 0               |
|                                   | 2018 | 0                  | 0                                    | 0                   | 0               |



PARK UNIVERSITY CLERY ANNUAL SECURITY REPORT

|  |      |   |   |   |   |
|--|------|---|---|---|---|
| Burglary                                     | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft                          | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |
| Arson  | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |
| Arrest: Liquor Law Violation                 | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |
| Arrest: Drug Abuse Violations                | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |
| Arrest: Weapons: Carrying, Possessing, ETC.  | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 2016 | 0 | 0 | 0 | 0 |
|  | 2017 | 0 | 0 | 0 | 0 |
|  | 2018 | 0 | 0 | 0 | 0 |

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|   |      |   |   |   |   |
|---|------|---|---|---|---|
| Disciplinary Referral -<br>Weapons: Carrying,<br>Possessing, ETC. | 2016 | 0 | 0 | 0 | 0 |
|   | 2017 | 0 | 0 | 0 | 0 |
|   | 2018 | 0 | 0 | 0 | 0 |
| Domestic Violence   | 2016 | 0 | 0 | 0 | 0 |
|   | 2017 | 0 | 0 | 0 | 0 |
|   | 2018 | 0 | 0 | 0 | 0 |
| Dating Violence   | 2016 | 0 | 0 | 0 | 0 |
|   | 2017 | 0 | 0 | 0 | 0 |
|   | 2018 | 0 | 0 | 0 | 0 |
| Stalking  | 2016 | 0 | 0 | 0 | 0 |
|   | 2017 | 0 | 0 | 0 | 0 |
|   | 2018 | 0 | 0 | 0 | 0 |
| Hate Crimes   | 2016 | 0 | 0 | 0 | 0 |
|   | 2017 | 0 | 0 | 0 | 0 |
|   | 2018 | 0 | 0 | 0 | 0 |
| Unfounded Crimes  | 2016 | 0 | 0 | 0 | 0 |
|   | 2017 | 0 | 0 | 0 | 0 |
|   | 2018 | 0 | 0 | 0 | 0 |