



**November 5th, 2020**

**Annual Campus**

**Security & Fire**

**Safety Report**

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The Fontbonne Public Safety Department has the responsibility for the publication and distribution of this report in accordance with the Jeanne Clery Act.

This report contains statistics data that spans the calendar years of 2017, 2018, & 2019



## TO THE FONTBONNE UNIVERSITY COMMUNITY:

Thank you for spending time reviewing our Annual Security and Fire Safety Report. Fontbonne University publishes this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Higher Education Opportunity Act of 2008, and the 2013 Reauthorization of the Violence Against Women Act. This 2020 report includes statistics for the previous three years concerning reported crimes that occurred on campus; certain off campus buildings, property owned or controlled by Fontbonne; and on public property within, or immediately adjacent to and accessible from the campus. This report also includes fire safety policies and statistics, emergency notification procedures, and protocols for missing persons.

The Department of Public Safety works diligently with other departments and agencies to compile the necessary information for this report. The office of Student Affairs, Athletics, the Campus Security Authority, the Title IX coordinators and the Clayton Police Department are just a few of the key partners that assist us in providing important information for this report.

The Department of Public Safety would encourage all community members to not only take a few minutes to review this document, but to be proactive in our efforts to keep the university safe. If you should have questions please feel free to contact the Department of Public Safety at 314-719.8024

Larry Vertrees

Director of Public Safety



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## INTRODUCTION

Fontbonne University publishes this report in compliance with the **Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Crime Act** (as amended by the *August 14th, 2008 Higher Education Opportunity Act*). The statute (*law*) requirements for **"The Clery Act"** can be found in [20 U.S.C. §1092\(f\)](#), [20](#)

[U.S.C. §1092\(i\)](#), and [20 U.S.C. §1092\(j\)](#) and the regulations (*the detailed rules that outline how the United States Department of Education will enforce the law*) can be found in [34 CFR §668.41](#), [34 CFR §668.46](#), [34 CFR §668.49](#), and [Appendix A of 34 CFR §668](#). The Clery Act requires Institutions of Higher Education (IHE) to prepare, publish and distribute an annual security report by October 1st of each year containing specific information regarding law enforcement, security, legal and disciplinary policies of the university.

Fontbonne encourages all individuals who attend, work, or visit the campus to follow basic personal and property crime prevention procedures for yourself and for those around you. Please become familiar with various services and procedures that are outlined in this report. If you have any questions please feel free to contact the Department of public Safety at 314-889-4596.

### Relevant Websites

*Fontbonne University Website*

*U.S. Dept. of Education Campus Security Website*

*U.S. Dept. of Education Clery Handbook 2016*

If you have any questions contact:

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## **CLERY ACT REQUIREMENTS**

### **Publish an Annual Security Report (ASR)**

Universities must publish a report by December 31, 2020, documenting the previous three calendar years of select campus crime statistics including security policies and procedures and information on the basic rights guaranteed to victims of sexual assault. The law requires that schools make the report available to all current students and employees, and prospective students and employees must be notified of its existence and given a copy upon request. Schools may comply with this requirement via the internet if required recipients are notified and provided exact information regarding the on-line location of the report. Paper copies of the ASR should be available upon request. All crime statistics must be provided to the U.S. Department of Education and submitted online within 15 days after the Oct 1st publishing on the Department of Education reporting website.

### **Maintain a Public Crime Log**

Institutions with a police or security department are required to maintain a public crime log documenting the “nature, date, time, and general location of each crime” and its disposition, if known. Incidents must be entered into the log within two business days. The log should be accessible to the public during normal business hours; remain open for 60 days and, subsequently, made available within two business days upon request . Please note the Fontbonne University crime log has been created using state definitions which may not correspond to federal definitions and therefore the crime log may not correspond with Clery statistics. The Crime log can also be obtained at the office of the Director of public Safety, Ryan Hall 101.

### **Disclose Crime Statistics**

Institutions must disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities, including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other school officials who have “significant responsibility for student and campus activities.” The Clery Act requires reporting of crimes in 4 major categories, some with significant sub-categories and conditions:

#### **A. Criminal Offenses**

- |  |                                |
|--|--------------------------------|
| 1. Murder & Non-negligent manslaughter | 4. Sex Offenses/Sexual Assault |
| 2. Negligent manslaughter              | Fondling                       |
| 3. Rape                                | Statutory Rape, Incest         |



### **Criminal Offenses Continued**

- |                       |                        |
|-----------------------|------------------------|
| 5. Robbery            | 8. Motor Vehicle Theft |
| 6. Aggravated Assault | 9. Arson               |
| 7. Burglary           |                        |

### **B. VAWA Related Offenses (Violence Against Women At)**

1. Domestic Violence    2. Dating Violence    3. Stalking

***Even though sexual assault is a VAWA related offense it is still counted under the Criminal Offenses category***

### **C. Hate Crimes**

Hate crimes must be reported by category of prejudice, including race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and disability. Statistics are also required for four additional crime categories if the crime committed is classified as a hate crime:

- |                   |  |
|-------------------|--|
| 1. Larceny/Theft  | 3. Intimidation                              |
| 2. Simple Assault | 4. Destruction/ Damage/Vandalism of Property |

### **D. Arrests & Referrals**

Schools are also required to report statistics for the following categories of arrests or referrals for campus disciplinary action (if an arrest was not made):

- |                          |                               |
|--------------------------|-------------------------------|
| 1. Liquor Law Violations | 3. Illegal Weapons Possession |
| 2. Drug Law Violations   |                               |

Definitions of the crimes categories can be found in [Appendix A of 34 CFR 668 Crime Definitions](#) and background information on these crime categories can be found in:

- FBI's UCR Program "[Summary Reporting System \(SRS\) User Manual](#)" 2013
- [UCR National Incident-Based Reporting System \(NIBRS\) 2013](#)
- [UCR Hate Crime Data Collection Guidelines and Training Manual 2015](#)



### **Issue Timely Warnings About Clery Act Crimes Which Pose A Serious or Ongoing Threat to Students and Employees**

Institutions must provide timely warnings in a manner likely to reach all members of the campus community. This mandate has been part of the Clery Act since its inception in 1990. Timely warnings are limited to those crimes an institution is required to report and include in its ASR. There are differences between what constitutes a timely warning and an emergency notification; however, both systems are in place to safeguard students and campus employees.

### **Devise an Emergency Response, Notification and Testing Policy**

Institutions are required to inform the campus community about a “significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.” An emergency response expands the definition of timely warning as it includes both Clery Act crimes and other types of emergencies (e.g., a fire or infectious disease outbreak). Colleges and universities with and without on-campus residential facilities must have emergency response and evacuation procedures in place. Institutions are mandated to disclose a summary of these procedures in their ASR. Additionally, compliance requires one test of the emergency response procedures annually and policies for publicizing those procedures in conjunction with the annual test.

### **Compile and Report Fire Data to the Federal Government and Publish an Annual Fire Safety Report**

Similar to the ASR and the current crime log, institutions with on-campus housing must report fires that occur in on-campus housing, generate both an annual fire report and maintain a fire log that is accessible to the public. The security and fire report can be combined into one report for ease of reporting as long as the report states this in the title and all supporting crime/fire logs and data are available in the report. The notification must also specify the inclusion of the information of the fire reporting requirements.

### **Enact Policies and Procedures to Handle Reports of Missing Students**

This requirement is intended to minimize delays and confusion during the initial stages of a missing student investigation. Institutions must designate one or more positions or organizations to which reports of a student living in on-campus housing can be filed if it’s believed that student has been missing for 24 hours.

### **Violence Against Women Reauthorization Act (VAWA) of 2013**

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (*Pub. Law 113-4*). Among other provisions, this law amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Clery Act. These statutory changes



require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, **domestic violence, dating violence, and stalking**. Hate crime categories of prejudice (based on actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability) now also includes ***national origin and gender identity***. Additionally, institutions will be required to include certain policies, procedures and programs pertaining to these crimes in their Annual Security Reports.

As a result, Fontbonne University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a university official.

The Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy shall contain information on the following items:

- Procedures Fontbonne University will follow once an incident of sexual assault, domestic violence, dating violence, and stalking has been reported, including the standard of evidence that will be used during a conduct hearing
- Description of the educational programs to promote awareness of sexual assault, domestic violence, dating violence, and stalking for all incoming students and new employees, and ongoing prevention and awareness campaigns for students and employees.
- Missouri definition of consent and the federal definitions of sexual assault, domestic violence, dating violence, and stalking, and the applicable corresponding Missouri definitions.
- Safe and positive options for bystander intervention and information on risk reduction to recognize the warning signs of abusive behavior and how to avoid potential attacks.
- *Victims' Rights in cases of domestic violence, dating violence, sexual assault, or stalking*

Changes made Under **section 304 of VAWA (known as the Campus Sexual Violence Elimination Act (Campus SaVE))** take effect with respect to the annual security report prepared by an institution of higher education one calendar year after the date of enactment" of VAWA. Thus, the first Annual Security Report that must include the new required information is the report that must be issued by each institution by October 1, 2014.



## **GEOGRAPHY**

### **Campus**

The Clery regulations found in 34 CFR 668.46 define campus ("On-Campus") property in the following manner:

*"Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and*

*Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)."*

### **HISTORY**

Fontbonne College derives its name from Mother St. John, refounder of the Sisters of St. Joseph after the French Revolution, who in 1836 sent six sisters from France to open a mission at Carondelet in St. Louis. In 1917 the State of Missouri granted a charter for a liberal arts college to the Sisters of St. Joseph of Carondelet, St. Louis Province. A College for women was the inspiration of Agnes Gonzaga Ryan, CSJ, the superior general who initiated the purchase of the land at the corner of Wydown and Big Bend in 1907 and 1908. College classes began at the Carondelet motherhouse in 1923 with nine students and nine faculty. Ground breaking at the present site took place in April 1924; 44 students moved to the new campus in 1925. The original campus comprised five buildings: Ryann Hall, the Fine Arts and Science Buildings, the gymnasium and the powerhouse. Additional construction and on-going modifications to existing buildings preserve the classic style of the original campus.

Founded as a college for women, Fontbonne has evolved into a fully coeducational institution since 1974 when male students were admitted to all degree programs. The college provided undergraduate degree programs until 1975, when the first master's degree in communication disorders received approval. Since then Fontbonne University has developed additional bachelor's and master's degree programs in traditional and accelerated formats for both traditional-age and adult students, and has extended to off campus sites.

### **FONTBONNE CAMPUS**

Situated in a residential section of Clayton, Missouri, the 13 acre main campus makes an attractive addition to the area. Red Missouri Granite, trimmed with Bedford stone, enhances the majority of the ten University Buildings.



### **Non-Campus Property**

The Clery regulations found in 34 CFR 668.46 define non-campus property in the following manner:

*“Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.”*

The non-campus properties (as defined under Clery) for Fontbonne University Campus is:

- 1300 Strassner Dr. Brentwood, Missouri
- 6701 San Bonita, Clayton, Mo 63105 (COTTA)

### **Public Property**

The Clery regulations found in 34 CFR 668.46 defines public property in the following manner:

*“All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.”*

Public property refers to property owned by a public entity, such as a city or state government within 1 mile of campus.

The public properties (as defined under the Clery act) for the Fontbonne University Campus are:

1. Clayton sidewalk/street/sidewalk adjoining the main campus’ contiguous property;
2. Fontbonne parking Lot located on Concordia Seminary Property called Upper South Lot.



## CRIME POLICIES

### ***ANNUAL DISCLOSURE OF CRIME STATISTICS POLICY***

Fontbonne University Department of Public Safety is the office on campus responsible for the publication and distribution of this report in accordance with the Act. The Department works closely with many other university departments, as well as other law enforcement agencies, to obtain the information needed to compile this report. As noted by law, all universities receiving federal financial aid must report the statistical information on crimes that occur on campus and include them in an annual report. The statistical information collected for this report will not contain any names or specific locations to maintain the confidentiality of a victim.

For instance, other campus offices such as *Student Health Services, Residential Life, Student Affairs, Athletics, and Student Activities*, assist in providing information for this report. The Public Safety Department posts the annual report on the web in pdf format for its dissemination and the university printing office assists with the mass production of this document. Additionally, outside law enforcement agencies, such as the *Clayton & Brentwood Police Departments*, provide information regarding crime statistics from the public areas adjoining the main campus and the non-campus properties.

### ***TIMELY WARNING POLICY***

Pursuant to 34 CFR 668.46(e), Fontbonne University prepares and issues “timely warnings” in the following circumstances:

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety constitutes an ongoing or continuing threat, a campus-wide “*timely warning*” will be issued. The warning will be issued to the campus community in a manner that is timely and will aid in the prevention of similar crimes. Dissemination may be by the college e-mail system to students, faculty and staff, and by the use of our “ALERTUS” computer system, and/or our “Loud Mouth PA System” and/or our “Alert” Text Message system. University Public Relations will be responsible for relaying all electronic based information. ***Please note that all timely warnings issued by Fontbonne University will withhold the names of victims as confidential.***

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Fontbonne Public Safety Department may also post a notice in each residence hall, and at the front door of each campus building. Anyone with information warranting a timely warning should report the circumstances to the Fontbonne Public Safety Department by calling 314-889-4596.





## **REPORTING CRIMES AND EMERGENCIES POLICY**

In order to fulfill the mission of providing a safe, secure and enjoyable environment to live, study and work, all members of the Fontbonne University community, including visitors, students, faculty, and staff are encouraged to report any criminal activity or emergency they observe. Reporting can be accomplished in a number of ways depending upon the urgency of your need for assistance.

**For Emergencies** requiring **POLICE, FIRE or EMERGENCY MEDICAL SERVICES** response, **DIAL 911** from any campus phone. Calls from a campus phone do not require than any additional numbers be dialed for an outside line. 911 calls will connect to a Central Communications Dispatcher with the St Louis County Emergency Dispatcher service. Be prepared to tell them your emergency and tell them which building to respond. After you make that call please call the Fontbonne Public Safety Department at 314-889-4596 to assist you until the emergency service can arrive.

**EMERGENCY TELEPHONES** are located on Fontbonne University property: all elevators, front doors of St Joseph's Hall, Medaille Hall, Southwest Hall. and two Blue Light Phones on the Upper South Parking Lot.

**For non-emergency calls**, The Department of Public Safety may be contacted at 314-8896 from an off campus telephone or at 4596 from a campus telephone.

Crimes may be reported **in person at the Department of Public Safety on Campus or at the Clayton Police Department Office**, located at, 10 S Brentwood Blvd, Clayton, Mo 63105 (or call them at 314-6453000).

## **CAMPUS SECURITY AUTHORITIES**

Crimes may also be reported to a Campus Security Authority (CSA) – the Clery regulations found in 34 CFR 668.46 (a) defines a Campus Security Authority in the following manner:

- 1. A campus police department or a campus security department of an institution*
- 2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into institutional property*
- 3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses*
- 4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.*



### Campus Security Authorities (CSA)

Examples of CSA's	Examples of individuals NOT considered CSA's
The Vice President of Student Affairs	Clerical or Cafeteria Staff
A Director of Athletics, a team coach or a faculty advisor to a student group	Contract Landscape service/food service
A Student Resident Advisor or a front door dorm monitor	Pastoral Services
The Healthcare Nurse or Assistant	Counseling Services
A Teacher with responsibilities of a student organization	
(A complete list of University CSA's can be obtained from the Director of Public Safety)	

It will be the role of the CSAs to be there for students as someone to whom they can report crimes, look to for guidance if they have been victims of a crime, or ask if they simply need advice as to whether or not they should report an incident. If an individual chooses not to report a crime to The Department of Public Safety and chooses the local police, CSAs can assist an individual in contacting the appropriate authorities (jurisdiction where the event took place) **Please note** that on-campus crimes reported to these agencies will typically be referred to the Department of Public Safety to assist in the investigations. The CSAs will not be responsible for taking any actions in regards to suspected perpetrators of a crime, nor are they to make any judgments as to whether or not a crime took place; they are simply responsible for reporting crimes to the Fontbonne Department of Public Safety.

The CSA's are also not responsible for convincing victims of a crime to contact the police if victims do not want the police contacted. CSA's submit the information on crimes to the Department of Public Safety for inclusion in the crime statistics as required by law under the Clery Act for all institutions of



higher education that receive federal financial aid. As previously stated above, the statistical information collected for this report will not contain any names or specific locations to maintain the confidentiality of a victim.

### ***SECURITY POLICY***

During normal business hours, Fontbonne University (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests and invitees. During non-business hours access to all Fontbonne University facilities is by key, card access, or by admittance via the Fontbonne University Department of Public Safety. In the case of periods of extended closing, the university will admit only those with prior written approval to all facilities.

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year.

Fontbonne University utilizes an extensive system of cameras for the purpose of safety, security and facilities maintenance. Cameras are located in many areas throughout campus including parking lots, public areas of housing units and primary pedestrian areas. Cameras are typically purchased by university departments for the monitoring of their specific operations, or by the Fontbonne University Public Safety Department to monitor high traffic, public areas.

All cameras are randomly monitored but continually recording.

The Fontbonne Public Safety Department is committed to protecting the safety and security of the entire campus community. Therefore, a campus security escort service, is available to all students, faculty and staff members who feel uncomfortable walking during the hours of darkness. Escorts during daylight hours may be provided when documented safety concerns exist. If you wish to request the escort service, please call (314) 889-4596.

### ***LAW ENFORCEMENT AUTHORITY AND POWERS***

The Fontbonne Public Safety Staff are licensed through the St Louis County Police, Private Security Section Article IV, section 7. Authorizing said officers the legal right of arrest on property owned or operated by Fontbonne University. Once hired, an officer is trained and sworn in by a member of the St Louis County Police, training staff. A yearly renewal class must be attended by all officers and all armed officers must renew their firearms training as outlined in Article IV, section 7.



### ***COUNSELING ADVISEMENT OF CRIME REPORTING***

As a result of the negotiated rulemaking process that was followed by the passage of the law, the 1998 amendments to the “Clery Act” clarified the identity of those considered to be campus security authorities. Campus “pastoral counselors” and “professional counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics.



Pastoral counselors and professional counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure for crime statistics. For the purposes of the “Clery Act”, pastoral counselors are defined *“as an employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning with the scope of that recognition as a pastoral counselor.”*

Professional counselors are defined as *“an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.”*

### **CAMPUS SECURITY PROCEDURES AND CRIME PREVENTION**

In an effort to ensure a safe and secure environment in which to live, work and study, the Fontbonne Public Safety Department is committed to informing the members of the university community about the functions and various safety and security programs of the department. The Public Safety Department conducts presentations during the first week of class for all new Freshmen students. These sessions cover the purpose of the department, its organizational structure and authority, the types of crimes on campus, where to park, how to avoid becoming a victim of crime, active shooter training, and what to do if you are a victim. Statistics are provided from the annual security report. In addition to addressing issues with students, sessions are also conducted with parents of the incoming students.

### **DRUG AND ALCOHOL PROCESSES AND PROCEDURES**

#### **BACKGROUND**

On December 12, 1989, President George H.W. Bush signed the *Drug-Free Schools and Communities Act Amendments of 1989 (Amendments) Public Law 101-226*. Section 22 amends provisions for the Drug-Free Schools and Communities Act of 1986 and the *Higher Education Act of 1965* to require that, as a condition of receiving funds or any other form of financial assistance under any federal program after Oct. 1, 1990, a university or college must submit certification that it has adopted and implemented a drug prevention program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees (See *20 USC 1011i* & *34 CFR 86* for more info).

Fontbonne University has developed and adopted the drug and alcohol awareness/prevention program described herein pursuant to the requirements set forth in the Drug-Free Schools and Communities Act. As set forth in *34 CFR 86.100*, Fontbonne University is required to provide at a minimum, an annual distribution of the *Drug and Alcohol Policy* in writing to each employee and student that contains:



1. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of illicit drugs and alcohol by employees and students on its property or as part of its activities;
2. A description of applicable legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
3. A description of health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of available drug or alcohol counseling, treatment or rehabilitation or re-entry programs;
5. A clear statement of the disciplinary sanctions that Fontbonne University will impose on employees and students and a description of termination of employment and referral for prosecution for the unlawful possession, use or distribution of illicit drugs and alcohol. Disciplinary sanctions may also include completing an appropriate rehabilitation program.

#### ***POLICY STATEMENT***

**Standards of Conduct:** The unlawful possession, use or distribution of illicit drugs and alcohol by students or employees on the university property or as a part of any university activity is prohibited. A copy of this *Drug and Alcohol Policy* shall be distributed annually to each university employee and to each university student who is taking one or more classes for academic credit and students enrolled in continuing education classes.

***Please note that the lawful distribution, dispensing, possession, or use of alcohol is allowed on the Fontbonne University campus for those times, places, and purposes approved by the President of the University.***

#### ***APPLICABLE SANCTIONS***

##### ***University Disciplinary Sanctions for Students and Employees***

University disciplinary sanctions for students and employees can be found:

Employee Policy Handbook

Student Handbook



***Illegal Drugs & Other Substances:** Being in the presence of any drug that is prohibited by law. The manufacture, use, possession or sale of any drug that is prohibited by law. Possessing drug paraphernalia or other paraphernalia used to facilitate illegal use, and attempting to manufacture or sell counterfeit drugs are also included in this violation.*

***Alcohol:** The possession, use or distribution of alcohol by underage students on university property or as a part of any official university activity is prohibited. **Any underage** student who violates this standard of conduct shall be subject to disciplinary sanctions. Sanctions may include suspension and/or referral for prosecution.*

Any student or employee who violates these standards shall be subject to disciplinary sanctions. Disciplinary sanctions for students may include any of the sanctions prescribed in the student handbook, including suspension or dismissal and/or referral for prosecution (community service, counseling, or other rehabilitation programs may also be required as a condition of any sanctions). The procedures for imposing student disciplinary sanctions may be found in the *Student Code of Conduct* in the *Student Handbook*.

***Disciplinary Sanctions for Employees:** Shall include an oral warning, a written reprimand, suspension or termination and referral for prosecution (See the “Drug-Free Workplace Policy” located in the employee policy manual. Any disciplinary sanction may include the completion of an appropriate rehabilitation or counseling program.*

### **State Legal Sanctions**

#### **Missouri Liquor Laws (Documents contains 2016 RSMo citations, new effective updates on 01/01/17)**

The Liquor Control Law for the State of Missouri (311 RSMo.) provides that any person under the age of 21 years who purchases, attempts to purchase or has in his/her possession any intoxicating liquor is guilty of a misdemeanor (311.325 RSMo.). Anyone who shall procure for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-one years is guilty of a misdemeanor (311.310 RSMo.). Anyone 17 - 20 years old that uses a fake ID to obtain alcohol is also guilty of a misdemeanor (311.320 RSMo.). Under current Missouri law, a subject under the age of 21 who is visibly intoxicated can be arrested without being in physical possession of the intoxicating beverage. A person who has been convicted of a misdemeanor may be subjected to a fine ranging from \$50.00 to \$1,000.00 and/ or imprisonment for up to one year (311.880 RSMo.).



### 2017 Missouri Offense Table for Alcohol Violations (RSMo.311)

RSMo.	Description	Crime/Class
<u>311.310</u>	Supplying liquor to a minor or intoxicated person	Unclassified misdemeanor
<u>311.320</u>	Misrepresentation of age by minor to obtain liquor	Unclassified misdemeanor
<u>311.325</u>	Possession	Up to 1 year, D,A/misdemeanor
<u>311.880</u>	Misdemeanor Violations	Up to 1 year, A/misdemeanor

Driving While Intoxicated (DWI) in Missouri (RSMo. 577) A person commits the crime of “driving while intoxicated” if he/she operates a motor vehicle while in an intoxicated or drugged condition (577.010.1 RSMo.). A person is in an “intoxicated condition” when he/she is under the influence of alcohol, a controlled substance, or drug, or any combination thereof (577.001 RSMo.). An individual is considered intoxicated with any amount of a controlled substance or other specific drugs in their system. If you are stopped by an officer of the law in Missouri, you may be subject to receive a DWI:

- If you drive with a blood alcohol concentration (BAC) of .08 or higher (**regardless of whether your driving ability was actually impaired** (577.012 RSMo.); or
- It is determined that your driving ability is impaired (**even though you may be under the .08 limit**).

First offense is a class B misdemeanor subject to a fine up to \$500 and/or six months imprisonment (577.010 RSMo.). A defendant found guilty must also participate in a Substance Abuse Traffic Offender Program (SATOP) (577.049 RSMo.) Multiple offenses offense range from a Class A misdemeanor (a fine up to \$1,000 and/or one year imprisonment) up to Class B felony (5 - 15 years in prison 577.023 RSMo.). After multiple offenses, Missouri law typically requires a driver to install an ignition interlock device on a vehicle after reinstatement of a driver’s license for six months (577.600 RSMo.).

#### Refusal to Take Blood Alcohol Test

Missouri law specifies that if you are driving a vehicle, you have given consent to submit to a chemical test for the purpose of determining the amount of alcohol in your blood (577.020 RSMo.). Refusal to take a test could result in the suspension of your license for one year (577.041 RSMo.).



### Missouri Abuse and Lose Law (Drivers Under 21)

In Missouri, the BAC limit for drivers who are under **21** is .02. Penalties include suspension of license for **90** days on the first offense and one year for any subsequent offense. The Abuse and Lose Law also includes the possession or use of alcohol and/or drugs while driving or using a fake ID (see [577.500](#) & [577.525 RSMo.](#) for more info.).

### Missouri Administrative Sanctions (RSMo. 302 specifically 302.500 – 302.540)

Individuals arrested for driving while intoxicated, driving with a blood alcohol content of .08 or higher or driving under the influence of drugs (DUID) are processed administratively, as well as criminally ([302.505 RSMo.](#)). A license is suspended or revoked for **90** days for the first offense. A driver convicted of a second alcohol or drug-related offense, regardless of the length of time between convictions, will normally receive a **one-year** revocation for accumulation of points. A driver convicted a second time for an alcohol or drug-related offense within a **five-year** period may also receive a five-year license denial ([302.525 RSMo.](#)). A driver convicted three or more times for an alcohol or drug-related offense will receive a **10-year** license denial ([302.060 RSMo.](#)). The license reinstatement process will include a SATOP, along with other requirements prior to reinstatement ([302.540](#), [302.304](#), & [302.541 RSMo.](#)). (See the Missouri Department of Revenue's DWI website for more information on revocations, suspensions and multiple offenses).

## **Missouri Drug Laws**

**Missouri Drug Laws** (Documents contains 2016 RSMo citations new effective updates on 01/01/17)

The manufacturing, possession, sale, distribution and use of illicit drugs (i.e. controlled substance or imitation controlled substance) are prohibited by state law ([195 RSMo.](#)). Penalties for first time offense for a drug possession violation can range from a fine of \$1,000 to life imprisonment. Other prohibited acts include possession with intent to use drug paraphernalia and advertising the sale of drug paraphernalia. The tables below give information on penalties and fines for specific drug crimes in Missouri (see [195.010 RSMo.](#) for definitions and [195.017 RSMo.](#) for the scheduling information of controlled substances in Missouri).

### **Summary of Specific Drug Crimes (RSMo. 195)**

<b>RSMo.</b>	<b>Description</b>	<b>Prison Term</b>
195.202	Possession or control of a controlled substance	Up to 1-7 years, A/misdemeanor C/Felony



195.211	Distribution, delivery, manufacture or production of a controlled substance, violations and attempted violations	Up to Life (30 Years), C, B, A/Felony
195.212	Unlawful distribution to a minor	5-15 years, B/Felony
195.213	Unlawful purchase or transport with a minor	5-15 years, B/Felony
<b>195.214</b>	<b>Distribution of a controlled substance near a school</b>	<b>10 years-Life (30 years) A/Felony</b>
195.217	Distribution of a controlled substance near a Park	10 years-Life (30 years) A/Felony
195.222	Trafficking drugs, first degree	10 years-Life (30 years), A/Felony
195.223	Trafficking drugs 2nd degree	5 years-Life (30 years) B,A,/Felony
195.223	Unlawful use of drug paraphernalia	Up to 1-4, A/Misdemeanor
195.241	Possession of imitation controlled substance	Up to 1 year, A/Misdemeanor
195.285	Prior offender for possession/unlawful use	5 years-Life, (30 years) B,A, Felony
195.291	Prior distribution, delivery, manufacturing of production	10 years-Life (30 years) A/Felony
195.292	Prior offender to a minor/transport with a minor	10 years-Life (30 years) A/Felony
195.295	Prior drug offender/Trafficking 1st	10 years-Life (30 years) A/Felony
195.420	Possession of Methamphetamine precursors	Up to 4 years, D/Felony
578.260	Possession or Purchase of solvents to aid others in violations	Up to 6 months or 4 Years
578.265	Selling or transferring solvents to cause certain symptoms	Up to 7 years, C/Felony

**\* All trafficking and distribution penalties shall be sentenced to be served without probation or parole is the court finds the defendant is a prior or persistent drug offender depending on the charge.**



### Penalties and Fines

FELONY CLASS	Penalties (years of Imprisonment 558.011 RSMo.)	Fines (560.011 RSMo.)
A	10-30 years or Life	
B	5-15 Years	
C	Up to 7 Years	Up to \$5,000
D	Up to 4 Years	Up to \$5,000
Misdemeanor Class	Penalties (Term of Imprisonment 558.011 RSMo.)	Fines (560.016 RSMo.)
A	1 Year	\$1,000
B	6 Months	\$500
C	15 days	\$300
Infraction		\$200

#### Fines for Profiting from the Commission of a Crime

A person who has been convicted of a misdemeanor through which he/she derived money or property through the commission of the crime may be fined an amount which does not exceed double the amount of the money or property derived through the commission of the crime. An individual offender may not be fined more than \$20,000 under this provision (560.016 RSMo.).

#### Distribution or Manufacturing of a Controlled Substance Near a University in Missouri (195.211 and 195.214 RSMo.)

Distribution or manufacturing of a controlled substance within 2,000 feet of a school is a Class A felony; which term shall be served without probation or parole if the court finds the defendant is a persistent drug offender (for distribution 195.275 RSMo.). Employee Workers Compensation Benefits Involving Drugs and Alcohol (287.120.6 RSMo.) If it is determined that the employee was under the influence of drugs and/or alcohol at the time a work-related injury occurred and if the cause of the accident was



directly related to the use of drugs and/or alcohol, the employee will not be eligible to receive workers' compensation benefits.

Employee Workers Compensation Benefits Involving Drugs and Alcohol (287.120.6 RSMo.)

If it is determined that the employee was under the influence of drugs and/or alcohol at the time a work-related injury occurred and if the cause of the accident was directly related to the use of drugs and/or alcohol, the employee will not be eligible to receive workers' compensation benefits.

An employer can require that an employee take a drug and/or alcohol test after an accident if there is reason to believe that an intoxicating substance may be involved. An employee's refusal to take a test for alcohol or a non-prescribed controlled substance, as defined by section 195.010 RSMo, at the request of the employer shall result in the forfeiture of benefits under this chapter if the employer had sufficient cause to suspect use of alcohol or a non-prescribed controlled substance by the claimant or if the employer's policy clearly authorizes post-injury testing. For more information contact the State of Missouri's Office of Administration, Central Accident Reporting Office (CARO) at (573) 751-2837 or email at [caro@oa.mo.gov](mailto:caro@oa.mo.gov).

**Federal Sanctions**

Although most controlled substance offenses are prosecuted under state law, possession can become a federal charge in many circumstances. For example, it is a federal offense where either the defendant or the drug crossed state lines, or the offense took place in a national park, federal land, or aboard an airplane. It is a violation of federal law to possess, manufacture, or distribute a controlled substance. Defined by federal statute, controlled substances include, but are not limited to, marijuana, cocaine, PCP, LSD, and other narcotics (See 21 CFR 1308.11 – 21 CFR 1308.15 for Drug Schedule info). The severity of the sanctions imposed for both possession and distribution offenses depend on the type and quantity of drugs, prior convictions, and whether death or serious injury resulted. Possession A student or employee found guilty of possessing a controlled substance may be subject to some or all of the following sanctions under criminal federal law: on-prescribed controlled

**Fines and/or Penalties for Possession (21 USC 844 (a))**

Conviction	Imprisonment	Fines
1st	Up to 1 year	\$1000
2nd (Any Previous state)	15 days to 2 years	\$2,500



3rd (Any Previous state)	90 days to 3 years	\$5,000
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In addition, any individual who knowingly possesses specific controlled substances (i.e. heroin, Manufacture, or Distribute a Controlled Substance

First conviction is a minimum of 5-10 years imprisonment to life and/or a maximum fine of \$10,000,000 for an individual depending on the amount and schedule of the controlled substance involved. (See 21 USC 841(a)(1) for more information on “Penalties on Possession of Controlled Substance with Intent to Distribute”)

#### Trafficking Penalties

Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 USC 860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense listed in (21 USC 841(b)), with a mandatory prison sentence of at least one year (See the US Drug Enforcement Agency (DEA) Drug Schedule Penalties for more information on trafficking penalties).

#### Forfeiture of Property

Federal law may require the forfeiture of property used to possess or to facilitate possession of a controlled substance, and the forfeiture of vehicles, boats, aircraft or any other conveyances used to transport or conceal a controlled substance (21 USC 881(a)(4)).

#### Denial of Federal Benefits

If an individual is convicted on federal or state drug charges for possession, distribution/sale, or trafficking, the federal government may also deny or revoke federal benefits such as grants (i.e. Pell and FSEOG), loans, or work study. A student can receive financial aid prior to the end of the revocation period, if certain rehabilitation requirements are met (see the 20 USC 1091i, 34 CFR 668.40, drug eligibility worksheet and studentaid.ed.gov for more info).

**Years of Revocation of Federal Benefits**

Citation	Offense	1st	2nd	3rd
20 USC 10911	Possession	1 Year	2 Years	Indefinite



20 USC 10911	Distribution /Sale	2 years	Indefinite	
21 USC 862(b)	Trafficking	5 Years	10 Years	Indefinite

## HEALTH RISKS

Students who engage in risky drinking may experience blackouts (i.e., memory loss during periods of heavy drinking); fatal and nonfatal injuries, including falls, drowning's, and automobile crashes; illnesses; missed classes; unprotected sex that could lead to a sexually transmitted disease or an unwanted pregnancy; falling grades and academic failure; an arrest record; accidental death; and death by suicide. In addition, college students who drink to excess may miss opportunities to participate in the social, athletic, and cultural activities that are part of college life.

Drug and alcohol use in the workplace not only contributes to lost productivity, but also causes tremendous costs related to absenteeism, accidents, health care, loss of trained personnel, and employee treatment programs. Drug and alcohol abuse causes physical and emotional dependence. Users may develop a craving for these drugs or alcohol and their bodies may respond to the presence of drugs in ways that lead to increased drug and alcohol use.

## Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Alcohol can increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.



## **Drugs**

Like many prescription drugs, “recreational” drugs come with potentially harmful side effects that can have serious and long-term effects on your health. High doses of many of the drugs, or impure or more dangerous substitutes for these drugs, can cause immediate life-threatening health problems such as heart attack, respiratory failure, and coma. Combining drugs with each other or with alcohol is especially dangerous.



**DRUG HEALTH EFFECTS TABLE**

	Narcotics	Depressants	Stimulants
<b>Drug Name</b>	Opium Morphine Codeine, Heroin Meperidine Methadone	Chloral Hydrates Benzodiazepines Methaqualone Glutethimide	Cocaine, Amphetamines, Phenmetrazine Methylphenidate
<b>Possible Effects</b>	Euphoria Drowsiness Respiratory Depression Nausea	Slurred Speech Disorientation Drunken Behavior Without odor or alcohol	Increased alertness Excitation, euphoria Increased pulse Rate/blood pressure Insomnia Loss of appetite
<b>Effects of Overdose</b>	Slow & Shallow Breathing, Clammy Skin, Convulsions Coma, Possible Death	Shallow Respirations Clammy skin Dilated pupils Weak & Rapid Pulse Coma, Possible Death	Agitation Higher body temperature Hallucinations Convulsions Possible Death
<b>Withdrawal Syndrome</b>	Watery Eyes, Runny nose Yawning, Loss of appe- tite Tremors, panic Cramps ,chills	Anxiety, insomnia Tremors, Delirium Convulsions Possible Death	Apathy, Long periods of sleep Irritability, Depression Disorientation
<b>Risk of Physical Dependence</b>	High	Moderate to High	Possible
<b>Risk of Psychological Dependence</b>	High	Moderate to High	High



### DRUG HEALTH EFFECTS TABLE

	Hallucinogens	Cannabis
<b>Drug Name</b>	LSD, Mescaline & Peyote Amphetamine, variants Phencyclidine	Marijuana Tetrahydrocannabinol Hashish, Hashish oil
<b>Possible Effects</b>	Analogues, illusions, & Hallucinations Poor perception of time and distance	Euphoria, relaxed Inhibitions, Increased appetite Disoriented behavior
<b>Effects of Overdose</b>	Longer, more intense trip episodes Psychosis, Possible Death	Fatigue, Paranoia Possible Psychosis
<b>Withdrawal Syndrome</b>	Withdrawal Syndrome Not Reported	Insomnia, Hyperactivity Decreased appetite Occasionally Reported
<b>Risk of Physical Dependence</b>	Unknown	Unknown
<b>Risk of Psychological Dependence</b>	Unknown, High for Phencyclidine and Analogs (PCP)	Moderate

### EDUCATIONAL INFORMATION

The University has developed an annual educational programs consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the Spring and Fall Faculty orientation program; presenting programs throughout the year on at least a quarterly basis, may include sessions such as: skits, a residence hall speaker series, and annual poster series. These educational programs are typically put on by Student Health Services, Residential Life, Student Activities, and the Fontbonne Public Safety Department and other various organizations around campus.



## COUNSELING INFORMATION

As a part of its drug prevention program, the university has prepared the following information summary for educational purposes. Fontbonne University also provides counseling services located at Student Health Services center. Student Health, Residential Life, and Student Activities also sponsor various Drug & Alcohol Abuse Education programs throughout the year on an as needed basis.

Counseling Services: Fontbonne University has a counselor on staff with Student Health Services located in Medaille Hall at (314) 889-4516 or appointments can be made by email to Mary Asaro at [MAasaro@fontbonne.edu](mailto:MAasaro@fontbonne.edu).

The campus counselor is available during normal office hours on weekdays between **9:00am to 5:00pm**.

In 1980, the State of Missouri created the Division of Alcohol and Drug Abuse as a division of the Department of Mental Health, and in the spring of 2013 the Division of Alcohol and Drug Abuse became the Division of Behavioral Health. Among the responsibilities of the Division is the provision of public information relating to alcohol and drug abuse and its prevention, treatment and rehabilitation ([631.010 RSMo.](#)). You can contact the Missouri Department of Mental Health at (800) 575-7480

### **Other counseling and/or treatment resources available close to Fontbonne University Campus:**

Community Health Center, 4130 Lindell Blvd.	314-535-5600
Alcohol/Drug abuse District Office, 5300 Arsenal	314-877-0370
Behavior Health Crisis Hotline (24/7)	800-811.4760
St Mary Hospital, Clayton Road	314-768-8000
Sexual Assault nurse examiner	
YMCA St. Louis Reginal Sexual Assault Center	314-726-6665
Rape Hotline (24/7)	314-531-7273
Alternative to Living in Violent Environments (Alive)	314-993-2777
Crime Victim Advocacy Center	314-652-3623
Legal Advocates for Abused Women (LAAW)	314-535-5229
Life Crisis Center (24 hour Hotline)	314-647-4357
Safe Connections 24 hour hotline 140 Languages)	314-531-2003

**The university makes no endorsement with regard to any counseling/treatment facility and assumes not responsibility for the quality of service available.**



#### Faculty & Staff Specific Counseling Information:

The current Employee Assistance Program (EAP) is made available through the University's current health care provider. The university's benefit plans, including hospitalization and salary continuation may be used for treatment of substance abuse as for any other diseases or disabilities. Please contact Human Resources at (314) 889-1493 or visit the HR website to obtain more information on drug and alcohol counseling services from the current health care provider.

### **EMERGENCY RESPONSE AND EVACUATION**

In compliance with 34 CFR 668.46(g) the following describes the policies of Fontbonne University's Emergency Response and Evacuation procedures.

The university will determine that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on campus by utilizing Fontbonne personnel and/or other campus security personnel (i.e. Residence Hall Directors or Residence Hall Advisors, among others) to gather and relay information to the Department of Public Safety. The Department of Public Safety will inform the President's Office of any emergency or dangerous situation as soon as possible.

Currently Fontbonne University makes emergency notifications to the university community upon confirmation of a significant on-campus emergency or dangerous situation involving an immediate threat to the health or safety of students or staff by the following ways:

- Public address systems in buildings so equipped
- Campus wide Text ALERT System to all personnel/students that elect service
- Campus ALERTUS computer message system (all computers on the campus service)
- University wide e-mails originating from the University Public Relations Department.
- Television stations and Radio stations in the St Louis Area community alert system

Fontbonne University 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.

These notifications, when issued, will explain to the students, faculty and staff procedures they should take in consideration of the particular emergency at hand, including either evacuating from



a particular area, building or other location, or moving to shelter such as a basement or lower level in the event of severe weather.

In an effort to publicize the university's evacuation and emergency response procedures, an Emergency Response Manual is published on the Fontbonne Website and each faculty and staff member must be trained each year in June by their department head. All freshmen students are mandated to take a Public Safety Awareness meeting to discuss emergency procedures.

Efforts to test notification and emergency plans are ongoing throughout the year and are conducted in a variety of ways including:

- Annual evacuation drills for campus buildings
- Routine fire drills for residential dorms
- Biannual testing of the digital public address systems
- Storm shelters are on the lowest point of every building, on an interior hallway or room. The only exception to this is the Physical Plant building; occupants evacuate to the tunnel under the road.

The university documents all emergency/evacuation exercises or drills it conducts. The documentation includes the time and date of the drill, the evacuation beginning and end time, and whether the drill was announced or unannounced. Drill forms are completed by the Public Safety staff with the help of Student Affairs, Resident Life, and Resident Assistants.

Particular procedures that the university takes in response to emergencies vary by the particular emergency at hand. Thus, it is impossible to provide a detailed response plan in this document for every emergency that could possibly arise. However, there is a copy of our Emergency Response Plan on the Fontbonne Website that is available to everyone.

#### Building Evacuation

Procedures for building evacuation are posted in every building on campus. Routes from student rooms in residential housing facilities are posted in each room. The procedure below should be followed in case of fire:

1. Activate the building fire alarm and/or alert people verbally. All people should exit by the nearest marked exit. Close all room doors as you exit. DO NOT LOCK DOORS IF SMOKE OR THE SMELL OF



SMOKE IS PRESENT. If time permits, secure or take your personal purse, wallet, etc. with you. Do not enter any area marked by a hazardous material warning sign.

2. Assist people with disabilities in exiting the building. Do not use the elevators. Smoke is the greatest danger in a fire. Stay near the floor where the air is less toxic.
3. Once outside, move to a clear area that is at least 500 feet away from the affected area. Keep streets, fire lanes, hydrant areas and walkways clear for emergency personnel. Faculty members should account for their students by conducting a head count.
4. Dispatch one individual to a location near the emergency to meet and lead emergency responders to the site of the emergency.
5. Do not return to an evacuated building unless you are told to do so by a Fontbonne official.

If you become trapped in a room or building during a fire and a window is available, place an article of clothing (shirt, coat, etc.) outside the window as a marker for emergency rescue crews. If a window is not available, stay near the floor where the air is less toxic. Shout at regular intervals to alert emergency crews of your location.

Specific evacuation routes for resident life areas are listed below:

#### **Medaille Hall**

- Residents on the fourth floor, in rooms 30, 300-318, 320, 322, 324, 20, 200-218, 220, 222, 224 and on the mezzanine, use the main stairs next to the elevator and exit the building at the south stairwell landing. Do not exit the building through the Arnold Memorial Center (AMC). Go to the parking lot between Southwest Hall and St. Joseph Hall.
- Residents in rooms 219, 221, 223, 225-250 and 319, 321, 323, 325-350 use the stairs at the northwest end of the hall and exit the building at the first floor. Go to the west end of the campus near Big Bend Boulevard.
- Students in Arnold Memorial Center (AMC) use the patio door to exit the building and go to the west end of the campus near Big Bend Boulevard.

#### **St. Joseph's Hall**

- Residents in rooms 201-211, 301-311, and 401-411 go down the north stairwell to the exit at the bottom of the stairs. Exit out the west stairwell door to the parking lot between Southwest Hall and St. Joseph Hall.



- Residents in rooms 213-225, 313-325, and 413-425 go down the south stairwell to the exit door at the bottom of the stairs. Do not go through the lounges. Go to the east end of the parking lot by the fence.
- Students in the front lobby exit out the front door. Students in back lobby exit out of north stairwell door. Go to the east end of the parking lot by the fence.

### **Fine Arts Building**

- Residents in apartments 316-318, and 321-323 go down the northwest stairwell to the exit doors at the bottom of the stairs. Go to the brick wall in the main parking lot.
- Residents in apartments 315 and 325-327 exit the building through the main stairwell. Go to the brick wall in the main parking lot.

### **Cotta Hall**

- Residents in the apartments are to exit the buildings through the stairwells. Go to the east side of the building and stand across the street from Cotta Hall.

### **Fire Safety Systems**

Each building on campus is equipped with a fire system that is monitored on a 24 hour basis from an offsite location. A brief description of the fire system and related equipment is below. The specifications below are subject to change as Fontbonne is continually upgrading the safety systems on campus.

	Smoke Detectors	Stand Alone Smoke Detectors	Partial Sprinkler	Full Sprinkler	Carbon Monoxide Detectors	Fire Extinguisher Devices	Pull Stations	Emergency/ evacuation plans or placards	Ansul Hood System	Fire Hose & Stand pipe
East Building	X	X	X			X	X	X		X
AB Building	X			X		X	X	X	X	
Library	X					X	X	X		X
Ryan	X		X			X	X	X	X	X
DSAC	X			X		X	X	X	X	
Physical Plant							X	X		
*Southwest Hall (Fine Arts)	X		X	X	X	X	X	X		
* Medaille Hall	X		X			X	X	X		
* St. Joseph's Hall	X					X	X	X		X
* Cotta Hall		X				X	X	X		

\* Residential Living Areas



### Fire Safety Related Restrictions

No lighting or heating device that produces an open flame or smoke is allowed in any on-campus residence. This includes candles, incense, open flames, kerosene or propane heaters, etc. Fuel containers are also prohibited in rooms. Closed coil or enclosed cooking elements such as popcorn poppers, coffee pots, hotpots, and toasters, are some examples of acceptable cooking appliances. Microwaves no larger than 1.4 cubic feet are allowed to be used in student rooms. Refrigerators should be no bigger than 2.5 cubic feet. For questions about if an appliance is acceptable please contact the Department of Residential Life.

Smoking is not permitted in any building on campus, including residence halls. All buildings are smoke free.

All extension cords that are used must have the label UL or ETL approval. This will be on the packaging and the cord itself. Products with this certification label meet current industry safety standards. If the cords do not have this approval, then they cannot be used in the campus sponsored housing.

Guidelines to follow when using an extension cord are:

- Never keep an extension cord plugged in when not in use. The cord will still conduct electricity until it is unplugged from the outlet.
- Do not use extension cords that are cut or damaged.
- Never cover any part of an extension cord with rugs or other objects while it is in use.
- Do not overload cords with too many appliances.

### Fire Reports

The Public Safety Department maintains the fire safety reports for the University. The Resident Hall Fire Report summarizes actual fires that have occurred in the living areas on campus. The Campus Fire Report summarizes actual fires that have occurred in all areas of the campus. The Fire Safety Activity Report is a summary of all fire safety related incidents. Entries are posted to these reports within two working days from the date a report is received. Entries will be delayed if releasing information adversely effects an investigation or jeopardizes the safety of the people involved.



Current reports may be viewed online at the Fontbonne University web. Copies available online are updated on a regular basis. Current reports for the last 60 days are available in Ryan Hall, Room 101 or by emailing your request to [safety@fontbonne.edu](mailto:safety@fontbonne.edu). Requests for reports beyond 60 days old are normally available for immediate public inspection. Reports not on hand will be made available within two business days of the request.

The summary for fires in 2017, 2018 and 2019 are listed below :

Location	Cause
On Campus:	No Fires Reported
In Resident Halls:	No Fires Reported
Off-Campus Locations:	No Fires Reported



## **MISSING STUDENTS**

If a member of the university community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Fontbonne Public Safety Department at 314889-4596. The DPS will generate a missing person report and initiate an investigation. Missing student reports may also be made to a residence hall director, a residence hall advisor or the Director of Student Housing, although filing a report with the DPS should be the first action taken.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Fontbonne Public Safety Department in the event the student is determined to be missing for more than 24 hours. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. If a student has identified such an individual, Fontbonne University will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so through their residence hall director or residence hall advisor.

After investigating the missing person report, should the DPS determine that the student is missing and has been missing for more than 24 hours, the university will notify the Clayton Police Department and the student's emergency contact, no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the university will notify the student's parent or legal guardian within 24 hours after DPSL has determined that the student is missing. Please note that regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, DPS will inform the Clayton Police Department within 24 hours of the determination that the student is missing.

## **SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING PROCESSES AND PROCEDURES**

### **POLICY STATEMENT**

Fontbonne University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sexbased discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Fontbonne University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the



incident occurs on or off campus and when it is reported to a University official. In this context, Fontbonne University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved. No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this policy.

## DEFINITIONS

### ***Comparison of Missouri and Federal Sexual Assault Definitions***

Section 304 of VAWA stipulates that an Institution of Higher Education must provide the local statutory definition of consent for its jurisdiction in its Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy. The Final Rule was promulgated under rulemaking on November 1, 2014 and became effective July 2015. The final rule updates can be found in 34 CFR 668.46 & 34 CFR 668 Appendix A. No changes were made to 34 CFR 668.49 Institutional fire safety policies and fire statistics.

Definitions of sexual assault, domestic violence, dating violence, and stalking can be found in section 304 of Public Law 113-4 "*The Violence Against Women Act 2013*" (VAWA). However, institutions must also abide by the state statutes that reflect the federal definitions.

Definitions (Documents contains 2016 RSMo citations new effective updates on 01/01/17)

Missouri sexual offenses statutes can be found in RSMo. 566 (see Sexual Offense and VAWA Crimes Tables and 566.010 Definitions of Sexual Offenses for more info).

### **"Consent" RSMo. 556.061(5)**

Consent or lack of consent may be expressed or implied.

Assent does not constitute consent if:

- It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
- It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or



- It is induced by force, duress or deception;
  - “No” means “No”
  - “No” can be expressed or implied (it does not have to be spoken)
  - “Yes” means “No” if conditions a, b, or c listed above exist

**\*Note on consent and age (reason of youth) in regards to sexual activity in Missouri**

- Sexual intercourse with someone under the age of 14 is Statutory Rape 1st Degree (RSMo. 566.032)
- Sexual intercourse with someone under the age of 17 is Statutory Rape 2nd Degree, if you are 21 or older (RSMo. 566.034)
- Sexual contact with someone between the ages of 14 -16 is Child molestation 2nd degree, (RSMo. 566.068) (based on current statutes, consult your legal counsel for more info)

**“Incapacitated”** RSMo. 556.061(13) means that physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person’s conduct, or unable to communicate unwillingness to an act;

**Sex Offenses** (FBI UCR) – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**A. Rape** (FBI UCR) – 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 (Definition effective 01/01/13 from FBI UCR).

**Corresponding Missouri Statutes Rape (No longer forcible rape in Mo Statute)**

566.030 Rape in the first degree, penalties—suspended sentences not granted, when.

566.031 Rape in the second degree, penalties. (Included former Sexual Assault Definition 566.40)  
**(Count statutory rape as rape if it is without consent)**

**Sodomy** – Oral or anal sexual intercourse with another person, 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 or physical incapacity.

Corresponding Missouri Statutes

566.060 Sodomy 1st Degree, penalties—suspended sentence not granted, when.



566.061 Sodomy 2nd Degree (Formerly Deviate Sexual Assault 566.70), penalties—suspended sentence not granted, when.

566.062 Statutory Sodomy 1st Degree

566.064 Statutory Sodomy 2nd Degree

**Sexual Assault With An Object** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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 or physical incapacity (Please note that a finger or hand is also considered an object).

**Corresponding Missouri Statutes**

566.060 Sodomy 1st Degree, penalties—suspended sentence not granted, when.

566.061 Sodomy 2nd Degree (Formerly Deviate Sexual Assault 566.70), penalties—suspended sentence not granted, when.

566.062 Statutory Sodomy 1st Degree

566.064 Statutory Sodomy 2nd Degree

34 CFR 668 Appendix A was updated during the 2013 rulemaking process to correspond with the 2013 UCR expanded definition of Rape (which includes the crimes of sodomy and sexual assault with an object).

**B. Fondling (FBI UCR NIBRS)** 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 or physical incapacity

**Corresponding Missouri Statutes**

Sexual Abuse

566.100 Sexual abuse in the first degree, penalties.



566.101 Sexual abuse, second degree, penalties. Formerly 566.90 Sexual Misconduct 1st Degree 566.068 Child Molestation 2nd degree

**C. Incest (FBI UCR NIBRS)** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Corresponding Missouri Statutes**

568.020 Incest

**D. Statutory Rape (FBI UCR NIBRS)** Non-forcible sexual intercourse with a person who is under the statutory age of consent (

**Corresponding Missouri Statutes (Counted only if crime is non-forcible)**

566.032 Statutory Rape 1st Degree (twenty-one years of age or older, that has sexual intercourse with another person who is less than seventeen years of age.)

566.034 Statutory Rape 2nd Degree

(Sexual Intercourse with a person who is under the age of 14 in Missouri)

Federal Law Violence Against Women Act (VAWA) Crime Categories Additions

Definitions used in section the Violence Against Women Act of 1994 (42 U.S.C. 13925(a))

After completion of the negotiated federal rule making these definitions will be codified in 34 CFR 668.48(a).

**Domestic Violence:**

1. A felony or misdemeanor crime of violence committed—

- (i) By a current or former spouse or intimate partner of the victim;
- (ii) By a person with whom the victim shares a child in common;
- (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or



- (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
2. For the purpose of this definition-
  - (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - (ii) Dating violence does not include acts covered under the definition of domestic violence.

**Stalking:**

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - (i) Fear for the person's safety or the safety of others; or
  - (ii) Suffer substantial emotional distress.
2. For the purpose of this definition –
  - (i) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - (ii) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - (iii) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.



## **Applicable Missouri Laws (Revised Statutes of Missouri (RSMo.))**

### **DEFINITIONS APPLICABLE IN STATUTES CONCERNING ORDERS OF PROTECTION RSMo. 455**

(Documents contains 2016 RSMo citations, new effective updates on 01/01/17)

**“Domestic Violence”** (455.010(5) RSMo.) is abuse or stalking committed by a family or household member.

**“Family” or “Household Member”** (455.010(7) RSMo.)

“spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;”

**“Abuse”** (455.010(1) RSMo.) includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner:

- a. **“Assault”**, purposely or knowingly placing or attempting to place another in fear of physical harm;
- b. **“Battery”**, purposely or knowingly causing physical harm to another with or without a deadly weapon;
- c. **“Coercion”**, compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;
- d. **“Harassment”**, engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child.
  - i. Such conduct might include, but is not limited to:
    - a. Following another about in a public place or places;
    - b. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;



- e. **“Sexual assault”**, causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that persons consent;\*
- f. **“Unlawful imprisonment”**, holding, confining, detaining or abducting another person against that person’s will.

**“Stalking”** (455.010(13) RSMo.) is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person, or a person who also resides together in the same household with the person seeking the order of protection when it is reasonable in that person’s situation to have been alarmed by the conduct. As used in this subdivision:

- a. **“Alarm”** means to cause fear of danger of physical harm; **and**
- b. **“Course of conduct”** means a pattern of conduct composed of two or more acts over a period od of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact;

## **MISSOURI STATUTE ON CRIMES THAT COVER DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING**

**Domestic Assault** (RSMo. 565) (Similar to Domestic Violence in Federal but Domestic Violence includes Dating Violence in definition) (See Missouri Bar Handbook on Domestic violence)

### 565.072 Domestic assault, first degree–penalty

A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a **family or household member**, including any child who is a member of the family or household, as defined in section 455.010.

Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

### 565.073 Domestic assault, second degree–penalty

A person commits the crime of domestic assault in the second degree if the act involves a family or household member, including any child who is a member of the family or household, as defined in section 455.010, and he or she:



1. Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
2. Recklessly causes serious physical injury to such family or household member; or
3. Recklessly causes physical injury to such family or household member by means of any deadly weapon.

Domestic assault in the 2nd Degree is a class C felony

565.074 Domestic assault, third degree—penalty

A person commits the crime of domestic assault in the third degree if the act involves a family or household member, including any child who is a member of the family or household, as defined in section 455.010 and:

1. The person attempts to cause or recklessly causes physical injury to such family or household member; or
2. With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or
3. The person purposely places such family or household member in apprehension of immediate physical injury by any means; or
4. The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or
5. The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or
6. The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

Domestic assault in the third degree is a class A misdemeanor unless a person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses



described in this subsection may be against the same family or household member or against different family or household members.

### **Dating Violence**

Dating violence is considered domestic violence under current Missouri law in the definition for domestic assault based on the definition of “Family” or “Household Member” in 455.010(7.) RSMo.

**“spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;”**

565.090. Harassment (Harassment is considered the precursory crime to stalking)

565.090. A person commits the crime of harassment if he or she:

1. Knowingly communicates a threat to commit any felony to another person and in so doing frightens, intimidates, or causes emotional distress to such other person; or
2. When communicating with another person, knowingly uses coarse language offensive to one of average sensibility and thereby puts such person in reasonable apprehension of offensive physical contact or harm; or
3. Knowingly frightens, intimidates, or causes emotional distress to another person by anonymously making a telephone call or any electronic communication; or
4. Knowingly communicates with another person who is, or who purports to be, seventeen years of age or younger and in so doing and without good cause recklessly frightens, intimidates, or causes emotional distress to such other person; or
5. Knowingly makes repeated unwanted communication to another person; or
6. Without good cause engages in any other act with the purpose to frighten, intimidate, or cause emotional distress to another person, cause such person to be frightened, intimidated, or emotionally distressed, and such person’s response to the act is one of a person of average sensibilities considering the age of such person.



Harassment is a class A misdemeanor unless it is committed by a person twenty-one years of age or older against a person seventeen years of age or younger; or the person has previously pleaded guilty to or been found guilty of a violation of this section, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this subsection. In such cases, harassment shall be a class D felony.

#### 565.225 Crime of stalking—definitions—penalties.

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

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

The crime of stalking shall be a class A misdemeanor unless the person has previously pleaded guilty to or been found guilty of a violation of this section, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section, in which case stalking shall be a class D felony.

#### **Aggravated Stalking**

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

1. Makes a credible threat; or
2. At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or
3. At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or
4. At any time during the course of conduct, the other person is seventeen years of age or younger and the person harassing the other person is twenty-one years of age or older; or
5. He or she has previously pleaded guilty to or been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim.



The crime of aggravated stalking shall be a class D felony unless the person has previously pleaded guilty to or been found guilty of a violation of this section, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section, aggravated stalking shall be a class C felony.

**Other Crimes Related to Stalking** 565.252. Invasion of privacy, first degree, penalty

A person commits the crime of invasion of privacy in the first degree if such person:

1. Knowingly photographs or films another person, without the person's knowledge and consent, while the person being photographed or filmed is in a state of full or partial nudity and is in a place where one would have a reasonable expectation of privacy, and the person subsequently distributes the photograph or film to another or transmits the image contained in the photo graph or film in a manner that allows access to that image via a computer; or
2. Knowingly disseminates or permits the dissemination by any means, to another person, of a videotape, photograph, or film obtained in violation of subdivision (1) of this subsection or in violation of section 565.253.

Invasion of privacy in the first degree is a class D felony.

565.253. Crime of invasion of privacy, second degree, penalties

A person commits the crime of invasion of privacy in the second degree if:

1. Such person knowingly views, photographs or films another person, without that person's knowledge and consent, while the person being viewed, photographed or filmed is in a state of full or partial nudity and is in a place where one would have a reasonable expectation of privacy; or
2. Such person knowingly uses a concealed camcorder or photographic camera of any type to secretly videotape, photograph, or record by electronic means another person under or through the clothing worn by that other person for the purpose of viewing the body of or the under garments worn by that other person without that person's consent.

*Invasion of privacy in the second degree pursuant to subdivision (1) of subsection 1 of this section is a class A misdemeanor; unless more than one person is viewed, photographed or filmed in full or partial nudity in violation of sections 565.250 to 565.257 during the same course of conduct, in which case invasion of privacy is a class D felony; and unless committed by a person who has previously pled guilty to or been found guilty of invasion of privacy, in which case invasion of privacy is a class D felony.*



*Invasion of privacy in the second degree pursuant to subdivision (2) of subsection 1 of this section is a class A misdemeanor; unless more than one person is secretly videotaped, photographed or recorded in violation of sections 565.250 to 565.257 during the same course of conduct, in which case invasion of privacy is a class D felony; and unless committed by a person who has previously pled guilty to or been found guilty of invasion of privacy, in which case invasion of privacy is a class C felony. Prior pleas or findings of guilt shall be pled and proven in the same manner required by the provisions of section 558.021.*

*See Penalties & Fines P. 50*

#### Penalties and Fines

Felony Class	Penalties Years of imprisonment <u>558.011</u> RSMo.	Fines <u>560.011</u> RSMo.
A	10-30 years or Life	
B	5-15 Years	
C	Up to 7 Years	Up to \$5,000 dollars
D	Up to 4 Years	Up to \$5,000 dollars
Misdemeanor Class	Penalties Years of Imprisonment <u>558.011</u> RSMo	Fines <u>560.016</u> RSMo.
A	1 year	\$1,000 dollars
B	6 Months	\$500 dollars
C	15 Days	\$300 dollars
Infraction		\$200 dollars



## **BYSTANDER INTERVENTION INFORMATION**

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

### **1. Notice the Incident**

Bystanders first must notice the incident taking place. Obviously, if they don't take note of the situation there is no reason to help.

### **2. Interpret incident as emergency**

Bystanders also need to evaluate the situation and determine whether it is an emergency—or at least one in which someone needs assistance. Again, if people do not interpret a situation as one in which someone needs assistance, then there is no need to provide help.

### **3. Assume Responsibility**

Another decision bystanders make is whether they should assume responsibility for giving help. One repeated finding in research studies on helping is that a bystander is less likely to help if there are other bystanders present. When other bystanders are present responsibility for helping is diffused. If a lone bystander is present he or she is more likely to assume responsibility.

### **4. Decide How To Respond Appropriately**

Once you have decided to act, you want to consider the best way to safely intervene.

Some of the options include:

1. Directly responding – You take responsibility as the person intervening and you confront the situation directly.
2. Distraction – You use distraction to redirect the focus somewhere else.
3. Delegate – You ask someone else to intervene, be it the police, security, or someone else.

This might include delegating to:

- Fontbonne University Employees
- Supervisors Colleagues/Other Students



- Human Resources, External Police/9-1-1
- Local Domestic Violence center Hotline or website resources

### **5. Take Action**

- Whether this is to help the person leave the situation, confront a behavior, diffuse a situation, or call for other support/security.
- The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.
- Educate yourself about interpersonal violence AND share this info with friends

Confront friends who make excuses for other peoples abusive behavior Speak up against racist, sexist, and homophobic jokes or remarks

### **Tips for Intervening In a situation potentially involving sexual assault, relationship violence, or stalking:**

- Approach everyone as a friend
- Do not be antagonistic
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police

### **WARNING SIGNS OF AN ABUSIVE PERSON**

This is a list of behaviors that are seen in people who abuse their partners. The first four behaviors (past abuse, threats of violence, breaking objects and any force during an argument) are almost always seen in an abusive person. If someone exhibits more than three of any of these warning signs, there is a strong potential for abuse in the relationship. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.



- **Past abuse** An abuser may say, “I hit someone in the past, but she made me do it.” An abusive person who minimizes what happened with a previous partner is likely to be violent with their current partner. Abusive behavior does not just go away; long-term counseling and a sincere desire to change are necessary.
- **Threats of violence or abuse** Threats can involve anything that is meant to control the victim. For example, “I’ll tell your parents about your drug use if you don’t do what I want.” Healthy relationships do not involve threats, but an abusive person will try to excuse this behavior by saying that “everybody talks like that.”
- **Breaking objects** An abuser may break things, beat on tables or walls or throw objects around or near the victim. This behavior terrorizes the victim and can send the message that physical abuse is the next step.
- **Use of force during an argument** An abuser may use force during arguments, including holding the victim down, physically restraining the victim from leaving the room, and pushing and shoving. For example, an abuser may hold a victim against the wall and say, “You’re going to listen to me.”
- **Jealousy** An abuser will say that jealousy is a sign of love. In reality, jealousy has nothing to do with love. It is a sign of insecurity and possessiveness. An abuser may question the victim about whom they talk to or be jealous of time spent with other people. As the jealousy progresses, the abuser will call the victim frequently, stop by unexpectedly or monitor the victims’ activities.
- **Controlling behavior** An abuser will claim that controlling behavior is out of concern for the victim’s welfare. They will be angry if the victim is late and will frequently interrogate the victim. As this behavior gets worse, the abuser will control the victim’s appearance and activities.
- **Quick involvement** An abuser will often pressure someone to make a commitment after a very short amount of time. The abuser comes on quickly, claiming “love at first sight,” and will tell the victim flattering things such as “You’re the only person I could ever love.”
- **Unrealistic expectations** The abuser is dependent on the victim for everything and expects perfection. The victim is expected to take care of everything for the abuser, particularly all emotional support. The abuser will say things like, “You’re the only person I need in my life.”



- **Isolation** The abuser will attempt to diminish and destroy the victim's support system. If a female victim has male friends, she is accused of being a "whore." If she has female friends, she is accused of being a "lesbian." If she is close to her family, she is accused of being "tied to the apron strings." The abuser will accuse people who are close to the victim of "causing trouble."
- **Blames others for problems** Abusers will rarely admit to the part they play in causing a problem. She will blame the victim for almost anything that goes wrong.
- **Blames others for their feelings** An abuser will tell the victim, "I hurt you because you made me mad," or "You're hurting me when you don't do what I ask." Blaming the victim is a way of manipulating them and avoiding any responsibility.
- **Hypersensitivity** An abuser can be easily insulted. The slightest setbacks are seen as personal attacks. An abuser will rage about the everyday difficulties of life as if they are injustices – such as getting a traffic ticket or not doing well on an exam.



- **“Playful” use of force during sex** The abuser may like to hold the victim down during sex. They may want to act out sexual fantasies in which the victim is helpless. An abuser may show little concern about whether the victim wants to have sex and use sulking or anger to manipulate the victim into compliance. They may demand sex or start having sex with the victim when they are sleeping or very intoxicated.
  - **Rigid sex roles** Male abusers often expect women to serve and obey them. They view women as inferior to men and believe that a woman is not a whole person without a relationship with a man.
  - **Jekyll-and-Hyde personality** Explosiveness and mood swings are typical of abusers, and these behaviors are related to other traits such as hypersensitivity. This is not always a sign of mental health problems but may be a way of controlling the victim by being unpredictable.
- Cruelty to animals or children** An abuser may brutally punish animals or be insensitive to their pain or suffering. Pets can be used to control the victim or to emotionally abuse them

### Help Reduce Your Risk and Avoid Potential Attacks

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, and how to avoid potential attacks.

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

1. Get help by contacting the Campus Counselor and/or Student Health Center for support services
2. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners
3. Consider getting a *protective order* or stay away order
4. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.



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

#### **Sexual Assault Prevention (From RAINN)**

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from un-opened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible
- If you suspect you have been drugged, go to a hospital and ask to be tested
- Keep track of how many drinks you have had
- Try to come and leave with a group of people you trust
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours

#### **Traveling around campus (walking)**

- Make sure your cell phone is easily accessible and fully charged
- Be familiar with where emergency phones are installed on the campus
- Be aware of open buildings where you can use a phone
- Carry a small flashlight on your keychain
- Take major, public paths rather than less populated shortcuts
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Carry a noisemaker (like a whistle) on your keychain



## **EDUCATIONAL PROGRAMS**

Fontbonne University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking in federal and state laws in Missouri;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of Missouri;
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Fontbonne University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; student orientation and the residential life scheduled training.



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## **POSSIBLE SANCTIONS AND PROTECTIVE MEASURES FOLLOWING A CRIME OF RAPE, DATE/ AQUAINTANCE RAPE, DOMESTICE VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

Sexual offense, domestic violence, dating violence, and stalking cases referred to the Fontbonne University Student Conduct system may result in the perpetrator being suspended from the university. More than one sanction may be recommended or imposed for any single violation when deemed appropriate by the Judicial Officer or Disciplinary Committee. All disciplinary sanctions are noted in the student's non-academic student file. Records of suspended students are kept indefinitely. Sanctions for students may involve change in living arrangements, counseling, community service, suspension, "No Contact" order, or expulsion depending on the circumstances specific to the case. The typical length of a suspension may range from one semester up to five years depending on the circumstances specific to the case.

Faculty or staff found to be in violation of this policy will be subject to discipline up to and including written reprimand, suspension, demotion, or termination. (See the Fontbonne University Employee Handbooks for more information). Any disciplinary sanction may include the completion of an appropriate counseling or other rehabilitation program prior to any reinstatement (if applicable). Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

## **PROCEDURES VICTIMS SHOULD FOLLOW IF A SEXUAL OFFENSE, DOMESTIC VIOLENCE, DA- TING VIOLENCE, SEXUAL ASSAULT OR STALKING HAS OCCURED**

The first priority of a victim of sexual assault or domestic violence is to get to a place of safety, then to obtain necessary medical attention as soon as possible. St Mary Hospital and Barnes Hospital have certified ER hospital staff members that are authorized to perform medical/legal examinations. An assault should be reported directly to the Fontbonne Public Safety Department (DPS)(314-889-4596), the Vice President of Student Affairs (314-889-4539), the Director of Residential Housing (314-889-1429), or the Director of Counseling (314-889-1439). Although Fontbonne University strongly advocates that a victim of sexual assault or domestic violence, dating violence, or stalking report the incident to the Clayton Police (911) in a timely manner, it is the victim's choice to make such a report and the victim has a right to decline involvement with the police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to the incident more difficult. If a victim chooses not to make a complaint regarding and incident, he or she



nevertheless should consider speaking with the Clayton Police Department or other law enforcement agency to preserve evidence in the event that the victim changes his or her mind at a later date.

#### Preserving Evidence for Sexual Assaults

Physical evidence is crucial in helping to prosecute assailants in cases of rape or sexual assault. Physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical/legal exam victims of rape or assault should not bathe, change clothes, douche, use toilet (if possible), smoke, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours or so that the evidence may be preserved. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

#### Preserving Evidence for Victims of Violence

Victims of violence should not bathe or change clothes prior to documentation of physical evidence. Preserving evidence may be necessary to prove criminal domestic violence, dating violence, stalking, or in obtaining a protection order. If victims do not opt for forensic evidence collection, health care providers can still treat injuries.

#### Preserving Evidence for Victims of Stalking

Victims of stalking should save evidence such as any letters, notes, e-mails, phone calls, videos, photos, texts, social media postings (i.e., Facebook, Twitter, etc.), computer screenshots, voicemails, or any other form of evidence that would be helpful.

#### Reporting an Incident to the Department of Public Safety

To report the incident to DPS, an individual should contact the Fontbonne Public Safety Department at (314) 889-4596 or by use of any campus emergency phone, or by reporting to the on-scene officer, if he or she has already been summoned. If a report of an assault has been made to another university official, they will assist in making a report to the Public Safety Officer on duty.

***Please note that evidence can still be collected a Sexual Assault Nurse Examiner even if the victim chooses not to make a report to law enforcement. Forensic exams are given at no cost, but medical treatment can be reimbursed through the Crime Victims' Compensation Program or covered by insurance.***

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the university's Student Conduct System, or only the latter. Victims also have the option of contacting the Title IX coordinator, various Responsible Employees or a ***campus security authority*** (CSA)'s to discuss reporting options. One of these university representatives will guide



the victim through the available options and support the victim in his or her decision. A victim may also choose to speak confidentially to the Fontbonne University Counselor located at Medaille Hall.

## ***REPORTING AND TIMELY WARNING OBLIGATIONS UNDER THE CLERY ACT***

### Reporting an Incident to a Counselor

Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics and the information can be disclosed confidentially. However, pastoral counselors and professional counselors are encouraged; if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis.

### University Responsibilities in Regards to Orders of Protection

The purpose of an *Ex Parte* Order of Protection and a Full Order of Protection is to restrain a respondent from committing or threatening domestic violence, stalking, communicating or disturbing a complainant’s peace, and entering a complainant’s place of residence. An *Ex Parte* Order of Protection is a temporary order in place until a hearing by a judge. After reading a Petition, the Judge will either grant or deny an *Ex Parte* Order of Protection. This initial decision is made solely on the determination of an immediate and present danger to the complainant based on what is written in the Petition. Court hearings are typically held within 15 days of filing an *Ex Parte* Order of Protection as noted in Missouri law. A complainant must be prepared to present documentation, photos, or other forms of evidence with the paperwork when filing a petition for an *Ex Parte* Order. At a court hearing, a judge can issue a Full Order of Protection for a period of 180 days up to one year. A Full Order of Protection can be renewed twice; each renewal can last up to one year. No new incident of abuse is required if the Order is renewed before the old one expires. The Court may, upon a finding that it is in the best interest of the parties, include a provision that any Full Order of Protection for one year shall automatically renew unless the Respondent requests a hearing by 30 days prior to its expiration (see [Chapter 455](#) and specifically [455.010](#), [455.035](#), & [455.050](#) RSMo. for more information).

### How to File an Order of Protection

In St Louis County a *Petition for Order of Protection* can be filed at the *St Louis County Circuit Clerk’s Office*. This office is located at 41 S. Central Ave, Clayton Mo. 63105. The office hours for the Circuit Court Clerk’s Office in M-F 8 AM to 5PM. The Missouri Adult Abuse Act requires that court clerks explain how to file all of these necessary forms and documents. In addition, most counties have victim advocates to assist you in the process for filing for an Order of Protection and they may even go with



you to court. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from domestic violence or a motion for hearing on violation of any order of protection may be filed with the St Louis County *Sheriff's Office* at 7900 Carondelet Ave, Clayton MO 63105.

#### "No Trespass" Orders

If there is enough reason to believe (through investigation) that an individual is likely to cause harm to any member on campus the Fontbonne Public Safety Department can issue a *No Trespass* order. This order must be given to the Clayton Police Department once it is issued. Any individual found to be on campus after a *No Trespass* order has been issued against them may be immediately be arrested by the The Department of Public Safety or the Clayton Police if violated. . *"No Trespass"* orders can be issued against any member of the Fontbonne University community (students, faculty, or staff) or the public. No Trespass Orders can be issued by (PSD) for a 5 day period and can be extended to a year or longer upon approval by the Fontbonne University President. A violation of a No Trespass Order is a class B Misdemeanor that could result in up to 6 months in jail and/or \$500 fine per 569.140 RSMo.

Retaliation against any member of the Fontbonne University community, acting in good faith, who has made a complaint of threatening or potentially violent behavior, is a very concerning violation of the student code of conduct. Any violation of these policies will also result in serious disciplinary action and/ or academic suspension or expulsion.

#### "No Contact" Order

If the circumstances of an alleged violation is judged to be severe enough by the Vice President of Student Affairs, the university reserves the right to impose a "No Contact" order prior to a conduct hearing has occurred. The use of a "No Contact" order is used when there is a threat to the health and safety of the respondent and/or other members of the university community. "No Contact" orders restrict individuals from entering specific university buildings and activities to eliminate contact with alleged victims and/or other forms of contact with certain person(s). A "No Contact" order can be a temporary order in place while a conduct case or appeal is pending, or extended to a longer period of time to protect the student(s) and/or other members of the university community from threats to their health or safety.



## **PROCEDURES FOR INSTITUTIONAL ACTION IN CASES OF ALLEGED DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

If the assailant is a student, regardless of criminal or civil action, campus administrative action may be initiated through the Student Conduct System. Specific guidelines, procedures, filing a complaint, conduct hearings, standard evidence, rights of the accuser and the accused may be found in (see AntiHarassment Policy in Volume II, and the Sexual Misconduct Policy in Volume VII or in the Griffin Scratch Student Handbook)

***Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).***

### Formal Title IX Complaint Process

Title IX protects individuals from harassment connected to any of the academic, educational, extracurricular, athletic, and other programs, activities or employment of schools, regardless of the location. Title IX protects both males and females from sexual harassment by any school employee, student, and a non-employee third party. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university's Title IX Sexual Harassment, Sex Equity, and Gender Discrimination Processes and Procedures which can be obtained at Fontbonne University Human Resources Office in order to remedy any hostile environment (see the *Title IX Information* and the *Title IX Grievance Procedures webpages* for more information).

All inquiries regarding the application of policies for the prevention of sexual harassment or sexual violence under Title IX should be referred to Fontbonne's Title IX Coordinator:

Carla Hickman  
Associate Vice President of Student Affairs  
6800 Wydown Blvd, Ryan Hall 302  
Clayton, Mo 63105



## CONFIDENTIALITY OF VICTIMS

Fontbonne University will protect the confidentiality of victims of sexual assaults, domestic violence, dating violence, and stalking to the fullest extent of the law. The following programs and offices of Student Activities, Residential Life, Student Health Services, Athletics, DPS, and the Dean of Students will cooperatively work together to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University complaint (*contact information*). Additionally, person identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The University does not publish the name of a crime victim nor specific housing information regarding victims in the DPS Daily Crime Log. Victims may request that directory information on file be removed from public sources. Please contact the Director of Residential life at (314) 889-1429 for more information on removing information from public sources.

## COUNSELING SERVICES

Fontbonne University has a counselor on staff with *Student Health Services* located in Medaille Hall that can be reached at (314) 889-1434. The campus counselor is available during normal office hours on weekdays between 8:00am to 5:00pm. Counseling and support services available to victims who choose counseling and support outside the university system can obtain an external counseling list from the University counselor.

### Faculty & Staff Specific Counseling Services

The current *Employee Assistance Program* (EAP) is made available through the University's current health care provider. The university's benefit plans, including hospitalization and salary continuation (to the extent vacation and sick leave annual balances are available), may be used for domestic/dating violence and/or sexual assault counseling as for any other diseases or disabilities. Please contact Human Resources at (314) 889-1493 or visit the *HR website* to obtain more information on counseling services from the current health care provider.

## OPTIONS FOR CHANGING ACADEMIC, LIVING AND WORKING SITUATIONS

After a sexual assault, domestic violence, dating violence, or stalking incident has been reported, the victims of such crimes shall have the right to require that campus personnel take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with



alleged assailants, including immediate temporary or permanent relocation of the victim to safe and secure working location, alternative housing, and/or transfer of classes if requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to the local law enforcement. Please contact the *Director of Residential Life* (314) 889-1429 for more information on changing living arrangements.

### VICTIMS' RIGHTS

A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options. A copy may be reviewed at (<https://www.fontbonne.edu/campus-life/griffin-scratchstudent-handbook/?role=student>)

#### Fire Reports

The Public Safety Department maintains the fire safety reports for the University. The Resident Hall Fire Report summarizes actual fires that have occurred in the living areas on campus. The Campus Fire Report summarizes actual fires that have occurred in all areas of the campus. The Fire Safety Activity Report is a summary of all fire safety related incidents. Entries are posted to these reports within two working days from the date a report is received. Entries will be delayed if releasing information adversely effects an investigation or jeopardizes the safety of the people involved.

Fontbonne University, Summary for fires during 2016-2017 & 2018

Location	Cause
On Campus Fires	No Fires Reported
Inside Resident Halls	No fires Reported
Off Campus Locations	No Fires Reported



## SEX OFFENDER REGISTRY

20 U.S.C. §1092(f)(1) and section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), Fontbonne University provides the following information regarding sex offenders. Section 121 (also known as Megan's law) amended 42 U.S.C. § 14071(j) also known as the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act of 1994*. Pursuant to the afore cited federal laws, persons who are required to register under a state sex offender registry are required to notify the state regarding each post-secondary school at which the offender works or is a student. In the state of Missouri, sex offenders are required to register with the county sheriff's department (589.400 RSMo.). The Missouri State Highway Patrol maintains a *statewide sex offender registry*. In addition to the state sex offender registry, the U.S. Department of Justice also maintains a *nation-wide sex offender registry*.

**SEXUAL ASSAULT PROCEEDING DISCLOSURE** Fontbonne University will, upon written request 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 such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. This information is guaranteed privacy protection under the Family Education Rights and Privacy Act (FERPA) and disclosure to the victim or next of kin does not violate any of its provisions.



## MANDATORY REPORTER LAW IN MISSOURI (RSMo. 210)

At various times throughout the year faculty and staff members may be responsible for the supervision of various programs in which minors (**individuals under the age of 18**) participate on campus. If a faculty member, by law, a mandatory reporter must notify the Department directly and not just supervisors. All faculty and staff responsible for the supervision of a child for any part of a 24 hour day are considered mandatory reporters under RSMo. 210.110 & 210.115. Responsible employees cannot leave the onus of reporting in the hands of the chain of command of an organization. Fontbonne University shall not impede or inhibit any employee from reporting. No person making a report shall be subject to any sanction, including any adverse employment action, for making such report. If it is discovered that a mandatory reporter has **not** notified the department of possible abuse, the individual could be subject to be found guilty of a class A misdemeanor (up to 1 year in jail or \$1000 fine) per RSMo. 210.165.

### How to Make an Official Report

If an individual is not sure it's abuse or neglect, they can call *the local Children's Division office* to discuss their concerns. They can advise the individual whether or not to call the hotline. They can also give advice that might help you help the family in crisis.

An individual may call the hotline at 1 (800) 392-3738, The Children's Division staff this hotline 24 hours a day, 7 days a week, 365 days a year. They will take information from you and respond to child abuse and neglect. If you live outside Missouri and want to report abuse or neglect of a Missouri child, call (573) 751-3448.

#### **Be sure you have:**

The name of the child  
The name of the parent(s)  
The name of the alleged abuser  
Where the child can be located

#### **You will also be asked:**

Is the child in a life-threatening situation now?  
How do you know about the abuse/neglect?  
Did you witness the abuse/neglect?  
Were there other witnesses and how can they be contacted?



## **FIRE SAFETY (34 CFR 668.49)**

Each Building on campus is equipped with a fire system that is monitored on a 24-hour basis from an offsite location. A brief description of the fire systems and related equipment on campus is listed below. The specifications below are subject to change as Fontbonne continually reviews and upgrades the safety systems on campus.

### *DESCRIPTION OF ON-CAMPUS FIRE SAFETY SYSTEM*

<b>Building</b>	Smoke Detector	Stand Alone Smoke Detector	Full Sprinkler	Partial Sprinkler	Carbon Monoxide Detectors	Fire Extinguisher Device	Pull Stations	Emergency Evacuation Plans	Ansul Hood System	Fire Hose & Standpipe
East Building	X	X		X		X	X	X		X
AB Building	X		X			X	X	X	X	
Library	X					X	X	X		X
Ryan Hall	X			X		X	X	X	X	X
DSAC	X		X			X	X	X	X	
Physical Plant						X	X	X		
*Southwest Hall	X		X	X	X	X	X	X		
*Medaille Hall	X			X		X	X	X		
*St Joseph's Hall	X					X	X	X		X
*Cotta Hall		X				X	X	X		

Fire Safety Related Restrictions



No lighting or heating device that produces an open flame or smoke is allowed in any on-campus residence. This includes candles, incense, open flames, kerosene or propane heaters, etc. Fuel containers are also prohibited in rooms. Closed coil or enclosed cooking elements such as popcorn poppers, coffee pots, hotpots, and toasters, are some examples of acceptable cooking appliances. Microwaves no larger than 1.4 cubic feet are allowed to be used in student rooms. Refrigerators should be no bigger than 2.5 cubic feet. For questions about if an appliance is acceptable please contact the Department of Residential Life.

Smoking is not permitted in any building on campus, including residence halls. All buildings are smoke free.

All extension cords that are used must have the label UL or ETL approval. This will be on the packaging and the cord itself. Products with this certification label meet current industry safety standards. If the cords do not have this approval, then they cannot be used in the campus sponsored housing.

Guidelines to follow when using an extension cord are:

- Never keep an extension cord plugged in when not in use. The cord will still conduct electricity until it is unplugged from the outlet.
- Do not use extension cords that are cut or damaged.
- Never cover any part of an extension cord with rugs or other objects while it is in use.
- Do not overload cords with too many appliances.

### Fire Training

Training in response to emergencies is conducted annually on campus. This includes training in response to fire related emergencies.

### Preparing Students for Emergency Response

Faculty members will review the emergency procedures with their students on the first day of class each term. All information contained in the EMERGENCY PROCEDURE REFERENCE GUIDE posted in every classroom should be reviewed. Faculty members should also have contingency plans in place to assist any disabled individual in their class that may need help when responding to an emergency.



All resident students will receive emergency response training during orientation for their first term on campus each school year. All students new to the residence halls in the fall semester are required to attend a fire safety program held during the first two weeks of school. Fire drills will be conducted at the start of each term in the residence halls and a tornado drill conducted in March in conjunction with the statewide tornado drill. The Associate Vice President for Student Affairs has responsibility for conducting these drills. Dates of the drills are documented and kept on file. The Associate Vice President for Student Affairs should also have contingency plans in place to assist any disabled resident student in responding to an emergency.

Resident Assistants receive training each fall semester on how to evacuate the residence halls in case of fire, properly discharge a fire extinguisher, use the emergency evacuation chair, and learn protocol on reporting emergencies.

#### Preparing Employees for Emergency Response

Each August, supervisors will review with their employees the emergency information contained in the EMERGENCY PROCEDURE REFERENCE GUIDE which is on file in each department. Supervisors should be confident that their employees know how to properly respond to all types of emergencies. Supervisors should also have contingency plans in place to assist any disabled individual in their department that may need assistance when responding to an emergency.

New employees of Fontbonne should receive emergency response training as part of their orientation training. It is the responsibility of the individual's supervisor to provide this training.

#### Fire Reports

The Public Safety Department maintains the fire safety reports for the University. The Resident Hall Fire Report summarizes actual fires that have occurred in the living areas on campus. The Campus Fire Report summarizes actual fires that have occurred in all areas of the campus. The Fire Safety Activity Report is a summary of all fire safety related incidents. Entries are posted to these reports within two working days from the date a report is received. Entries will be delayed if releasing information adversely affects an investigation or jeopardizes the safety of the people involved.

Current reports may be viewed online at the Fontbonne University web. Copies available online are updated on a regular basis. Current reports for the last 60 days are available in Ryan Hall, Room 101 or by emailing your request to [safety@fontbonne.edu](mailto:safety@fontbonne.edu). Requests for reports beyond 60 days old are normally available for immediate public inspection. Reports not on hand will be made available within two business days of the request.



## Disclosure of Campus Security Crime Statistics

Under the Clery Act, institutions must provide Crime and Fire statistics for the three prior years to the Secretary of the Department of Education and the entire University. These statistics have been provided to the Department of Education and will later be made available to the general public at : <http://ope.edgov/campussafety> on or before December 31, 2020.



# Fontbonne University 2017 Crime Statistics

This chart includes offenses that were reported to the Fontbonne University Public Safety Department, Clayton Police Department, and the Brentwood Police Department. It also includes offenses that were reported to the university officials who have significant responsibilities for students and campus activities. Non-campus property includes statistics from our property in Brentwood, as well as our study abroad programs. These offenses are compiled using the UCR procedures in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act.

All On-Campus Property				Non - Campus Property				Public Property				On Campus Residential Only					
	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	GRAND TOTAL	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Section Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY (TOTAL)																	
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	1
Sex Offenses, Forcible (Total)																	
Forcible Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault w/ Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible (Total)																	
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	6	6	0	0	0	0	0	0	0	0	6	0	0	0	6
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1	1
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapon Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEW REQUIREMENTS IN 2014																	
Dating Violence	1	0	0	1	0	0	0	0	0	0	0	0	1	1	0	0	1
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC = On Campus PP = Public Property NC = Non-campus RH= Residential Hall

# Fontbonne University 2018 Crime Statistics

This chart includes offenses that were reported to the Fontbonne University Public Safety Department, Clayton Police Department, and the Brentwood Police Department. It also includes offenses that were reported to the university officials who have significant responsibilities for students and campus activities. Non-campus property includes statistics from our property in Brentwood, as well as our study abroad programs. These offenses are compiled using the UCR procedures in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act.

All On-Campus Property				Non - Campus Property				Public Property				On-Campus Residential Only				
	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	GRAND TOTAL	Reported to Public Safety	Reported to local police agencies	Reported to non-police
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY (TOTAL)																
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible (Total)																
Forcible Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault w/ Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible (Total)																
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	9	9	0	0	0	0	0	0	0	0	9	0	0	9
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapon Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEW REQUIREMENTS IN 2014																
Dating Violence	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1

# Fontbonne University 2019 Crime Statistics

This chart includes offenses that were reported to the Fontbonne University Public Safety Department, Clayton Police Department, and the Brentwood Police Department. It also includes offenses that were reported to the university officials who have significant responsibilities for students and campus activities. Non-campus property includes statistics from our property in Brentwood, as well as our study abroad programs. These offenses are compiled using the UCR procedures in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act.

All On-Campus Property				Non - Campus Property			Public Property				On Campus Residential Only						
	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	GRAND TOTAL	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Section Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY (TOTAL)																	
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible (Total)																	
Forcible Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	2	2	0	0	0	0	0	0	0	0	2	0	0	2	2
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible (Total)																	
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	34	34	0	0	0	0	0	0	0	0	34	0	0	34	34
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	6	6	0	0	0	0	0	0	0	0	6	0	0	6	6
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapon Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEW REQUIREMENTS IN 2014																	
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	1	1