

# 2021 Fontbonne University Annual Security & Fire Safety Report



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# Fontbonne University 2021 Annual Security and Fire Safety Report

## Quick Reference Campus Resources

### Department of Public Safety

Emergency	314.599.2947
Non-Emergency	314.889.4596

### City of Clayton Police & Fire Department

Emergency	911
Non-Emergency	314.645.3000
Administration	314.290.8401



### Fontbonne University Emergency Alert System

This is the University's free mass notification service, which is used to alert all students, faculty & staff regarding important information about campus crime, emergencies, and other potentially life-threatening events on campus. Email alerts will be sent to your Fontbonne.edu email address. We also may send you text message alerts to your mobile phone if you register to receive those messages at [www.fontbonne.edu/text](http://www.fontbonne.edu/text).

### Student Health & Counseling

Student Health Services	314.889.4784
Counseling Services	314.889.1434
Title IX Coordinator	314.889.1410

### Mission Statement

Fontbonne University, a Catholic institution founded by the Sisters of St Joseph of Carondelet, provides transformative education committed to the common good, inspiring students to become global citizens who think critically and act ethically to create a more just world.

# Fontbonne University Crime Statistics

This section of the Annual Security and Fire Safety Report explains what type of crimes institutions are directed to include under the Clery Act, as well as how the University obtains and tabulates these statistics each year. Reporting tables are provided which include crime statistics for the calendar years 2018 through 2020.

The statistics included in the Annual Security and Fire Safety Report are compiled by the Department of Public Safety (DPS) with assistance from a wide range of other University administrative departments, including but not limited to Student Affairs, Housing & Residential Life, Human Resources, and Title IX Coordinators. DPS collects statistics from the University's Campus Security Authorities (CSAs)\* on an ongoing basis throughout the year. DPS also annually requests crime statistics from the Clayton Police Department which could potentially respond to calls anywhere on the University's Clery reportable geography.

## 2018-2020 Crime Statistics

Under the Clery Act, institutions are only directed to disclose statistics for a specific list of criminal offenses, (See Appendix A for all Clery Crime Definitions) which were reported to have occurred in certain property owned or controlled by the institution. Specifically, institutions must publish statistics for Clery Act Crimes which occurred on any of following locations:

### On-Campus:

1. 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; or
2. Any building or property that is within or reasonably contiguous to the area identified in the above paragraph, 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), (see Appendix B for Geographic Location).

### On-Campus Student Housing Facilities:

1. Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. Note that this is a subcategory of the On-Campus category.

### Public Property:

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

\* CSAs include members of DPS, as well as other University employees or volunteers with responsibility for campus security who are not members of DPS; and University officials with significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus proceedings. Because official responsibilities and job titles vary significantly on campuses, CSAs are classified by job function, not job title.

**Non-Campus Buildings or Property:**

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. (Note that none of Fontbonne University's officially recognized student organizations own or control any property currently).

Clery Act Crimes are grouped into four general categories:

**Criminal Offenses:** Criminal Homicide (including Murder and Non-Negligent Manslaughter, and Manslaughter by Negligence); Sexual Assault (including Rape, Fondling, Incest and Statutory Rape); Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.

**Hate Crimes:** which includes any of the Criminal Offenses and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias.

**VAWA Offenses:** which includes any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes.)

**Arrests and Referrals for Disciplinary Action:** which includes separate arrests and referral statistics for violations of weapons laws, drug abuse violations and liquor law violations.

**It is also important to note:**

- statistics are based on reports of **alleged** criminal offenses – regardless of whether the crime has been investigated, or whether a finding of guilt or responsibility has been made; and
- statistics are tabulated based on the date the Clery Act Crime was reported, not the date it allegedly occurred.

Clery Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property Housing	In-Campus Student Property	Non-Campus Property	Public Property
Murder/non-Negligent Manslaughter	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Rape	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Fondling	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Incest	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Statutory Rape	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Robbery	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Burglary	2020	1	1	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Motor Vehicle Theft	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Arson	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0



VAWA Offenses Reporting Table

Offense	Year	Geographic Location			
		On-Campus Property Housing	In-Campus Student Property	Non-Campus Property	Public
Domestic Violence	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Dating Violence	2020	0	0	0	0
	2019	1	1	0	0
	2018	1	0	0	0
Stalking	2020	1	0	0	0
	2019	0	0	0	0
	2018	1	1	0	0

Arrests and Disciplinary Referrals Reporting Table

Offense	Year	Geographic Location			
		On-Campus Property Housing	In-Campus Student Property	Non-Campus Property	Public
Arrest: Weapons: Carrying Possessing, etc.	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Disciplinary Referrals: Weapons, Carrying, Possessing, etc.	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Arrests: Drug Abuse Violations	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2020	3	2	0	0
	2019	6	6	0	0
	2018	1	1	0	0
Arrests: Liquor Law Violations	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2020	2	1	0	0
	2019	34	34	0	0
	2018	9	9	0	0



#### Hate Crimes:

In addition to the statistics presented in the Reporting Tables on the preceding pages, institutions are required to report the statistics for hate crimes.

There were no reported Hate Crimes during 2018, 2019, or 2020.

#### Unfounded Crimes:

Institutions are also required to disclose whether any crime reports were “unfounded” and subsequently withheld from crime statistics during each of the three most recent calendar years. A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

There were no unfounded crimes in 2018, 2019, or 2020.

## Fontbonne University’s Daily Crime Log

Up to date information regarding crimes reported on Clery Act Geography is also publicly available year-round in a Daily Crime Log maintained by DPS. The Crime Log records, by the date the incident was reported to DPS, certain information on all alleged criminal incidents (not just Clery Act Crimes) which occurred on Clery Act Geography. The Crime Log does not include other DPS activity unrelated to alleged crimes (e.g., responding to alarms on campus or rendering medical assistance). The most recent 60 days of the Daily Crime Log are available for public inspection in the office of the Director of Public Safety (Ryan 101) Monday through Friday 7am to 3pm, except during certain holidays and when the campus is closed. Requests to view entries from more than 60 days ago, will be provided within two business days of the request.

# Fontbonne University Department of Public Safety

This section of the Annual Security and Fire Safety Report includes information about Fontbonne University's Department of Public Safety, how to report crimes or suspicious activity to the Department of Public Safety, and how the Department of Public Safety communicates important safety information to the campus community.

## About Public Safety

The Fontbonne University Department of Public Safety (DPS) provides protective and safety services to the campus community. DPS is a member of the University's Student Affairs division, and reports to the Vice President for Student Affairs. The Office of Public Safety is located inside Ryan Hall room 101 and is open 24 hours a day, 7 days a week. DPS is staffed by the Director of Public Safety and several St. Louis County licensed security officers who work three shifts providing coverage 24 hours a day, seven days a week. All these officers undergo annual training and a criminal background check conducted by the St. Louis County Police Department in connection with their annual licensure. All officers are also required to participate in the following types of training: CPR/First Aid, Defensive Tactics, Campus Emergency Response, FERPA, and Clery Act. Officers are also given opportunities to participate in additional training courses offered by the St. Louis County Police Department throughout the year. DPS operates according to a comprehensive set of procedures which outline how to respond to or investigate serious incidents on campus such as reports of a fire, an active shooter situation, sexual assault, or property crime. Departmental policies also outline general responsibilities and expectations for each member of the Department. Each officer is required to review these procedures when they begin their employment with the Department, and DPS leadership reviews these departmental policies and procedures with the staff throughout the year.

## Department of Public Safety Jurisdiction and Enforcement Authority

DPS has jurisdiction over all Fontbonne University owned or controlled property associated with the main campus in Clayton, Missouri; and is responsible for enforcing University policy, Missouri state law and federal laws. DPS officers are granted limited power of arrest status on all Fontbonne University property within their jurisdiction. Officers can also make arrests in connection with alleged felonies if reasonable grounds exist that the offense was committed by the person the officer is arresting and the act was committed on university property. Officers are also allowed to conduct searches and seize evidence so long as any search or seizure is in connection with an arrest related to a crime committed on university property. The University has several recognized student organizations, however, none of these organizations own or control any on campus or non-campus buildings or structures. In addition to providing the above campus security services, DPS oversees the University's parking program – specifically DPS issues parking permits, coordinates parking reservations, and monitors/enforces University parking regulations. DPS also maintains the University's Lost and Found inventory.

DPS does not have any written "memorandum of understanding" (MOU) agreements with local and state law enforcement agencies regarding the investigation of alleged criminal offenses. However, DPS works cooperatively with the Clayton Police Department to enhance public safety services and campus

security. DPS also maintains a strong working relationship with the St. Louis County Police Department, Missouri Highway Patrol, and Federal Authorities.

### Reporting Criminal or Suspicious Activity and Emergencies

The University strongly encourages all members of the campus community (as well as visitors) to report any criminal or suspicious activity and emergencies promptly and accurately to DPS as soon as possible, even if the victim of a crime elects to, or is unable to, make such a report. It is essential that all crimes are reported to DPS so that the Director of DPS can determine whether a Timely Warning\* needs to be issued to the campus community and consider whether the incident should be included in the annual crime statistics and or crime log.

DPS also strongly encourages individuals to report any crimes which occur off campus to the appropriate law enforcement agency. While DPS does not have jurisdiction off campus and these crimes are not included in the annual crime statistics, DPS is always available to assist callers with determining which local law enforcement agency to contact for assistance.

### Contacting Department of Public Safety

Anyone can report criminal action, suspicious activity or other emergencies occurring on campus to DPS by phone or in person 24 hours a day/seven days a week. DPS Officers can be reached at (314) 599.2947. University owned telephones can be dialed (4596) for the on duty Public Safety Officer. The University also maintains a network of blue light telephones on campus, and three outside residence hall telephones that can also call DPS.

Members of the community are helpful when they immediately report crimes or emergencies to DPS or the Coordinator of the Title IX Office for purposes of including them in the annual statistical disclosure and assessing them for issuing Timely Warnings Notices, when deemed necessary.

Timely Warnings are Clery mandated safety alerts that are issued to the campus under certain circumstances. The University's policies and procedures regarding Timely Warnings are explained in a later section of this report.

Crimes can be reported to the following office on campus:

Department of Public Safety

314.599.2947

Victims of sexual violence, dating violence, domestic violence and stalking are encouraged to report to the Title IX Office:

Title IX Coordinator

Heather French, 314.889.1410

hfrench@fontbonne.edu

If reporting parties are not comfortable reporting to Public Safety, they are encouraged to report to the following Campus Authorities:

Heather French,	Vice President for Student Affairs	314.889.1410
Janelle Julian	Assistant VP for Student Affairs	314.719.8057
Danielle Doerfler	Executive Associate Director for Athletics	314.889.4540
Steven Loher	Director of Human Resources	314.889.1493

## **Voluntary Confidential Reports**

The University understands that there are times when a victim of a crime does not want to pursue action within the university system or the criminal justice system; however, reporting parties may still want to consider making a confidential report. With a reporting party's permission, the Director of Public Safety or designee can file a report without revealing the reporting party's identity. (The only exception is in cases involving a minor, as the University must notify law enforcement pursuant to Missouri Law.) The purpose of a confidential report is to comply with a reporting party's desire to keep the matter confidential, while allowing DPS to take the necessary steps to ensure the future safety of the reporting party and campus community. Confidential reports allow DPS to determine where there is a pattern of crime with regard to a particular location, method, or assailant, and assess whether a Timely Warning (described in more detail in the Timely Warning section of this document) is needed. These reports are also included in the University's annual crimes statistics.

Important note: confidential reporting to the Department of Public Safety is not available for reports of sexual assault, dating violence, and domestic violence or stalking. As explained in later sections of the Annual Security Report, DPS must share the reporting party's identity with the Title IX Coordinator anytime it receives a report involving one of those crimes. See the section of the Report titled "Reporting Sexual Assault, Dating Violence, Domestic Violence or Stalking" for additional detail on how to report these types of offenses confidentially.

## **Pastoral and Professional Counselors**

DPS communicates annually with the individuals on campus acting in the role of a licensed pastoral or professional counselors regarding the procedures for Confidential Reporting described above and asks these counselors to inform their clients about voluntary confidential reporting as they deem appropriate. However, statistics included in the Annual Security Report never include any identifying information for any of the involved parties, regardless of whether or not the crime was reported confidentially. The only exception is in cases involving a minor, as the University must notify law enforcement.

## **DPS Response to Reports of Crime or Suspicious Activity**

Regardless of how an incident is reported to DPS, the Department will respond by either:

1. Dispatching an officer to meet with the reporting party and document the incident (and investigate as needed), or
2. An officer will contact the reporting party by phone to document the incident.\* DPS also has immediate access to the Clayton Police Department, the St. Louis County Police Department, and other law enforcement agencies to report crimes and/or ask for emergency assistance. Reporting parties should be aware that reports (and any associated investigation) involving students may be referred by DPS to the Dean of Students Office, Housing & Residential Life, or a Title IX Coordinator for review and possible disciplinary referral depending on the nature of the report. Likewise, reports involving employee's/faculty members may be forwarded by DPS to Human Resources and/or a Title IX Coordinator for review and possible disciplinary referral (See Appendix C Missouri State Crime Statues).

\* The type of response will take into consideration the nature of the report and location of the reporting party.

### **Higher Education Opportunity Act Victim Notification**

It is University policy to, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the 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.

### Campus security and access control

The University understands that effective access control is a key component of maintaining a secure campus; however, these measures and access controls must be assessed for each facility on a case-by-case basis. The following sections of the Annual Security and Fire Safety Report addresses the general security measures, including access to both non-residential and residential facilities on campus, but is not building specific.

### Security Measures

DPS is primarily responsible for day-to-day campus security for all the facilities on campus, including student housing. DPS officers open the campus each day and secure it each night. Officers also provide additional security at special events on campus, and DPS staff manages keys and access to University Buildings. (Card Access is managed by Residential Life for access to the dorms and Fine Arts building). The Director and staff of DPS also work closely with other administrative departments throughout the year on a dual approach to campus security – which entails both minimizing criminal opportunities whenever possible and encouraging members of the campus community to take an active role in their own personal safety and the safety of others. DPS and its University partners use the following techniques to maximize campus safety and minimize criminal opportunities:

- **24-hour preventative patrols** by DPS officers of all on campus buildings (including student housing facilities) and all parking lots. Patrols are performed on foot, and by vehicle – depending on the weather.
- **Resident Assistants** also conduct walk-throughs of all residence halls as well as members of the residential life team.
- Housing & Residential Life Staff are on call 24/7.
- Counseling staff from Counseling Services are on call 24/7.
- **Emergency Blue-Light Telephones** are located on the South parking lot which notify the Public Safety Officer on duty of the caller's location any time they are activated. The Public Safety Officer responds to the location of a Blue-Light Telephone any time it is activated regardless of whether there is any communication or not.
- **IP telephones** are located at the entrances to all three dorms which contact DPS for their assistance.
- **Closed circuit television** monitoring and recording.
- **Restricted card access** entry system on all residence halls and the use of elevators in those halls.

- **Safe Walk Program** (escort service) which provides campus community members with an officer to accompany the caller by foot to a location on campus. This service can be requested 24/7 by calling DPS by phone or by using one of the Blue-Light Telephones located across campus.
- **Fontbonne University maintains campus facilities and landscaping in a manner that minimizes hazardous and unsafe conditions.** Parking lots and pathways are illuminated with lighting. DPS officers look for malfunctioning lights and door locks, and other unsafe physical conditions while on patrol and report any issues to Facilities for correction. Other members of the University community are also encouraged to report malfunctioning safety equipment or unsafe physical conditions to Facilities Management or DPS.
- **Facilities Services** has a member of their staff on-call for Emergency Maintenance issues each night.
- **The Behavioral Intervention Team (BIT)** is a cross departmental group chaired by the Director of Counseling & Wellness which addresses reports of troubling behavior which could potentially lead to security concerns on campus. The BIT is responsible for assessing reports of troubling behavior by students, faculty, or staff, and implementing interventions that are in the best interest of the University and the individual. The Director of Public Safety and Director of Counseling and Wellness both serve on the BIT. Individuals can request assistance from the BIT by either calling DPS 314.599.2947 or Counseling at 314.889.4516. There is also a Student Outreach System on the Fontbonne website where Faculty & Staff can report when students experience academic, financial, or personal difficulty throughout the term.

(see Appendix D Crime Prevention Tips)

### Access Control

Fontbonne University's main campus is comprised of approximately 12 acres in the City of Clayton, a historic residential suburb of St. Louis, Missouri. The main campus contains both modern and architecturally significant historic structures that provide the campus community with state of the art academic, administrative, recreational space, and student housing facilities.

### Access to Non-Residential Facilities

The University's academic and administrative buildings as well as the library and student center are generally open to the public during normal business hours. Certain buildings on campus are also regularly open to the public in the evenings and over weekends for



certain activities sponsored by the University or partner organizations which share space on campus.

Access to spaces within buildings may be restricted by key locks, or access codes when the building itself



is open to the public. DPS is responsible for coordinating the issuance of the necessary keys and access codes for students, faculty and staff, and authorized visitors. After-hours access to specific spaces such as offices, classrooms, studios, media center, visual arts studios, resource center, practice rooms, etc. must be approved by the appropriate faculty or staff. Once approval is granted for after-hours access, DPS will arrange for access for these individuals

### Access to Residential Facilities

On campus student housing facilities consist of three student residence halls. Medaille Hall, Southwest Hall and St Joseph's Hall. Access to each residence hall is restricted by a key card reader 24 hours a day. Only students residing in that particular hall, Resident Life Staff, DPS staff, and Physical Plant staff employees are able to access the halls using their access cards without the need for specific approval. Any other individual who wishes to access a residence hall must be escorted by the Residential Life Staff or DPS. All residents are issued both a room and an access card, which allows for access to the building to be restricted.



### Guest/Visitor Procedures for On Campus Student Housing Facilities

The policy regarding residents having guests is designed to emphasize that the residence hall is a living and learning environment. Residents' desire to entertain guests in their living area must be balanced with provisions for an environment conducive to study, sleep, security, and a reasonable amount of privacy. The right of privacy in a room or apartment supersedes a roommate's / apartment mate's privileges to have guests. This policy covers visitation, host responsibility for guests, and social gatherings.

It is the expectation from the University that any resident sharing a common living space will discuss the visitation policy and develop mutually agreed upon guidelines for the shared space. This will be determined through a Roommate Agreement completed within the first few weeks of the new semester living together.

A guest as defined by the Department of Residential Life is anyone who does not live in the room or building that is being visiting.

#### 1) General Rules Governing the Visitation Policy Include:

Visitation Hours are:

Sunday - Thursday.....9:00AM-midnight

Friday - Saturday.....9:00AM-2AM



- a) Guest(s) is held to the same standards for following policies and regulations of the institution as the resident host (here after known as the host).
- b) All guests are not permitted to visit a rooms at any time other than the designated hours.
- c) The host is allowed the maximum number of two (2) guests at the same time.
- d) Guest must use the communal restrooms of their identified gender. Gender neutral restrooms are located on the first floor of St. Joseph Hall.
- e) A non-resident guest is permitted a maximum of five (5) hours occupancy in residence halls per day during weekdays and seven (7) hours per day on weekends. It is the host's responsibility to notify the Resident Assistant if a special circumstance exists and hours need to be extended.
- f) A non-resident guest must be escorted at all times upon entrance into the residence halls. Failure to escort the non-resident guest will result in the guest being asked to leave the building.
- g) A non-resident Fontbonne Student overnight guest(s) may stay for two (2) consecutive or non – consecutive nights per week. This amount is not to exceed 6 nightly stays per month. It is the responsibility of the host to notify the Resident Assistant if a guest(s) of the same gender spends the night in your room or apartment. Overnight guest(s) not of the same gender are not permitted and violate the visitation policy.
- h) This visitation policy also applies to members of the family who are of the opposite gender.
- i) Guest(s) must register their car with Public Safety.
- j) Residents should not give room keys or access key cards to non-residents to gain access to a student's room or building. A \$100 fee could be assessed to the resident assigned that key if this occurs.

## 2) Host Responsibility

A resident host with guest(s) in his/her living space has the responsibility to ensure that the behavior of the guest will honor the other resident(s) rights who share the space.

The host is responsible for their guest(s) behavior while visiting sponsored housing. It is the responsibility of the host to make their guest(s) aware of university and on campus sponsored housing policies. The host will be held accountable if the guest(s) violates the Student Code of Character and Conduct. In addition, the host is required to report violations by their guest(s) of the Student Code of Character and Conduct and residence hall policies to the appropriate university staff member. All policies governing alcohol must be followed by student's guests.

Non-resident guests, who violate the university and residence hall policies may be asked to leave and not return.

## 3) Social Gathering

In St. Joseph and Medaille Halls, a social gathering may occur within the following guidelines:

- a) A maximum of eight persons may occupy a double room in St. Joseph Hall or Medaille if both roommates are present. A maximum of four persons may occupy a single room in Medaille Hall with the host present. A triple room may have a maximum number of twelve guests present if three roommates assigned to the room are present.
- b) A gathering may not disturb other rooms or floors. The authorized occupant(s) of any room is (are) responsible for all behavior that takes place in that room.
- c) All policies governing alcohol must be followed.
- d) In Southwest Hall, a social gathering may occur within the following guidelines:
  - i) A maximum of 16 persons may occupy a third floor apartment if all apartment residents are present. Three guests per host student assigned to room.
  - ii) The gathering may not disturb other apartments or the classroom community.
  - iii) The apartment having the social gathering will be held responsible for the behavior of the apartment guests.
  - iv) Alcohol is not allowed in the common areas of the floor. All policies governing alcohol must be followed.
  - v) Failure to comply with these guidelines could result in one or more of the following disciplinary actions: educational program, discretionary service, monetary fine, loss of privilege, restitution, social probation, residential life probation, and/or residential life dismissal.

### The Behavioral Intervention Team (BIT)

The (Bit) team is across departmental group chaired by the Associate Vice President for Student Affairs which addresses reports of troubled behavior which could potentially lead to security concerns on campus. The BIT is responsible for assessing reports of troubling behavior by students, faculty or staff, and implementing interventions that are in the best interest of the University and the individual. The Director of Public Safety and Associate Vice President for Student Affairs both serve of the BIT. Individuals can request assistance from the BIT be either calling DPS 314.599.2947 or the Associate Vice President for Student Affairs at 314.719.8057. There is also a Student Outreach System on the Fontbonne website where faculty & Staff can report when students experience academic, financial, or personal difficulty throughout the term.

## Fontbonne Mass Notification System

Fontbonne University University's Mass Notification System is powered by Rave Alert™, a global leader in higher education emergency notification. Fontbonne Alerts are used to notify the campus community about certain crimes and emergencies as described more fully below in the following sections of the Annual Security & Fire Safety Report related to Timely Warnings and Emergency Notifications. The University may also use Fontbonne Alerts to communicate unexpected school closures due to inclement weather or power outages from time to time; however, it is never used to send information regarding advertising or campus activities.

Students, faculty, staff, can enroll to receive alerts for the campus by going to [www.fontbonne.edu/text](http://www.fontbonne.edu/text). The University strongly encourages students, faculty and staff to also add additional contact information such as personal email addresses and mobile numbers to their Fontbonne Alerts account.

Individuals are provided an opportunity to add up to three personal email addresses and three mobile numbers to their account. This also allows account holders to add other individuals such as parents or guardians to their account if they wish. Other individuals who are interested in signing up for a Fontbonne Alerts account can request an account by contacting the Director of Public Safety Larry Vertrees at 314.719.8024.

Instructions for accessing a Fontbonne Alert account is provided in new student, faculty and staff orientation materials. Account holders can always edit their current contact information at any time.



# Timely Warning Policies and Procedures

## What Are Timely Warnings?

It is the university's policy to issue Timely Warnings to the campus community any time a campus security authority (or local law enforcement agency) receives a report of a Clery Act crime that has occurred on the Clery Act Geography that, in the judgement of the Director of Public Safety (or designee), constitutes a serious or continuing threat to students or employees. The university's Timely Warnings are known as "CAMPUS SAFETY ALERTS," and these Alerts will be distributed as soon as pertinent information is available, in a manner that withholds the names of the victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

## When Are Timely Warnings Issued?

The Director of Public Safety (or designee) evaluates each crime reported to DPS on a case-by-case basis to determine whether, based on the facts known at that time, there is an ongoing threat to the campus community. Factors taken into consideration include but are not limited to: the nature of the crime and the continuing danger to the campus community. Campus Safety Alerts are typically issued for the following Crimes Reporting Program (UCR) and National Incident Based Reporting Systems (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter.
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger campus community).
- Robbery involving force or violence (cases involving pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice but will be assessed on a case-by-case basis).
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Director of Public Safety or designee) reported cases of sexual assault, are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community; however, all cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson.
- Other Clery Act Crimes as determined necessary by the Director of Public Safety or designee.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

## What Is Included in a Timely Warning?

Once the Director of Public Safety (or designee) determines that a Campus Safety Alert should be issued to the campus community, he/she will provide the Vice President for Enrollment and Marketing with pertinent information regarding the incident so that he/she can draft the content of the Campus Safety Alert. The VP of Marketing & Communications (or designee) has primary responsibility for developing

the content of the Campus Safety Alert; however, the Director of Public Safety (or designee) is also authorized to draft an Alert in an emergency.

The content of Campus Safety Alerts varies depending on what information is known at the time and the type of offense involved; however, the following information (if known) is typically included unless it could potentially compromise law enforcement efforts or victim confidentiality:

- Date/time/location of the crime.
- Brief description of the crime.
- Suspect description(s).
- DPS and/or law enforcement contact information.
- Relevant crime prevention or safety tips.

### How Are Timely Warnings Issued?

Campus Safety Alerts are always communicated via blast emails to all Fontbonne email addresses registered at (Fontbonne Community). This would include students, faculty & staff with a fontbonne.edu mail address. The University may also choose, on a case-by-case basis, to supplement the primary methods of issuing Campus Safety Alerts with one or more of the following additional methods of communications: text messages to mobile numbers registered with Fontbonne Alert System (RAVE), posting information to the University's official social media pages, posting information to the Universities official website, or posting it to users on the University's ALERTUS system.

The VP of Marketing & Communications (or designee) has primary responsibility for issuing the Campus Safety Alerts to the campus community using the methods described above; however, the Director of Public Safety (or designee) is also authorized to issue Alerts via any of these methods in an emergency.

### Updating Timely Warnings

If the Director of Public Safety (or designee) determines that an update to the original Campus Safety Alert should be issued, the update will be prepared and issued using the same procedures and methods as the initial Campus Safety Alert.

## Campus Safety Advisories

While the Clery Act does not require universities to issue Timely Warnings for non-Clery Crimes or crimes which do not occur on Clery Act Geography; the Director of Public Safety (or designee) may choose from time to time to issue notices to the campus community of other types of crimes or crimes which occur near the university but outside of its Clery Act Geography. These notices are known as “Campus Safety Advisories” and they may be issued in a variety of ways to all or a portion of the members of the campus community. The VP of Enrollment and Marketing (or designee) may from time to time assist the Director of Public Safety in communicating these voluntary Advisories to the appropriate members of the campus community at times.

### 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.

## Emergency Response and Evacuation

### Policies and Procedures

The University understands that taking proactive steps regarding emergency planning is an important step in maintaining a safe campus for students, faculty, staff and visitors. This section of the Annual Security Report addresses the University’s emergency response and evacuation policies and procedures and explains how the University communicates information about emergencies or dangerous situations on campus to the campus community.

### Immediate Emergency Response Procedures

Broadly speaking, the University’s Emergency Operations Plan (EOP) establishes policies, procedures and organizational structures and roles essential for Fontbonne University to respond to, and recover from, crisis and emergency situations that threaten lives, property, public health and the safety of faculty, staff, students and visitors in any location controlled, leased, or owned by Fontbonne University. DPS leads the University’s efforts to develop and implement the Plan; however, department heads, building managers, and faculty on campus, are responsible for developing emergency response plans, contingency plans and continuity of operations plans for their staff and areas of responsibility as appendices to and under the umbrella of the Plan. The Plan calls for the University to respond to crisis

situations using the standards of the nationally recognized Incident Command System. DPS officers and other University personnel at Fontbonne receive table-top training classes about various emergency situations.

The University's Plan focuses on the following objectives:

- Establishing the basic organizational and operational roles and procedures to be used in the event of any emergency or crisis situation occurring within or on a campus or site controlled, leased, or owned by Fontbonne University.
- Articulating clear command and control mechanisms that, when deployed, positions the University to secure and/or commit all appropriate resources toward minimizing the threat of the crisis and protecting lives, property, services and normal operations of the University.
- Creating a learning-centered environment that emphasizes community responsibility through an understanding of key concepts prevention, intervention, and response.

By focusing on prevention, we reduce the necessity of intervention and response. The Plan also identifies broad response measures for various types of crisis/incidents, including but not limited to: bomb threats, civil protests, explosions, fires, hazardous materials incidents, infrastructure failure, severe weather, natural disasters, violent/criminal incidents, terrorism and public relations emergencies.

In the event of an emergency on campus, DPS and staff will work collaboratively with local law enforcement and first responders to respond to, and summon the necessary resources, to mitigate, investigate, and document the emergency or dangerous situation. It is essential that the on duty DPS Officer take a leading role in this emergency until the Executive Leadership Team arrives to take over as Incident Commander. The Incident Commander must ensure the appropriate emergency notifications go out to the appropriate segment(s) of the campus community.

### Evacuation Procedures

The University's EOP includes general evacuation guidelines; however, any time the University determines that an evacuation is necessary, the specific evacuation procedure would be affected by a myriad of factors, including the type of threat, the occupancy of the other buildings and areas of the campus at the time of the incident, etc. Students, faculty, staff and visitors to the campus community are expected to follow the instructions of any first responders on the scene. These first responders may instruct you to evacuate the building you are inside of, or shelter in place. You may be instructed to shelter in place if circumstances dictate that evacuation outside the building/area is not advisable. These situations include, but are not limited to, tornados, severe weather and chemical attack. At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and dial 911.

- 1) Remain calm.
- 2) Do NOT use elevators, use the stairs.



- 3) Assist individuals with physical mobility issues evacuate if you can do so safely. If you are aware of an individual with mobility issues who is unable to exit without using an elevator, assist that individual with securing a safe location near a stairwell, and immediately inform the responding Fire Department of the individual's location.
- 4) Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- 5) Make sure all personnel are out of the building.
- 6) Do not re-enter the building.

#### Shelter-in-Place Procedures – What It Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. To “shelter-in-place” simply means that you should make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

If the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest building quickly. If emergency responders are on the scene, follow their directions.

#### How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources: DPS, Housing & Residential Life Staff, members of the University, The Clayton Police Department or other local first responders.

#### How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by campus administrators or local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
  - Locate a room to shelter inside. It should be:
    - An interior room;
    - Above ground level; and
    - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
  - Shut and lock all windows (tighter seal) and close exterior doors. 4. Turn off air conditioners, heaters, and fans.

- Close vents to ventilation systems as you are able. (University personnel will turn off the ventilation as quickly as possible.)
- Make a list of the people with you and ask someone to call the list in to local law enforcement so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.

## Emergency Notifications Policies & Procedures

### What Are Emergency Notifications?

It is the University's policy to immediately notify the campus community (in the form of an Emergency Notification) any time DPS confirms that there is a significant emergency or dangerous situation which poses an immediate threat to the health or safety of students, faculty or staff occurring on the campus. The Director of Public Safety (or designee) is notified and is responsible for determining the appropriate segments of the campus community to receive a notification based on the type of incident involved and its location.

### When Are Emergency Notifications Issued?

Any time the Director of Public Safety is notified about a potential emergency or dangerous situation on the University's Clery Act Geography, He/She will then reach out to the appropriate University administrators, local first responders and/or the National Weather service to quickly gather enough basic information to evaluate whether the situation poses an immediate threat to the health, or safety of student's faculty or staff at that time. If the Director of Public Safety (or designee) confirms that there is not a significant emergency or dangerous situation which poses an immediate threat to the community the Director will continue to monitor the situation.

Examples of situations which would require an Emergency Notification include, but are not limited to: an active shooter on campus, serious inclement weather such as a tornado, or a serious spill of hazardous materials. Whenever there is confirmation of a significant emergency or dangerous situation as described above, 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.

## What Is Included in an Emergency Notification?

Once the Director of Public Safety determines that an Emergency Notification should be issued, the Director will contact the Director of Marketing & Communications to send out an Emergency Notification. The Director of Marketing & Communications has primary responsibility for developing the content of the Emergency Notifications. The content of Emergency Notifications varies depending on what information is known at the time and the type of emergency involved, however, the following information (if known) is typically included:

- The nature of the emergency
- The action to be taken (e.g., Evacuate; Seek Storm Shelter; Shelter in Place)
- Additionally, “GO TO” and “AVOID” may be used in the event normal response procedures would place personnel at risk
- Where to obtain further information and/or updates on the emergency

## How Are Emergency Notifications Issued?

Emergency Notifications are always communicated via the following methods: Email blast to all addresses associated with this campus which are registered with the Fontbonne email system . Alerts; Rave text message alerts to any mobile devices associated with this campus which are registered with Fontbonne Alerts; broadcast announcements with the University Broadcast system.

The University may also choose, on a case by case basis, to supplement the primary methods of issuing Emergency Notifications with one or more of the following additional methods of communications: posts on the University’s official social media pages; alerts posted to digital signage located on campus; and desktop alerts to any computers on campus which are connected to the University’s network. The Campus Director of Marketing & Communications has primary responsibility for disseminating the Emergency Notifications in the primary and secondary methods described above; however, the Director of Public Safety (or designee) at the Fontbonne campus is also authorized to disseminate Notifications via any of these methods if necessary.

## Communicating Emergency Notifications to the Larger Community

The University always provides information regarding any emergency notifications to the larger community by posting information on the University website’s main page ([www.fontbonne.edu](http://www.fontbonne.edu)). The University may also decide on a case by case basis to utilize its official social media accounts or provide information directly to local or national media.

## Follow Up Information Regarding Campus Emergencies

The Director of Public Safety will stay in close contact with appropriate University administrators, DPS, local first responders, and/or the National Weather Service as the situation unfolds, so that the Director can determine when it is appropriate to provide follow up

information to the community. Any follow up information will be provided using the same procedures and methods as the initial Emergency Notification.

## Publication & Tests of Emergency Response and Evacuation Procedures

The University publicizes its emergency response and evacuation procedures in all classrooms and Student, Faculty & Staff areas around campus. Tests include regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution. Drills are relatively small-scale activities that are designed to focus on specific areas or specific sections of this plan which are normally developed and evaluated by internal personnel to help acquire knowledge/skills. Exercises are generally larger in scale and are formal events and are designed to be as close to “real-life” as possible. They are typically not stopped or interrupted to make corrections except for safety concerns or real incidents that could impact the participants. The exercises have a debriefing and a critique at the conclusion. The purpose of exercises is to test the knowledge/skills of the participants.

## University Alcohol & Other Drug Policy

In this section it is the goal of Fontbonne University to promote a drug-free living and learning environment. In accordance with the mandate of federal legislation, the manufacture, distribution, possession or use of illicit drugs, and the unlawful possession, use or distribution of alcohol on Fontbonne University property and off-site campus locations or as a part of any of its activities is prohibited. Violations of the policy will be handled according to procedures covering the conduct of administrators, faculty, students and staff.

### Standards of Conduct - Illicit Drugs:

The unlawful manufacture, possession, distribution or use of illicite drugs on Fontbonne University property and off-site campus locations or as a part of any of its activities by students, employees, or their guests is prohibited.

### Standards of Conduct – Alcohol:

The possession and use of alcohol by persons under the age of 21 years is prohibited. University policies limit the lawful use of alcohol by persons 21 years of age or older to specific occasions and designated locations. Students are responsible for their behavior, and students and organizations will be held accountable for any misconduct related to the use of alcohol. In the event of violations of alcohol policies, students will be subject to disciplinary action. In addition, Fontbonne may notify the student's parents or guardian of the violation if the student is under 21 years of age and in some cases if the student is 21 years of age or older.

- A. No alcoholic beverages are allowed in unapproved areas without special permission. Unapproved areas include but are not limited to lounges, hallways, courtyards, and outside of buildings. In addition, St. Joseph's Residence Hall is designated as an alcohol-free building: no alcoholic beverages are allowed by residents or guests, even if they are 21 or older.
- B. While Fontbonne respects students' right to privacy, it retains its right to enter any residence hall rooms if there is sufficient reason to believe that University policies have been violated.
- C. While responsibility for personal patterns of alcohol use is essentially that of the individual, there are ethical and value issues related to the use of alcohol. Alcohol misuse and abuse can lead to academic failure, physical and psychological dependency, organ damage, and threats to student safety and well-being. The Fontbonne community is called upon to be responsible and responsive to those who are in the developmental process of forming their own codes of personal behavior. The Student Affairs Office offers prevention and intervention alcohol awareness programs, literature, personal counseling and off-campus referrals for assistance with alcohol-related concerns.

### Alcohol Serving Policies and Procedures:

*Alcohol Serving Policy* – Due to safety/health concerns for all involved and due to liquor license restrictions from the State of Missouri, St. Louis County, and the City of Clayton, any "Event Sponsor" (defined as any Fontbonne University individual, organization, or department, or any non-affiliated campus individual or group that plans to serve alcohol at an on-campus Fontbonne event, property must

make arrangements through our food service vendor, Aladdin Food Management Services (“Aladdin”), which holds the liquor license for the Clayton campus. Event Sponsors must provide 20 business days advance notification in requesting Aladdin to have and/or serve alcohol at any such event.

#### Alcohol Serving Procedures -

- A. Bartenders/servers must be used to serve alcohol at any event/gathering and must be contracted through Aladdin. Aladdin will provide one (1) bartender per seventy-five (75) people. The Catering Manual states there is a \$150.00 flat fee for a bartender with a four-hour minimum and a \$50.00 charge for each hour above the required minimum. The organization or department sponsoring the event will be billed for the bartenders’ service. There cannot be a cash exchange.
  - 1. Sponsors may request Aladdin to make an exception to the above bartender/server requirements in cases where the event/gathering will comprise of 15 people or less and the event will be closely monitored by the Event Sponsor personnel in attendance. Aladdin, in consultation with the Associate Vice President for Student Affairs, can waive the bartender/server requirement per their discretion following a careful review of the requested event.
- B. Event Sponsors wishing to use an outside caterer (“Caterer”) other than Aladdin to serve alcohol must follow these guidelines:
  - 1. Event Sponsors must request initial permission from the appropriate Vice President or General Services Manager;
  - 2. Event Sponsors, at least ten days prior to the event, must obtain and send a copy of the caterer’s insurance certificate and liquor license to Aladdin in order for them to review and potentially approve the outside Caterer.
    - (a) If approved, Aladdin will send approval with a copy of the alcohol serving policies to both the Event Sponsor and Caterer. Both the Event Sponsor and the Caterer must comply with all provisions of this policy.
    - (b) If the Caterer is not approved, Event Sponsors must either use Aladdin or not serve alcohol at their event.
- C. Event Sponsors will be held accountable if failing to comply with these policies and may be denied permission to serve alcohol at future events.
- D. Aladdin bartenders/servers must be 21 years of age and be knowledgeable about the drinks being mixed and/or served. Aladdin supervisors and bartenders/servers will successfully complete TIPS training prior to working a Fontbonne event.
- E. Alcoholic beverages will only be served by the individual glass, bottle, or can. No kegs or pitchers of beer will be served. Aladdin will determine and monitor the number of drinks served to individuals and has the right to deny service to anyone.
- F. Depending upon the nature of the event, Aladdin bartenders/servers may require proof of age from individuals requesting an alcoholic beverage. Aladdin may also decide it is necessary to use some form of visible identification process (e.g. stamps, wristbands, etc.) with individuals who are 21 years or older. Event Sponsors may be required to assist with this process and provide the necessary supplies.

- G. Event Sponsors must not take unused and/or unopened alcohol from an event. Aladdin will be responsible for the disposal of unused and/or unopened alcohol from an event. If Aladdin is unavailable to remove the unused or unopened alcohol at the end of an event, the Event Sponsors are responsible for collecting and retaining it until it can be retrieved by Aladdin.
- H. If alcohol is donated to Fontbonne for an event, it must be given to Aladdin. Aladdin will then serve the alcohol at no charge for the beverage. Aladdin will not serve alcohol from donated kegs or any other large containers.
- I. Alcohol advertising (e.g., “B.Y.O.B”) for any on or off-campus event is not permitted.
- J. All events must have a specified beginning and end time. Serving of alcoholic beverages will cease one-half hour prior to the end of the event. Sufficient and appropriate food must be served at events that have alcohol available.
- K. Student organizations requesting to serve alcohol at an event must request approval from the Assistant Vice President for Student Affairs and, if approval is given, may include additional procedures to follow.
- L. Event Sponsors are responsible for:
  1. Notifying Public Safety for events where the attendance is anticipated at 100+ participants. Public Safety should be contacted a minimum of 10 business days prior to the event. Public Safety may request that a Public Safety officer or off-duty police officer be hired for the duration of the event. Additional fees will apply at the expense of the Event Sponsor.
  2. Introducing themselves and other Event Sponsors to the bartenders/servers and Public Safety or Off-Duty Officers, if present, at the beginning of the event.
  3. Monitoring those individuals do not bring alcohol into an event or take alcohol away from an event.
  4. Creating signage stating individuals cannot bring alcohol into an event or take alcohol away from an event (Signage should be removed by the Event Sponsors once the program is over).
- M. Generally, if the event is hosted in the Dunham Student Activity Center Alumni Cafe, alcohol may only be served if the snack bar is closed.
- N. Aladdin bartenders/servers are responsible for reporting any disruptions in the serving area to Event Sponsors and Public Safety.

### Tobacco-Free Campus Policy

Fontbonne University is a tobacco-free campus. Smoking or other use of tobacco products or smoking related products, including the use of smokeless, e-cigarettes or other devices that simulate visual, sensory and behavioral aspects of smoking, is prohibited on all University property, including all buildings, outdoor spaces and in university-owned vehicles. Such items include, and are not limited to, cigarettes, electronic cigarettes, cigars and cigarillos, hookah smoked products, pipes, and oral tobacco. Future reference to tobacco use or smoking includes the above referenced items, such as e-cigarettes. Tobacco use is permitted on the sidewalks along Big Bend and Wydown Boulevards and in personal vehicles that are parked on campus. This policy applies to the Clayton campus.



Off-site campus locations shall continue to prohibit all tobacco use within buildings and shall also comply with any local municipality or county restrictions. No smoking will be permitted within 15 feet of the entrance of any branch location.

Voluntary compliance with the tobacco -free campus policy will be emphasized. Anyone who observes that the policy is being violated is encouraged to bring it to the attention of the smoker. Individuals found smoking by Public Safety will be asked for identification and will be given a reminder notice about the University's policy. In the event that any individual is found to regularly violate the University's tobacco-free policy, for employees, the issue will be referred by Public Safety to the employee's supervisor or department head, or for students, to the Office of Student Affairs for appropriate action. Violations of this policy will be subject to the rules and sanctions contained in the University Policy Manuals and in the Code of Student Character and Conduct. In the event that a violator is unwilling to show identification upon request to a public safety officer, the Clayton Police will be called to respond to trespassing.

### Drug Free Workplace

The unlawful use of a controlled substance in any setting is dangerous. Employees of Fontbonne University, including students in work-study positions, who unlawfully use a controlled substance in the workplace not only jeopardize their own employment and safety, they also place other employees, our students, and guests of the University at personal risk. All employees of the University serve as role models for students. And, the unlawful use of a controlled substance in the workplace would not only violate laws, but is contrary to the spirit and mission of Fontbonne University.

Fontbonne abides by the provisions of the Higher Education Amendment of 1998 and all employees and students, including those making application for Federal Pell Grants, are required to sign a statement of compliance.

### Medical Marijuana

A number of states, including Missouri, have passed laws that make the use of marijuana for some medical conditions legitimate under the law of the state. However, the possession or use of marijuana remains an offense under the Controlled Substances Act, a federal law. Fontbonne University is obligated to comply with all federal laws and regulations. In order to remain in compliance, Fontbonne will not permit the possession or use of marijuana in any on-campus housing, any Fontbonne building or other property, or at educational or other activities sponsored, conducted, or authorized by Fontbonne or its student organizations, whether on or off campus. In accordance with the Drug Free Schools and Communities Act, the University annually communicates to students and employees information that includes the University Alcohol and Drug Policies, counseling and assistance programs, University and legal outcomes, health risks, and uses and effects of controlled substances.

## Student Drug Testing Policy

Fontbonne University promotes a safe, drug-free living and learning environment. As stated in the Student Life Policies and Code of Student Character and Conduct, Fontbonne University prohibits the use, possession, manufacture or distribution of illegal drugs or other controlled substances as well as the use or possession of drug paraphernalia.

Fontbonne University believes that drug testing based on a reasonable suspicion of drug use is appropriate to ensure the health, safety and welfare of its students and to assist students before they may harm themselves or others. Accordingly, Fontbonne University may require a student to submit to a drug test if a student has acknowledged substantial drug use or when there is reasonable suspicion that a student is under the influence of illegal drugs or controlled substances. Reasonable suspicion is based on the student's appearance, behavior or conduct that indicates the student may be under the influence of an illegal drug or controlled substance. When an incident occurs, the Student Affairs Office should immediately be notified to review the facts and circumstances in order to determine if reasonable suspicion exists and the appropriate course of action.

Fontbonne University will engage the services of a qualified laboratory to conduct the drug test. A positive test result for unlawful drugs (or lawful drugs not used in connection with and in conformity with a physician's prescription) or an adulterated or diluted sample as reported by the testing laboratory, may result in the student not being permitted to live on campus, suspension, dismissal or other action that Fontbonne University, in its sole discretion, deems appropriate depending on the circumstances. If a student refuses to take a drug test, such refusal will be treated the same as a positive test result.

Fontbonne University recognizes that substance abuse is an illness and a health problem. Fontbonne University is willing to help students obtain assistance needed in the resolution of a substance abuse problem.

Fontbonne University will make good faith efforts to maintain the confidentiality of all drug test results. Test results may be disclosed to the student, the student's parents or guardians, and to those who have a legitimate need to know, as determined by Fontbonne University, in its sole discretion.

## Legal Sanctions

### Drugs

The manufacture, possession, sale, distribution, and use of illicit drugs is prohibited by city and county ordinance, state law, and federal statute. Punishments range from fines of \$50 to life imprisonment. The statutes and ordinances define the drugs deemed "illicit."

### Alcohol

Missouri's Liquor Control Law makes it illegal for a person under the age of twenty-one years to purchase or possess any intoxicating liquor. R.S.Mo. §311.325(1). Violation of this provision can subject

one to a fine of up to \$1,000 and/or imprisonment for a maximum term of one (1) year. County and municipality ordinances contain similar prohibitions and sanctions.

## Health Risks

### Drugs

Physical and psychological effects of both short and long-term drug use vary with the type and amount of drug used. Marijuana use can lead to heartbeat acceleration, impairment in mental perception, memory loss, impulsive behavior, anxiety attacks, respiratory problems, infertility, and lung disease. Cocaine use can lead to high blood pressure, sweating, vomiting, irritation and inflammation of nasal tissue, loss of appetite, delusions, altered perceptions, and death from respiratory failure.

Use of hallucinogens can lead to dizziness, increase in heart rate, nausea, perceptual changes, delusions, hallucinations, and flashbacks. Use of stimulants can lead to diarrhea, heart palpitations, increased blood pressure, kidney failure, weight loss, irritability, and hallucinations. Use of depressants can lead to slurred speech, staggering gait, altered perception, slowing down of reflexes and reaction time, increased anxiety and depression, and death from lack of oxygen.

Use of drugs during pregnancy may lead to premature births and/or mental or physical handicaps in the infant. Use may also cause infant to acquire a drug dependency at birth

### Alcohol

Abuse of alcohol can produce severe health risks, including death. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also 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. If combined with other depressants of the central nervous system, even lower doses of alcohol will produce the effects just described.

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.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than others of becoming alcoholics.

## Drug or Alcohol Counseling, Treatment or Rehabilitation

The Student Affairs Office in Medaille and Ryan Halls provides the following resources for students:

1. literature about alcohol and other drugs
2. professional counseling and off-campus referrals
3. registration for a designation health and counseling service
4. educational programs for students who violate University alcohol and drug policies

The provisions of health insurance for Fontbonne employees cover, with limitations, treatment for alcohol and drug dependency.

The provisions of the Employee Assistance Program include counseling for substance abuse.

### Disciplinary Sanctions

Different disciplinary procedures are applicable to faculty, staff, and students. Violations of the standards of conduct will be addressed on a case-by-case basis with the imposition of discipline being appropriate to the severity of the violation. For each group comprising the University community, there are certain common sanctions that may be applied. These include letters of reprimand, probation, and severance of ties with the University through expulsion or termination. Opportunity for referral to an appropriate rehabilitation or counseling program may be associated with a first offense. Referral for prosecution will usually occur only for the most serious violations.

1. Faculty: Faculty discipline is administered according to the process outlined in the Faculty Handbook.
2. Staff: The University staff is subject to disciplinary procedures that are outlined in the Employee Handbook.
3. Students: The alcohol and drug-related guidelines for student conduct are contained in the Student Handbook. Sanctions for students generally will follow from the severity of the infraction and can include probation, residence hall dismissal, required participation in counseling or educational programs, and expulsion. The University may notify the parents of dependent-aged students for alcohol and drug-related infractions.

# Sexual Misconduct (including sexual assault, relationship violence, domestic violence, sexual harassment, stalking and retaliation)

## Introduction

Fontbonne University is committed to promoting an environment that supports its educational mission and preserves the safety and dignity of its members. All members of the University share responsibility for fostering this environment by adhering to standards of conduct. Sexual misconduct, including sexual assault, dating violence, domestic violence, and stalking, is a serious violation of these standards. Sexual misconduct is also a form of sexual harassment as prohibited by Title IX of the Education Amendments of 1972 and the University's Policy on Discrimination and Harassment as found in the Student Handbook. The University will, as with any form of sexual harassment, take appropriate steps to prevent the recurrence of any sexual misconduct, and to correct its discriminatory effects on the complainant and others. The University will not tolerate any form of sexual misconduct or relationship violence as covered in this policy.

This Sexual Misconduct Policy is directed toward the following goals:

1. To provide prompt, compassionate support for survivors or anyone adversely affected by sexual misconduct
2. To foster a climate on campus in which reports of sexual misconduct are encouraged and supported
3. To educate members of the campus community to recognize and report sexual misconduct
4. To provide a framework in which the needs and decisions of all parties concerned are central in determining further administrative response and assistance and where reports of sexual misconduct are promptly, thoroughly, and fairly investigated.
5. To protect the rights of the reporting party, the accused party, and other parties involved in or affected by the situation.

Retaliation against a party or witness in the proceeding is proscribed. Retaliation is taking adverse action due to a person's participation in the process although the making of any false statement can be subject to discipline. Retaliatory actions could be intimidation, threats, coercion, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX. Retaliatory actions include, but are not limited to, threats of civil litigation against the Complainant for defamation, or spreading rumors intended to intimidate the Complainant from filing a complaint. Disciplinary action will be taken as necessary.

Complaints of retaliation under this process will be addressed in the same manner as if the complaint alleged sexual harassment.

## Scope of the Policy

This policy applies to all behavior in which the accused party is a student, faculty, staff, or non-university affiliated party. Trained University staff will conduct the investigation and resolution per the procedures contained within the Institutional Policy section 2.1.2.8. University Procedures for Claims of Sex / Gender

Discrimination. In the event that the accused party is a third party or other non-university affiliated party, Fontbonne will take appropriate corrective action and determine the appropriate manner of response consistent with the goals of this policy. Law enforcement will be contacted if and when appropriate.

This policy also applies to all acts where the conduct occurs on campus, occurs in the context of university programs or employment; or occurs off campus in a space rented or leased by the University. The requirements of this policy are without regard to the sexual orientation or preference of individuals engaging in sexual activity or sexually exploitative behavior.

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 or Deputy Coordinator, as listed below:

*Title IX Coordinator*

Heather French  
Vice President for Student Affairs  
Fontbonne University  
6800 Wydown Boulevard  
St. Louis, MO 63105  
Phone: 314.889.1410  
Email: [hfrench@fontbonne.edu](mailto:hfrench@fontbonne.edu)

*Deputy Coordinator for Students*

Janelle Julian  
Associate Vice President for Student affairs  
Fontbonne University  
6800 Wydown Boulevard  
St Louis, MO 633105  
Phone: 314.719.8057  
Email: [Jjulian@fontbonne.edu](mailto:Jjulian@fontbonne.edu)

*Deputy Coordinator for Athletics*

Danielle Doerfler  
Associate Athletic Director  
Fontbonne University  
6800 Wydown Boulevard  
St. Louis, MO 63105  
Phone: 314.889.4540  
Email: [ddoerfler@fontbonne.edu](mailto:ddoerfler@fontbonne.edu)

*Deputy Coordinator for Employees*

Steve Loher  
Director of Human Resources  
Fontbonne University  
6800 Wydown Boulevard  
St Louis, MO 63105  
Phone: 314.889.1493  
Email: [Sloher@fontbonne.edu](mailto:Sloher@fontbonne.edu)

## Options for Assistance

If you are a victim of sexual misconduct, consider the steps below:

1. **Find a safe location away from the perpetrator.** Ask a trusted friend to be with you for moral support.
2. If relationship violence or a sexual assault has occurred, **preserve all evidence of the attack.**
  - o Do not bathe, wash your hands, brush your teeth, eat, or smoke.
  - o If you are still in the location at which the crime occurred, do not clean or straighten up or remove anything.
  - o Write down all the details you can recall about the attack and the perpetrator.
3. **Report the attack to law enforcement immediately.** Local authorities can be reached by calling 911 in most areas throughout the U.S.

- If you want more information, contact the National Sexual Assault Hotlines at (800) 656-HOPE or by visiting [www.online.rainn.org](http://www.online.rainn.org). A counselor can help you understand the reporting process.
  - You may also report the attack to Fontbonne’s [Department of Public Safety \(“DPS”\)](#). For immediate assistance, call (314) 599-2947
4. **Seek medical care as soon as possible.** Even if you do not have any visible physical injuries, you may be at risk of acquiring a sexually transmitted disease (women may also be at risk for pregnancy).
    - To find a local hospital or healthcare facility that is equipped to collect forensic evidence, contact the National Sexual Assault Hotline (800.656.HOPE). The hotline will connect you to your local crisis center, which can provide information on the nearest medical facility, and in some instances, may send an advocate to accompany you through the evidence collection process.
    - Ask the health care professional to conduct a Sexual Assault Forensic Exam (SAFE).
    - If you suspect you have been drugged, request that a urine sample be collected to preserve evidence.
  5. Speak to a confidential, licensed counselor in the Fontbonne Counseling and Wellness Department.
    - The only University resource that affords complete confidentiality is speaking with a licensed counselor in the Counseling and Wellness Department. Below is the contact information for the director of this department:
      - Director of Counseling & Wellness, (314) 889-1434
  6. Report the incident to one of Fontbonne University’s Reporting Contacts, which include:
    - Any Fontbonne University Public Safety Officer.
    - Fontbonne Title IX Coordinator or Deputy Coordinator
  7. Know that what happened is not your fault.
  8. **Recognize that healing from an attack takes time.** Give yourself the time you need and know that it is never too late to get help.
  9. Consider the interim measures and offers of accommodation that the university will provide as discussed in the “Supportive Measures” section of the Sexual Misconduct Policy.

## Consent

Consent is a clear and freely given agreement for sexual contact, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity.

- Consent is an ongoing process – consent to kissing does not necessarily mean consent to other sexual activity.
- Consent may be withdrawn at any time. Once an individual has communicated withdrawal of consent, all sexual activity must end.
- Also, consent to sexual activity on one occasion does not necessarily mean continual consent – everyone involved must give and receive consent to sexual activity every time, even when involved in a long-term relationship or marriage.



- Saying nothing is not the same thing as consent, and non-resistance is not the same thing as consent.
- In order for consent to exist, everyone involved must be fully conscious, aware of the situation and free of any coercion.
- Consent cannot be given by someone who is incapacitated. This includes individuals who are impaired by alcohol or drugs to the extent that it results in incapacitation.
- In general, the age of consent in Missouri for sexual intercourse is 17 years old. This is the age at which a person can consent to have sex with another person who is also that age or older.

### Coercion

Coercion is any kind of pressure or persuasion used to influence a person's decision to engage in sexual activity. Coercion can be physical, verbal, or emotional.

- Physical coercion is the most recognizable kind of pressure and includes actions such as holding someone down or continued kissing or sexual activity even when being told "no" or being pushed away.
- Verbal coercion includes behaviors like threats of physical violence, blackmailing, lying, name-calling, or asking repeatedly for sexual involvement even after being told "no."
- Emotional coercion is the most subtle type of pressure and includes actions like making someone feel obligated or guilty for not wanting to engage in sexual activity using peer pressure, threatening to break up, etc.

### Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based 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. For the purposes of this definition:

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include, acts covered under the definition of domestic violence.

### Domestic Violence

A Felony or misdemeanor crime of violence committed –

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to ta spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### Sexual Assault

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** The Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ or another person, without the consent of the victim.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. (In Missouri it's anyone under 17 years of age)

While all sexual assaults reported to the Campus Security Authority or DPS are included in the annual crime statistics and Daily Crime Log without regard to the issue of consent, the definition of consent (both in regard to the Title IX Policy and Missouri state law) is an essential component of the Title IX Policy and the University's primary and ongoing prevention and awareness programs.

The University's Title IX Policy defines Sexual Consent as an "affirmative and willing agreement to engage in a specific form of sexual contact with another person."

The Title IX Policy expands on this definition to explaining that:

Consent cannot be achieved through manipulation, coercion, force or taking advantage of the incapacitation of another individual.

An individual can withdraw consent at any time prior to or during any form of sexual contact, and when consent is withdrawn during any for or sexual contact, the sexual contact must end immediately.

When the issue of consent is placed in dispute by a complainant or respondent, the University will consider all relevant facts and circumstance, including without limitation (1) the presence or absence of affirmative words or actions indicating a willingness to engage in sexual contact, (2) whether a reasonable person would have understood the words and acts at issue as expressing consent; and (3) whether there are any circumstances, known or reasonably apparent to any of the involved parties demonstrating incapacitation or any other inability to make a voluntary choice to engage in sexual contact.

### Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for her, his, or others' safety; or
- Suffer substantial emotional distress.
- For the purpose of this definition:
- Course of conduct means two or more acts, including but not limited to acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, or communicates to or about, a person, or interferes with a person's property.

- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment of counseling.
- 

## Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking has Occurred

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at St. Mary’s Hospital, 6420 Clayton Rd, Richmond Heights, Mo 63117. In Missouri, evidence may be collected even if you chose not to make a report to law enforcement. The hospital will require the victim to provide their name. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, 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 infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

## Fontbonne University’s Title IX Team

Fontbonne University’s Title IX Team is led by the University’s designated Title IX Coordinator, Heather French. She is Fontbonne University’s designated official to ensure the University complies with Title IX. The Title IX Coordinator’s duties include overseeing all Title IX reports of alleged policy violations and identifying and addressing any pattern or systemic problems that arise during the review of such reports of alleged policy violations. The Title IX Coordinator has ultimate oversight responsibility; however, she reserves the right to engage additional trained Deputy Title IX Coordinators on an ad-hoc basis as necessary. In the event a Deputy Title IX Coordinator is assigned to a specific case, he or she is referred to as the “Lead” Title IX Coordinator for that case. Members of this Title IX team receive training at least on an annual basis.

Title IX Coordinator

Heather French, Vice President for Student Affairs

314.889.1410, [hfrench@fontbonne.edu](mailto:hfrench@fontbonne.edu)

Deputy Coordinator for Athletics

Danielle Doerfler, Executive Associate Athletic Director

314.889.4540, [ddoerfler@fontbonne.edu](mailto:ddoerfler@fontbonne.edu)

Deputy Coordinator for Student Affairs

Janelle Julian, Associate Vice President for Student Affairs

314.719.805, [jjulian@fontbonne.edu](mailto:jjulian@fontbonne.edu)

Deputy Coordinator for Staff & Faculty

Steve Loher, Director of Human Resources

314.889-1493, [sloher@fontbonne.edu](mailto:sloher@fontbonne.edu)

## Reporting Sexual Assault, Dating Violence, Domestic Violence or Stalking

The University offers individuals several reporting options which are outlined below; however, the University strongly encourages reporting to the Designated Title IX Coordinator and/or DPS. When contacted first, DPS will automatically contact the Title IX Coordinator. The Title IX Coordinator and DPS leadership are trained to aid in making decisions about pursuing medical attention, counseling/support services, filing campus disciplinary procedures, preserving evidence, and filing criminal and/or civil charges. In cases where the alleged perpetrator poses a perceived threat to the campus community, the Title IX Coordinator and DPS may work with the appropriate administrators to issue a temporary ban from or restricted access to campus for that person. Regardless of which reporting option an individual ultimately chooses, he or she, at his or her discretion, may choose anyone he or she would prefer to serve as a support person at all times.

### Confidential Reports to the Title IX Coordinator

A person who is the reporting party of a sexual offense, or who witnesses a sexual offense, is encouraged to make a report to the Title IX Coordinator. Individuals are encouraged to report any issues to the Title IX Coordinator as she is not required to report any information about this offense without a reporting party's permission. Reports of sexual assault, dating violence, domestic violence or stalking made to the Title IX Coordinator which meet the definition of a Clery Act Crime and which occur within the University's Clery Act Geography are still included in the University's Daily Crime Log and annual crime statistics, but neither the Log nor the statistics ever include any personal-identifying information. Sexual assaults reported to the Title IX Coordinator which meet the definition of a Clery Act Crime and which occur within the University's Clery Act Geography may also result in a Timely Warning (Campus Safety Alert); however, Timely Warnings never include information that identifies the reporting party.

### Reports to the Department of Public Safety

Reporting parties also have the option of reporting sexual offenses directly to DPS. DPS can be reached at 314.599.2947. As noted above, anytime an individual reports a sexual assault or incident of dating violence, domestic violence or stalking to DPS, DPS will automatically contact the Title IX Coordinator for review regardless of whether the reporting party chooses to participate in a university disciplinary proceeding or pursue criminal charges.

### Reports to Local Law Enforcement

As noted above, both the Title IX Coordinator and DPS can assist reporting parties with notifying local law enforcement agencies. Alternatively, reporting parties also have the option of reporting incidents

directly to local law enforcement authorities themselves. Clayton Police Department can be reached in cases of emergency by dialing 911 or at the non-emergency number 314.645.3000. Sexual assault, dating violence, domestic violence and stalking also constitute potential criminal acts that could be grounds for criminal and/or civil action. Reporting parties have the right to file a criminal complaint against the perpetrator of the sexual offense and a complaint with Fontbonne University simultaneously; however, reporting parties also always have the right to decline to notify law enforcement.

#### Important Information Regarding Confidentiality

Fontbonne University will make every effort reasonably possible to preserve the privacy of an individual who makes a report under this policy and to protect the confidentiality of the information reported consistent with applicable legal requirements. The degree to which confidentiality can be protected, however, depends upon the University's legal duty to respond to the information reported and the professional role of the person being consulted as explained above in the sections describing the different responsibilities of Title IX Coordinators and the Department of Public Safety. Any University official who is approached about a reported offense prohibited by the Sexual Misconduct Policy should make these limits clear before the reporting party discloses any facts to that official. There are only two types of University employees who are not required to forward these types of reports to a Title IX Coordinator: (1) a Professional Counselor who is employed by the University in that capacity and is acting in that role at the time of the disclosure. (2) Priest or Pastoral Counselor acting in that role at the time of the disclosure.

**(also see Appendix E-Bystander Intervention Tips)**

# Campus Resources

## Counseling

To schedule an appointment to see the counselor:

Call 314.889.1434

For after-hours support, please contact the Department of Public Safety (information below), who will contact a Fontbonne counselor for immediate assistance.

## Public Safety

Resources regarding campus safety may be found by visiting the [Department of Public Safety \(DPS\) online](#). For immediate assistance, call (314).314.599.2947

## Student Affairs

Further information regarding student services and resources may be found by contacting the Department of Student Affairs as well:

### Office of Student Affairs

Call: (314) 889-1411

### Heather French

Vice President of Student Affairs

Call: (314) 889-1410

Email: [hfrench@fontbonne.edu](mailto:hfrench@fontbonne.edu)

Location: Ryan Hall 306

Hours: 8:30am – 4:30pm (Mon-Fri)

## Residential Life

Students may always approach situations of concern with a Resident Assistant (RA); however, both the Residence Hall Director (RHD) and Director of Residential Life are also available for appointment.

- Residence Hall Director: (314) 719-3603
- Director of Residential Life: (314) 889-1429

## Off-Campus Resources

- [St. Mary's Hospital](#): call (314) 768-8000
  - Sexual assault nurse examiner will be available.
- [YWCA St. Louis Regional Sexual Assault Center](#): call (314) 726-6665
  - Rape Hotline: call (314) 531-7273
    - A 24-hour hotline providing support on the phone or in person, information, resource, and survivor support services.
- [Alternative to Living in Violent Environments \(ALIVE\)](#): call (314) 993-2777
- [Crime Victim Advocacy Center of St. Louis](#): call (314) 652-3623
- [Legal Advocates for Abused Women \(LAAW\)](#): call (314) 664-6699 or 1-800-527-1460.  
<https://www.supportvictims.org/legal-advocates-for-abused-women>
- [Safe Connections](#): call (314) 531-2003
  - A 24-hour crisis hotline available to assess safety needs and provide emotional support. Interpreters in over 140 languages are available. Counseling and support services are also available.
- [St. Louis County Local Domestic Violence Resources](#)
- [St. Louis Domestic and Family Violence Council Resources For Domestic Violence Victims](#)
- UMSL Center for Trauma Recovery: call (314) 516-6737
- [United Way Information and Referral Service](#): call 2-1-1 or 1-800-427-4626
- Victim Service Division, St. Louis County: call (314) 615-4872
- [Women's Safe House](#): call (314) 772-4535

## Prevention and Education

- Below is a sampling of educational programs and training opportunities Fontbonne provides to help students and staff understand how to recognize and report sexual misconduct. Contact the Office of Counseling and Wellness for further information.
- **Alcohol Awareness Week (observed in October)**: Interactive Fall activity that attempts to educate participants about alcohol's influence on varying body types and genders, demonstrates perception challenge through the utilization of impairment goggles, and challenges social norms of the alcohol culture through various activity booths. ([BACCHUS](#) materials provided.)
- **Consent and Respect**: Online training tool used to educate Fontbonne University's campus about policies and resources regarding sexual misconduct.
- **(Bystander Intervention)**: Bystander-intervention-based training process that emphasizes the community response aspect in order to reduce violence on campus.
- **Intimate Partner Awareness Month (November)**: Students will learn about what it means to have a healthy relationship, consent and healthy sexual relationships, and more. College is all about new experiences; the start of a new life, new friends, new freedom, and new relationship experiences. Aspects of unhealthy relationships and consent are reviewed. Throughout the month, information and resources are provided across campus.

- **Safer Spring Break:** Interactive Spring activity, similar to Alcohol Awareness Week activities (above), provides a general perspective in its approach to challenge social norms of the alcohol culture; however, special emphasis is given to providing safety lessons and tips for international and domestic travel during Spring Break. (BACCHUS materials provided.)
- **Step UP! (Bystander Intervention):** Bystander-intervention-based training process, similar to Green Dot Training (above), that targets alcohol, bias/discrimination, mental health, and sexual assault concerns.
- Students Thinking and Acting Responsibly and Safely (STARS):
- The STARS (Students Thinking and Acting Responsibly and Safely) are a student-based initiative that focuses on peer relationship interactions. STARS are trained in recognizing mental health, sexual assault and alcohol issues and knowing how to connect students with resources for help.

### Right to Alternative Complaint Procedures

A student's complaints of discrimination on the basis of race, color, religion, age, gender, gender orientation, national or ethnic origin, or disability, including complaints of racial, sexual or other unlawful harassment, may be filed with the:

U.S. Department of Education  
 Office for Civil Rights  
 8930 Ward Parkway, Suite 2037  
 Kansas City, Missouri 64114  
 Phone: (816) 268-0550; TDD: 1 (800) 437-0833  
 Email: [ocr.kansascity@ed.gov](mailto:ocr.kansascity@ed.gov).

### Victims' Bill of Rights

The Federal Campus Sexual Assault Victims' Bill of Rights:

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

The Campus Sexual Assault Victims' Bill of Rights was signed into law by President George Bush in July of 1992. This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights. Schools found to have violated this law can be fined up to \$35,000 or lose their eligibility to participate in federal student aid programs. Complaints about schools that have failed to comply with this law should be made to the U.S. Department of Education.

The "Campus Sexual Assault Victims' Bill of Rights" exists as a part of the campus security reporting requirements, commonly known as the [Jeanne Clery Act](#).



## Student Complaint Policy

Fontbonne University is dedicated to providing an excellent educational experience for all students. The university recognizes the importance of resolving student concerns and grievances in a timely and effective manner. In registering concerns and filing appeals, Fontbonne students must follow the policies and procedures that have been established by the university or within the unit about which the concern is being filed. Generally, these policies and procedures require that students begin by discussing the matter with the staff, faculty, or department in which the issue originated. Notable exceptions include complaints alleging discrimination or harassment.

If a student believes that a policy or procedure has been incorrectly or unfairly applied in his/her particular case, or a complaint does not fall within a specific policy, and efforts to resolve the concern have not been successful, the student may file a formal complaint.

A formal complaint is defined as any nontrivial complaint, either academic or nonacademic, that is submitted formally in writing by a student to a member of the Executive Leadership Team or the Director of Human Resources either through:

- a. A written complaint
- b. An email sent from a verified student email account
- c. The Fontbonne University Complaint form
- d. One of the mechanisms defined for Title VI, Title VII, Age Discrimination, Section 504 complaints, or any other complaint covered by Fontbonne's Notice of Non-Discrimination.

Not every written communication from a student is considered a complaint. For example, the following would not be considered a complaint: requests for exception to university policies, written letters expressing a general dislike of a university policy, and complaints submitted to a person other than a member of the Executive Leadership Team or Director of Human Resources.

Upon receipt of a formal complaint, the office or person that receives the complaint will acknowledge the complaint. Formal complaints about a faculty or staff member in an academic department or regarding a course or academic program will be directed to Academic Affairs. Other formal complaints will be directed to the Vice President responsible for the department or individual against which the complaint is made. Formal complaints about a Vice President will be directed to the Office of the President. Each person or office who receives a complaint will maintain a record of when the complaint was received, any actions taken, and the final resolution. Students should receive an official response to complaints within 30 days. The receiving office will send notice of the final resolution to the Office of Academic Affairs, which maintains a record of all formal complaints. The Executive Leadership Team will semiannually review formal complaints to improve university processes.

Nothing in this policy shall be construed to be construed to modify any procedures for handling complaints covered by Title VI, Title VII, Age Discrimination, Section 504 complaints, or any other complaint covered by Fontbonne's Notice of Non-Discrimination.

Missouri Department of Higher Education & Workforce Development (MDHEWD) serves as the clearinghouse for complaints concerning colleges and universities authorized to operate in the State of Missouri, acting on those within its purview, and forwarding those that are not to other entities for their appropriate action. Per MDHEWD policy, exhaustion of all informal and formal institutional processes, including both campus processes and any applicable system processes, is a prerequisite to filing any formal complaint with the Department. The complete MDHEWD complaint policy may be found <https://dhewd.mo.gov/policies/documents/POLICYONCOMPLAINTRESOLUTION-reviseddraft.pdf>.

The Missouri Attorney General's Office website may be found at <http://ago.mo.gov>.

# Considerations Regarding Incidents of Sexual Assault, Dating Violence, Domestic Violence or Stalking

## Seeking Prompt Medical Attention

Regardless of whether (or to whom) an individual chooses to make a report, the University strongly encourages anyone who has experienced sexual intrusion, sexual penetration, dating or domestic violence to seek prompt medical attention. A medical examination can identify any internal trauma, test for sexually transmitted diseases, as well as obtain appropriate medical evidence should one choose to pursue legal charges at some later date. In the event that an individual chooses not to participate in forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases. \*

St. Mary's Health Center's Emergency Department is located at 6420 Clayton Road, Richmond Heights, Mo 63117, only minutes away from Fontbonne's campus, and its Emergency Department has Sexual Assault Nurse Examiners on staff. The Hospital can be reached by calling (314) 768- 8360. The YWCA also provides a Rape Crisis Hotline (314) 531-7273, which can provide support and resources about sexual assault and forensic exams, including referrals to additional medical providers. Any of the individuals or departments listed above can also assist reporting parties with referrals to an appropriate medical provider.

## Preserving Evidence

Regardless of when and to whom an individual chooses report to, it is important that a reporting party immediately preserve any evidence that may assist in establishing the facts of the alleged violation so that authorities and relevant administrators may ultimately take appropriate action against the responding party. The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Such evidence may include, but is not necessarily limited to, physical evidence or electronic or written communications.

### Preserving Physical Evidence through a Forensic Exam

Any individual who believes he or she may wish to pursue legal charges are advised not to bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted (if the offense occurred within the past 96 hours) prior to a medical exam. However, individuals who have already engaged in any of these activities, can still choose to have an exam performed.

\* Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."

### Preserving Other Forms of Evidence

In cases where individuals believe they may be interested in pursuing criminal and/or civil charges, it is also important to work with local law enforcement agencies so that statements can be taken, and evidence can be collected immediately. Reporting parties are also encouraged to save evidence such as letters, notes, emails, records of phone calls, videos, photos, texts, social media postings (Facebook, Twitter, etc.), computer screenshots, voicemails, or any other form of evidence that may be helpful to a criminal investigation or campus judicial proceeding.

### Amnesty from University Drug and Alcohol Policy

The University encourages reporting and seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report because of potential consequences for his/her/their own conduct, which may violate other University policies and codes of conduct. An individual who reports sexual misconduct will not be subject to disciplinary action by the University, for his/her/their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs. This amnesty policy applies to the University's student conduct process as well as related policies applicable to students, faculty and staff. While the University may waive disciplinary action under its policies related to use of alcohol and drugs as indicated above, it retains the responsibility to report any illegal use of these substances as required by law and will act in compliance with those laws.

### University Response to Reports of Sexual Assault, Dating Violence, Domestic Violence or Stalking

The University will promptly and effectively respond to reports of sexual offenses and harassment and will take appropriate action to prevent, correct, and if necessary, discipline behavior that violates this policy. While the University takes reporting parties' confidentiality very seriously, it is important for reporting parties to recognize that the level of confidentiality their report will receive under law varies depending on who they make their report to. The only way in which an individual can report a sexual offense with complete confidentiality is to contact the University Title IX Coordinator or another professional or pastoral counselor at the University.

### Procedures the University Will Follow when a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a reporting party and accused

party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available, The University will make such accommodations or protective measures, if the victim requests them and if they are reasonably available, regardless of whether or not the reporting party chooses to report the crime to DPS or local law enforcement. Students and employees should contact Title IX Coordinator, Heather French 314.889.1410 to request accommodations.

As explained above, the University also strongly encourages reporting parties to notify local law enforcement authorities (and can assist in doing so); however, it is important to know that regardless of who the incident is reported to, reporting parties\* always have the right to decline to notify local law enforcement authorities. Similarly, the University never requires reporting parties to participate in any investigation or disciplinary proceeding.

The University strictly prohibits retaliation against a party who reports a sexual offense, or for assisting another in reporting a sexual offense or filing a complaint. Retaliation is a clear violation of university policy, and applicable law, and is a serious offense that may result in separate disciplinary action.

\*The only exception is in cases involving a minor, as the University must notify law enforcement pursuant to Missouri law

GET  
HELP/ASSISTANCE

•**EMERGENCY RESPONSE**

- Department of Public Safety - 314.599.2947 (available 24/7)
- 911 or Clayton Police Department: 314.645.3000
- Local hospitals can perform a forensic examination ('rape kit') as well as treat injuries. Nearby hospitals that employ Sexual Assault Nurse Examiners include SLU Hospital, Des Peres Hospital, Barnes Jewish, St. Mary's and St. Anthony's hospital.

•**CONFIDENTIAL REPORTING AND SUPPORT**

- Counseling Center - Ryan Hall 103, as well as Safe Connections (off campus) 24 hour hotline 314.531.2003

MAKE A REPORT

•**REPORTING OPTIONS ON CAMPUS**

- Title IX Coordinator: 314.889.1410/hfrench@fontbonne.edu
- Title IX Deputy for Students: 314.719.8057/jjulian@fontbonne.edu
- Title IX Deputy for Athletics: 314.889.4540/ddoerfler@fontbonne.edu
- Title IX Deputy for Employees: 314.889.1493/sloher@fontbonne.edu
- Department of Public Safety, Ryan Hall 101: 314.599.2947 (available 24/7)

•**REPORTING OPTIONS OFF CAMPUS**

- Clayton Police Department: 911 or 314.645.3000
- The YWCA St. Louis Regional Sexual Assault Center: 24 hour hotline at: 314.531.7273. They may dispatch an advocate to assist you in contacting law enforcement or seeking medical care.

INVESTIGATIONS

•**GRIEVANCE PROCESS UNDER TITLE IX**

- You may submit a Formal Complaint to the Title IX Coordinator in order to initiate an investigation of allegations of sexual harassment, sexual assault, dating/domestic violence, and/or gender-based stalking.
- If the Formal Complaint meets the requirements of Title IX, the Title IX Coordinator will assign an investigator to gather information about the allegations and complete an investigative report. A report to law enforcement may be made at any time and does not hinder a person's ability to report through Title IX.
- Supportive Measures are available to persons who have experienced any form of sexual harassment regardless if a Formal Complaint is filed. Examples of Supportive Measures are academic accommodations, No Contact Orders or changes to housing assignments.

HEARINGS &  
APPEALS

- Upon completion of the investigation, a live hearing will be held in which a hearing panel will determine if the Respondent is or is not responsible for a Title IX violation. The hearing will occur through a video conferencing application, such as Zoom.
- Parties and witnesses will be questioned by the hearing panel and the advisor of the opposing party.
- All findings are made using the 'preponderance of the evidence' standard, meaning 'is it more likely than not' that an incident occurred. The University process is separate from a legal process.
- All Respondents or accused persons are presumed not responsible unless a finding of responsible is made through the Title IX Grievance Process.

FONTBONNE UNIVERSITY'S TITLE IX COORDINATOR:

Heather French, Vice President for Student Affairs

Ryan Hall 306

Phone 314.889.1410

hfrench@fontbonne.edu

## Missouri Sex Offender Registry

In response to Section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C 16921), the Revised Statutes of Missouri, Chapter 589 Sections 400 to 425 and 43.650, RSMo., mandates that the Missouri State Highway Patrol (MSHP) must maintain a sex offender database and a web site on the Internet that is accessible to the public. This database can be accessed at:

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

### Orders of Protection

Fontbonne University encourages reporting parties of sexual misconduct to make a formal report to the appropriate local law enforcement authorities for the purpose of filing a criminal complaint and/or seeking and enforcing a no-contact, restraining or similar Court Order and has the right to be assisted by the University in exercising this option. Certain members of DPS can also assist individuals with obtaining an ex parte order of protection.

Missouri courts issue orders of protection pursuant to the Domestic Violence Act. These orders which restrains a person from abusing, stalking or harassing another person. An order of protection carries criminal penalties for violation and is valid in other states. Missouri Domestic Violence Act (Chapter 455, RSMo).

There are two types of orders of protection: an ex parte order of protection and a full order of protection. An ex parte order of protection is a temporary order issued by a court which remains in effect until a hearing is held. A full order of protection can only be issued after a hearing on the record when the person against whom the order is directed has received notice of the proceedings and has had an opportunity to be heard. Visit <https://www.courts.mo.gov/page.jsp?id=533> for more information on Orders of Protection under Missouri law.

To file for an ex parte Order of Protection in St. Louis County, in which Fontbonne University is located, one of the following conditions must be met: The Reporting Party must reside in St. Louis County, the Responding Party can be served with the order in St. Louis County, or the act of domestic violence must have occurred in St. Louis County. Members of the Fontbonne University community who receive a lawful order of protection (including ex parte orders) should provide a copy to DPS and to the applicable University appointed Title IX Coordinator. DPS also suggests that individuals with orders of protection meet with DPS to develop a Safety Action Plan – a plan intended to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts and special parking arrangements. In addition to orders of protection issued by the courts, Fontbonne University may impose a mutual no contact directive. Mutual No Contact directives prohibit an individual from contacting a specific person or specific people until rescinded. Contact includes, but is not limited to in person, by phone, text messaging, social media, by third person, etc. Mutual No Contact directives may be issued by the Title IX Office, the Hearing Officers, and the Appeal Officers. Students or staff also have the right to request that his or her campus directory information on file be removed from public sources by directing a request to the Office of the Registrar, Ryan Hall 205, 314.889.4679.

## Interim Protective Measures

The University provides written notification to reporting parties about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The institution will provide such protective measures if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Whenever an individual reports a sexual assault, incident of dating violence, domestic violence or stalking, the written explanation of the reporting party's rights and options provided by the University will include information regarding how to request changes to academic, living, transportation and working situations or protective measures; and the University is obligated to comply with any reasonable requests following a report of an alleged sexual assault, incident of domestic violence, dating violence or stalking. The Title IX Coordinator is responsible for coordinating the effective implementation of such measures. These options include: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures, if requested and reasonably available, regardless of whether the reporting party chooses to file a formal report. No contact measures may also be implemented. Any interim protective measures imposed should avoid any lasting negative effects on the any party before any findings of responsibility are made as much as is possible in the circumstances presented. The University maintains the confidentiality of any protective measures provided to any involved party to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. The Title IX Coordinator reviews options and interim protective measures with the reporting party, and in doing so explains that he or she will limit the information shared with University employees in other campus departments involved in certain accommodations/protective measures (e.g., Housing & Residential Life, Academic Affairs, Human Resources, etc.) The Title IX Coordinator provides the most minimal amount of information possible in order to affect the accommodation/protective measure, and never communicates the reason for the requested accommodation/protective measure to anyone outside of the Title IX Office.



# Campus Resources Available to Parties Reporting Sexual Assault, Dating Violence, Domestic Violence or Stalking

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

## Counseling & Wellness Services

In addition to the variety of assistance provided to reporting parties by the University's Title IX Coordinator listed above, the Coordinator also offers individual trauma focused therapy. Contact the Counseling & Wellness Department at 314.889.1434

**University Nurse-** Student Health Services provides limited health services on campus (e.g., minor first aid), but is available to assist with making referrals to nearby providers. Health Services can be reached in Ryan Hall 103B or at 314-889-4784.

## Victim Advocacy Services

As explained above, the University's Title IX Coordinator can assist reporting parties with a full range of advocacy services.

## Legal Assistance

The University does not offer reporting parties legal assistance on campus, but the Title IX Coordinator can assist with legal referrals.

## Visa & Immigration Assistance

Caroline Clasby, the Director of International Admissions, can assist reporting parties with visa or immigration matters on campus. She can be reached in Ryan Hall 107 or by calling 314.889.4716

## Student Financial Aid

Shawn McCaw the Director of Financial Aid can be reached in Ryan Hall 209 or by calling 314.889.4686.

## Community Resources Available to Parties Reporting Sexual Assault, Dating Violence, Domestic Violence or Stalking

Whenever an individual reports a sexual assault, incident of dating violence, domestic violence or stalking, the written explanation of the reporting party's rights and options provided by the University will include information on the following resources in the metropolitan St. Louis region:

**ALIVE** - Alternatives to Living in Violent Environments (<http://www.alivestl.org/>)

314.993.2777 available 24 hours/7 days a week.

ALIVE provides counseling, emergency sanctuary, and other critical services to adults and children impacted by domestic abuse. ALIVE also serves the LGBTQ community through the Anti-Violence Advocacy Project (AVAP) which can be accessed through ALIVE's main crisis line.

**YWCA** Women's Resource Center 314.531.RAPE (7273) – available 24hours/7 days a week crisis line.

YWCA Woman's Place provides immediate and ongoing support for women who have experienced emotional, physical, or sexual abuse.

YWCA Woman's Place is unique in being the only non-residential stand-alone drop-in center in the St. Louis region where no appointment is needed and there are no eligibility requirements or fees. All are welcome without regard to age, background, ethnicity or cultural traditions. At YWCA Woman's Place women have the confidential opportunity to assess their situation, experience understanding and encouragement, and access resources helpful to them.

**Health Services** – SSM St. Mary's Health Center is located at 6420 Clayton Road, Richmond Heights, MO 63117. Their phone number is 314-768-8000. St. Mary's offers confidential forensic examinations by a Sexual Assault Nurse Examiner. <https://www.ssmhealth.com/locations/st-marys-hospital-st-louis>.

**Visa & Immigration Assistance** – The nearest U.S. Citizenship and Immigration Service (USCIS) is located at: Robert A. Young Federal Building, 1222 Spruce St., St. Louis, MO 63103.

**Student Financial Aid** - The Department of Education's Federal Student Aid office's website is: <https://fafsa.ed.gov/>. They can be reached by phone at 1-800-433-3243.

## Missing Student Notification Policy and Procedures

In accordance with the Higher Education Opportunity Act of 2008, 20 U.S.C. § 1092(j), Fontbonne University has implemented this policy and notification procedures to be followed when a student who resides in on-campus housing is determined to be missing for more than 24 hours. For purposes of this policy, “on-campus housing” means a residence hall or other residential housing facility for students that are located on Fontbonne University’s campus or in a university-leased building that serves as a residential housing facility for students. Students who live in on-campus housing are referred to in this policy as “resident students”.

Residential students will have the option to identify an emergency contact person whom Fontbonne University will notify if the Public Safety Department or local law enforcement agency determines that the student has been missing for more than 24 hours. Resident students may register the information for their emergency contact person online through the Public Safety Department website. The emergency contact information is considered confidential and may be accessed only by authorized campus officials and law enforcement officers in furtherance of a missing student investigation. All members of the Fontbonne University Community (current faculty, staff and students) have a responsibility to immediately make a report to the Public Safety Department when a student has been missing for more than 24 hours. The Public Safety Department will notify the Department of Residential Life to determine if the student is a resident student. If so, the Public Safety Department will work with the Department of Residential Life to conduct an investigation to verify that the student has been missing for more than 24 hours and to identify any circumstances that may be related to the student’s absence. If a staff member of the Public Safety Department or the Department of Residential Life is able to make contact with the resident student, the staff member will attempt to verify the student’s whereabouts and safety. If the staff member is unable to make contact with the resident student, the Public Safety Department will make a determination based on the available facts and information as to whether the student is missing. Once a determination has been made that the student has been missing for more than 24 hours and has not returned to campus, the Public Safety Department will notify the Vice President for Student Affairs who, in turn, will notify the resident student’s emergency contact person.

Regardless of whether a resident student names an emergency contact person, Fontbonne University will notify the local law enforcement agency that the student is missing (unless the local law enforcement agency was the entity that made the determination that the resident student was missing). For resident students who are under 18 years of age and not emancipated, Fontbonne University will also notify a custodial parent or guardian of the student in addition to any emergency contact person designated by the student.

Notifications made under this policy to emergency contact persons, the local law enforcement agency, and custodial parents or guardians (when applicable) shall be made no later than 24 hours after the time that the student is determined to be missing.

The Public Safety Department will notify the University Community of this policy via campus e-mail at the beginning of each term: fall, spring, and summer. In addition, the Department of Residential Life will notify resident students of this policy via resident student campus e-mail and during mandatory floor meetings held at the beginning of each term: fall, spring, and summer.

# University Study Abroad Emergency Policies & Procedures

## 1. Introduction

The Fontbonne University Study Abroad Emergency Protocol has been designed to safeguard the well-being of study abroad program participants and to protect the University's interests. The procedures set forth below are to be followed by the faculty/program leaders, participating study abroad students, the university administration, and staff in order to effectively prepare for and rapidly respond to emergencies when traveling and studying abroad.

This Emergency Protocol provides procedures that will allow program participants to react in a responsible way if/when emergencies arise. It is the responsibility of faculty leading the study abroad programs and the responsibility of the university administrators to follow the procedures outlined below and to inform the participating study abroad students about these procedures during their orientations.

## 2. Definitions

### Emergency

An emergency is any circumstance that poses a genuine risk, or a circumstance that has already disturbed the safety and well-being of program participants. Emergencies include, though are not confined to, the following types of events and incidents:

- Disappearance or kidnapping of a participant or trip leader;
- Criminal assaults against program participants;
- Sexual assault or rape;
- Serious illness, physical or emotional, injury or death;
- Hospitalization for any reason;
- Arrest, incarceration, or deportation;
- Terrorist threat or attack;
- Local political crisis;
- Natural disasters.

A "**perceived emergency**" results from events that are not immediately threatening to the health or safety of program participants, but which may be viewed as such by family and friends at home, or by the media. In many instances, a perceived emergency must be treated as a real emergency.

## 3. The Role of the University

The University has a responsibility in preparing for emergencies during the study abroad program. The responsibilities are:

- Require an initial risk management assessment of all university-sponsored activities taking place outside the U.S. and annual risk management assessments.
- The Study Abroad Coordinator will provide study abroad orientations and pre-departure orientations, when necessary.

The Study Abroad Coordinator will ensure that all students complete and submit all required documents. The information will be accessible by University Administrators including the Study Abroad Coordinator, Office of International Affairs, Office of Academic Affairs, the Vice President for Student

Affairs, and the Director of Campus Public Safety. These university members will act as the Study Abroad Emergency Response Team to coordinate and facilitate necessary actions due to emergencies or perceived emergencies.

The following items will be required as part of the program application process:

- a signed statement of responsibility.
- two emergency contact numbers.
- copies of passports (and visas if appropriate) or passport numbers.
- information on health and safety:
  - medical waiver
  - information on the university required study abroad health insurance with instructions on using the insurance abroad.
  - emergency card request
  - liability waiver

All programs must include medical evacuation, repatriation, and 24/7 assistance as part of the program fee for Fontbonne-sponsored trips. The Study Abroad Coordinator will identify the appropriate insurance and submit lists of the participants to the insurance company for all programs. Program participants will be required to pay the insurance premium as a part of their program fee. When necessary, the Study Abroad Coordinator will be responsible for evaluating services provided by third-party study abroad trips.

At a minimum, the following information should be provided to all students during the pre-departure and on-site orientation:

- Consular Information Sheets and U.S. State Department Travel Warnings (if applicable). If there is a Travel Advisory issued during a program, the Study Abroad Coordinator and/or a University Administrator will notify the faculty leader who will then notify the students of the change.
- Emergency Contact Numbers for program directors and university officials to be provided to students and parents. The emergency contacts will include Faculty leader in host country (if applicable); the Study Abroad Coordinator; Department of Public Safety. All Faculty leaders must have a cell phone that works in the host country - either a US or foreign number. Faculty leaders must provide students and university administrators with the complete number including the country and city code if using a local number in the host country;
- Cover safety and security issues specific to the country. Advise the students to avoid travel to or through any location where tensions exist and travel may be dangerous.
- Information on how to register with the U.S. embassy or consulate in the host country or countries. Where it is appropriate, the program/faculty leaders should provide this type of notification to the local authorities at the program site.

#### 4. Procedures for a medical emergency:

Students should be informed that they are required to notify the faculty/program leader about any medical emergency, and that the leader in turn is required to contact the Study Abroad Coordinator or the University's VP of Academic Affairs. This information will be treated with the strictest confidentiality and will be shared on a "need to know" basis only. If the crisis involving the student is grave enough to

jeopardize his or her safety or well-being, the emergency contact he/she has provided at the time of registration will be informed.

The faculty/program leader will leave a detailed written program itinerary with the Study Abroad Coordinator with instructions on how they can be contacted in an emergency. If students are traveling independently with a third-party study abroad program, the student is responsible for providing this information directly to the Study Abroad Coordinator.

Each program group must be registered with the State Department prior to departure:

<https://step.state.gov/step/>

Prior to the arrival of the students on site:

- If the students in the group are to be housed with local families, the faculty/program leader informs the host families that they are required to notify the on-site coordinator or director if there is an emergency involving a student.
- If the students are housed in a residence system or rented house, the faculty/program leaders should inform the local housing supervisor and be in touch with the housing supervisor if an emergency occurs.

## 5. The Role of the Students

The role of the students in preparing for emergencies during the educational experiences abroad:

- Be familiar with all materials provided to you by the Study Abroad Coordinator, Faculty/program leader, and other University offices and government agencies.
- Review the Emergency Protocol.
- Know how to use the study abroad health insurance information and keep a copy of the card with you at all times along with the 24/7 assistance phone number.
- Make 2 copies of your passport. Leave one with your family and bring one with you on your trip and keep it separately from your passport. While you are traveling, protect your passport. Use a money belt, neck pouch or a hotel safe.
- Request an emergency card from the Study Abroad Coordinator and keep the emergency card with you at all times while traveling.
- Learn as much as you can about your country before you go.
- If you are going abroad for a long-term study abroad program, register with the State Department, <https://step.state.gov/step/>. Register with the U.S. embassy or consulate in the host country or countries. Where it is appropriate, this type of notification should be also provided to the local authorities at the program site.
- Develop with your family a plan for telephone or e-mail contact, so that in case of emergency you will be able to communicate with your parents directly about your safety and well-being.
- Familiarize yourself with local laws and customs of the countries to which you are traveling. Remember, while in a foreign country, you are subject to their laws.
- Bring a credit card or have access to additional funds in case of an emergency.

## 6. The Role of Faculty for Faculty-Led Trips

The role of the faculty in preparing for emergencies during the educational experiences abroad:

1. Faculty must ensure that all students complete and submit all required documents. The information placed on One Drive and can be accessed by the Study Abroad Emergency Response

Team consisting of the Study Abroad Coordinator, Vice President for Academic Affairs, Vice President for Student Affairs, and the Director of Campus Public Safety.

2. The following items will be required as part of the application process:
  - a signed responsibility and insurance statement including a statement that the student has received and understood the orientation materials, including the Emergency Protocol.
  - two emergency contact numbers.
  - copies of passports (and visas if appropriate) or passport numbers.
  - information on health and safety:
    - Medical waiver
    - Information on the university-required study abroad health insurance with instructions on using the insurance abroad.
    - Emergency card request
    - Liability waiver
3. All trips must include medical evacuation, repatriation, and 24/7 assistance as part of the program. The Study Abroad Coordinator or Faculty leader will identify an appropriate insurance and submit lists to the insurance company for all international trips. Students will be required to pay the insurance premium as part of overall trip cost.

## What to Do in Case of an Emergency

### Faculty Leading the Program Abroad

In an emergency, the faculty's first responsibility is to safeguard the safety and well-being of program participants. The faculty leader should do whatever is necessary to assure this, whether this means obtaining prompt and appropriate medical attention, Embassy intervention, or police protection. When all has been done to ensure the participants' well-being, the faculty leader should contact the Study Abroad Coordinator, VP of Academic Affairs, or Director of Campus Public Safety and inform them about the situation. If the faculty leader is unable to reach any of these members, they should contact the University President.

In an emergency, the faculty leader should urge participants to contact parents as soon as possible to advise them of their personal situation. Wherever necessary, the faculty leader must facilitate such contact.

As necessary, the faculty leader should notify the local U.S. Embassy or Consulate about the crisis, and follow required procedures. If there is a continuing risk to the welfare of the students (e.g., during a terrorist threat), the faculty should ask the appropriate Embassy or Consular Official to advise him/her on a regular basis about the evolution of the crisis, and about how the students should respond.

In a medical emergency, faculty leader or appropriate designee should accompany the student to an appropriate health care provider. One of the Emergency Response Team (Study Abroad Coordinator, Office of International Affairs, Office of Academic Affairs, the Vice President for Student Affairs, and the Director of Campus Public Safety) should be contacted and made aware of the situation. No details should be shared unless the participant grants permission. If a medical emergency is critical and



parents/emergency contacts should be informed, members of the Emergency Response Team should make contact with the parents/emergency contacts.

Depending on the acuteness of the crisis, the entire Emergency Response Team may be assembled to decide on a course of action that the faculty leader and students need to follow.

During a political crisis or other emergency in which foreigners and/or U.S. citizens may be at risk, the faculty leader should tell the students to keep a low profile. Students should be informed to: avoid demonstrations, confrontations, or situations where they could be in danger; avoid behavior that could call attention to themselves; avoid areas where foreigners or U.S. citizens are known to congregate; and avoid using luggage tags and wearing clothes that would label them as U.S. citizens.

Faculty leaders and students will be evacuated or sent home if a situation deteriorates to the point where the degree of risk to participants is deemed unacceptable. If this unlikely event were to happen, the Emergency Response team, in consultation with the faculty leader, the U.S. Embassy, the State Department, and appropriate individuals on the campus, would develop an evacuation plan in as much detail as possible.

Faculty leaders should not make any statements to the press. Refer inquiries to Director of Integrated Marketing and Communication and record all calls and activities.

#### Student

1. If there is an emergency, you should immediately contact your faculty leader. His/her responsibility is to make sure that you are safe. The faculty leader will be in touch with Fontbonne and the Emergency Response Team who will recommend appropriate steps depending on the situation. Follow the faculty leader's instructions.
2. During a political crisis or other emergency in which foreigners and/or U.S. citizens may be at risk, students should keep a low profile. Avoid demonstrations, confrontations, or situations where you could be in danger; avoid behavior that could call attention to yourself; avoid areas where foreigners or U.S. citizens are known to congregate; and avoid using luggage tags and wearing clothes that would label you as a U.S. citizen.

Emergency Response Team (Study Abroad Coordinator, Office of International Affairs, Office of Academic Affairs, the Vice President for Student Affairs, and the Director of Campus Public Safety) on Fontbonne Campus

Upon receiving a call from the faculty leader (or from another faculty, parent or other source) involving a serious injury, death, or emergency, the Emergency Response Team will:

1. Start a log of all calls and activities.
2. Get the following information from the faculty leader:
  - o Name of caller and of victim(s), if any
  - o Brief description of accident, injuries, and/or emergency, the steps that have been taken and the status.
  - o Location of caller- street, city, country
  - o Location of accident or emergency. How close is it to students and staff?
  - o Phone, cell phone, fax, or any other contact information where the caller is
  - o Find out if rescue squad, local law enforcement, U.S. embassy/consulate have been called if appropriate.

- Any information released to the media.
- 3. If an emergency – real or perceived – occurred, ask for detailed answers to these questions:
  - What impact, if any, did any emergency have on the availability of food, water, and medical supplies?
  - What was the target of unrest, if the event was political?
  - What is the intensity of the emergency or of the political unrest?
  - Are there military or emergency personnel at the site of the emergency?
  - Is the continuation of classes feasible?
  - How able are our students and staff to travel in the country?
  - Is evacuation possible?
  - What is the advice of the nearest U.S. embassy or consulate?

#### Emergency Cancellation and Termination of the Program

If based on the recommendation of the Emergency Response Team, the University determines that a program should be canceled or terminated due to an emergency or crisis situation, the process for notification and refunds will be determined by the Emergency Response Team. VP for Academic Affairs will be notified so that all university communications are consistent.

## Fontbonne Campus Annual Fire Safety Report

This section of the Annual Security and Fire Safety Report includes information on the University’s Clery reportable fire statistics for 2018-2020 occurring in student residential facilities as well as information about fire safety policies and procedures for those facilities. The statistics included in the Annual Security and Fire Safety Report are compiled by the Department of Public Safety (DPS) with assistance from Residential Housing & Residential Life.

### 2018-2020 Fire Statistics Reporting Tables

Institutions with on campus student housing facilities must disclose annual statistics for fires based on:

- A. where the fire occurred,
- B. the type of flame or burning which occurred.

Institutions are only required to collect and provide statistics for fires which took place in an on-campus student housing facility. The statistics are broken down separately by student housing facility. For the purposes of Clery Act fire safety reporting, a reportable “fire” is defined as any instance of open flame or other burning in a place not intended to contain the burning, or any instance of open flame or other burning in an uncontrolled manner. Note that incidents involving sparks or smoke where there is no open flame or other burning, and incidents such as burnt microwave popcorn that trigger fire alarms or smoke detectors but where there are no open flames or other burning do not qualify as a fire under this definition.

Name of Building on Campus	Year	Total Fires	Fire #	Cause of Fire	# of Injuries that required Medical Treatment	# Of Deaths	Value of Property Damage
St. Joseph’s Hall	2018	0	0	0	0	0	0
St. Joseph’s Hall	2019	0	0	0	0	0	0
St. Joseph’s Hall	2020	0	0	0	0	0	0
Medaille Hall	2018	0	0	0	0	0	0
Medaille Hall	2019	0	0	0	0	0	0
Medaille Hall	2020	0	0	0	0	0	0
Southwest Hall	2018	0	0	0	0	0	0
Southwest Hall	2019	0	0	0	0	0	0
Southwest Hall	2020	0	0	0	0	0	0

### Daily Fire Log

Up to date information regarding fires reported in student housing facilities is also publicly available year-round in a Daily Crime Log maintained by DPS. The Daily Fire Log records, by the date the fire was reported to DPS, certain information regarding any fires which are reported to have taken place in any on-campus student housing facility. The Daily Fire Log is maintained in the same document as the

University's Daily Crime Log. The most recent 60 days of the Daily Fire Log are available for public inspection in the Director of Public Safety's Office (Ryan Hall 101) except during certain holidays and when the campus is closed. Requests to view entries from more than 60 days ago, will be provided within two business days of the request.

## Fire Safety Policies and Procedures

This section of the Annual Security and Fire Safety Report provides information on the specific fire safety systems included in each on-campus student housing facility, information on how to report a fire to the University, and general fire safety policies and procedures.

### How to Report a Fire to the University

The following pages address the University's procedures which should be followed by the campus community in case of an active suspected fire on campus. Reporting any observed fire or smoke to DPS or local emergency responders is key. It is also important for members of the campus community to report evidence of a fire that has already been extinguished by calling the DPS at 314.599.2947. DPS will respond to view the extinguished fire and investigate further this will ensure the safety of the campus community and also allow DPS to determine whether or not the incident should be included in the annual fire safety report statistics.

### General Procedures to Follow in Case of Fire

Anyone who observes fire or smoke inside Fontbonne University facilities should take the following steps:

- A. Immediately go to the nearest fire alarm pull station and activate the fire alarm, if it is possible to do so safely.
- B. Extinguish the fire only if you can do so safely and quickly.
- C. Immediately contact DPS by calling 314.599.2947

All University students, staff, faculty and guests are required to heed a fire alarm and evacuate a building immediately. Remember to use the nearest stairwell and/or exit to leave the building immediately. DPS strongly encourages all members of the campus community to familiarize themselves with the exits in each building.

Faculty members and department heads are responsible for the students and staff in their charge and should evacuate their classrooms and offices in an orderly manner to the nearest designated evacuation route and assembly point. Faculty members and department heads are also responsible for keeping all students and staff in their assembly area until recalled to the building or advised by emergency personnel of where to go. If students or staff want to leave, or are dismissed, it is the responsibility of the faculty member or department head to record the student or staff member's name in a log.

Anyone inside a Fontbonne University student housing facility should take the following steps if a fire alarm sounds:

- A. Evacuate the building as quickly and as orderly as possible. Do not use the elevators.
- B. Before leaving your room or apartment, check your door. If it feels warm, do not open it. A warm door may indicate smoke and flames on the other side.
- C. If your door does not feel warm, open it cautiously to check for smoke outside or in the hallway.
- D. Upon exiting your room or apartment, be sure you have closed your window and locked your door.
- E. If you believe that the area outside your door is passable, alert the other occupants on your floor/building and proceed to the closest exit stairway.
- F. You may use any exterior door to exit a building when the fire alarm is sounding.
- G. After you leave the building, keep a safe distance away from it and do not interfere with the fire department or public safety operations. Return to the building only when told it is safe to do so by a member of the Residential Life professional staff or DPS.
- H. Residents who do not evacuate the halls or apartments during a fire alarm are subject to fines and disciplinary action.

If you discover a fire in a student housing facility:

- A. Go to the nearest alarm box, follow the instructions printed on the box, and activate the alarm. Evacuate the building immediately and do not use an elevator.
- B. As soon as it is safe to do so, call DPS 314.599.2947 and give the exact location of the fire and notify a member of the residential life staff.
- C. If your door is warm or if the hallway is smoke-filled, stay in your room with your door closed. Seal cracks around the door with towels or sheets to keep the smoke from entering the room.
- D. If smoke does enter your room, open one window slightly. Hang something noticeable out the window like a towel or sheet to indicate your exact location to fire fighters.
- E. If you cannot open the window, remain close to the floor. The best breathing air will be approximately 18 inches above the floor.
- F. Above all, remain calm. The Clayton Fire Department is very familiar with all campus housing and will be on the scene immediately directing rescue operations.

### Procedures for Evacuating Student Housing Facilities in Case of Fire

All occupants of a residence hall or any of the on-campus buildings must immediately evacuate the building when an alarm sounds. Whenever an alarm sounds in one of the residence halls, all residents should knock on the doors as you pass to exit the building. Remember to walk (not run) during evacuations and be sure to use stairwells (not elevators) when evacuating the buildings during a fire alarm or other emergency.

Emergency evacuation route signage is visible on residence hall room doors, and evacuation point signage is posted at designated assembly points.

Evacuation meeting points for all on campus student housing facilities appear below: Building	Evacuation Location
St. Joseph’s Hall	The Parking lot next to the Security Building
Medaille Hall	The Big Bend Parking Lot, or the golden meadow
Southwest Hall	The Big Bend Parking lot, or small lot just east of the building.

Misuse of the fire alarm and protection equipment (which includes fire alarms and fire extinguishers) constitutes a serious threat to the safety of the occupants of a building and is prohibited. Any activity involving tampering with fire alarms or firefighting equipment, unauthorized use of such equipment, failure to evacuate during a fire alarm, hindering the evacuation of other occupants, or hindering authorized emergency personnel is prohibited, and will result in severe disciplinary action, including possible dismissal from Fontbonne University along with possible criminal prosecution. Criminal prosecution may subject the violator to fines, imprisonment, or both. Civil action to recover the costs associated with damage resulting from the unauthorized use of firefighting equipment may also be initiated.

Current Student Housing Facilities Fire Safety Systems

The University takes proactive measures to ensure the safety of its residents within the student housing facilities. One key component to resident’s safety is maintaining appropriate fire safety systems and drills. Fire drills are intended to familiarize students with the locations of the emergency exits within their building and to provide guidance about the direction occupants should travel when exiting the facility. The University conducts fire evacuation drills in all three residence halls in collaboration with the Clayton Fire Department.

Fontbonne Physical Plant Department also designates one of its staff members as the University’s Fire Safety Specialist who is responsible for coordinating routine maintenance and annual testing of all fire safety systems. The Fire Safety Specialist also works with fire safety vendor to perform extensive obstruction testing of all sprinkler systems on campus every five years.

See below for details regarding the specific fire safety systems currently in place in each on campus student housing facility. The University does not anticipate a need for future improvements to fire safety systems at this time.

Student Campus Housing	Fire Alarm Monitoring (Off site)	Partial Sprinkler (1) (a)	Full Sprinkler (2) (b)	Smoke Detection (c)	Fire Extinguishers (d)	Evacuation Plans (Placards) (e)	# of Evacuation Drills (f)
St. Joseph’s Hall	X			x	x	x	3

Medaille Hall	X			x	x	x	3
Southwest Hall	X		x	x	x	x	3

- A. A partial sprinkler system is defined as having sprinklers in the common areas only.
- B. A full sprinkler system is defined as having sprinklers in both common and individual rooms.
- C. Smoke detectors as required by St Louis County Ordinance
- D. Fire Extinguishers located on every floor of the dorms
- E. All residential doors have emergency evacuation plans on the inside of each door.  
Additional Placards posted at exits and by the elevator
- F. Emergency Evacuation Drills are required to be four annually for each dorm. (during the Covid pandemic (2020) the dorms were vacated during one of the required drill dates)

# APPENDIX A

## Clery Act Crime Definitions

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

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

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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

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

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

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

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

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by person not having lawful access, even though the vehicles are later abandoned – including joyriding).

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

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be 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. For the purposes of this definition:

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

**Domestic violence:** A Felony or misdemeanor crime of violence\* committed –



- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

\*The term "crime of violence" is defined by 18 U.S. Code Section 16 as follows:

- an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for her, his, or others' safety; or
- Suffer substantial emotional distress.
- For the purposes of this definition:
  - Course of conduct means two or more acts, including but not limited to, acts 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.
  - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Weapons: Carrying, Possessing, Etc.:** This classification encompasses weapons offenses that are regulatory in nature.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

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

**Hate crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

The Department of Education directs institutions to report statistics for hate crimes in connection with the following offenses: Murder and Non-Negligent Manslaughter; Sexual Assault; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson. These definitions are provided above.

Institutions must also report statistics for hate crimes in connection with the following offenses which are not otherwise included in the annual crime statistics:

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

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

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

**Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### Types of Bias reportable under the Clery Act:

**Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

**Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

**Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

**Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

**Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

**National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

**Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age or illness.

# APPENDIX-B

## Fontbonne University Geographic Location



# APPENDIX C

## Missouri State Statutes

556.061. Code definitions. [Preliminary Provisions (Criminal Code)] (Selected definitions only)

**(14) "Consent"**: consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

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

(27) "Forcible compulsion" either:

- (a)** Physical force that overcomes reasonable resistance; or
- (b)** A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;

**(28) "Incapacitated"**, a temporary or permanent physical or mental condition in which a person is unconscious, unable to appraise the nature of his or her conduct, or unable to communicate unwillingness to an act;

### **566.010. Chapter 566 and chapter 568 definitions. —**

As used in this chapter and chapter 568, the following terms mean:

**(1) "Aggravated sexual offense"**, any sexual offense, in the course of which, the actor:

- (a)** Inflicts serious physical injury on the victim;
- (b)** Displays a deadly weapon or dangerous instrument in a threatening manner;
- (c)** Subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person;
- (d)** Had previously been found guilty of an offense under this chapter or under section 573.200, child used in sexual performance; section 573.205, promoting sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography; or section 573.040, furnishing pornographic materials to minors; or has previously been found guilty of an offense in another jurisdiction which would

constitute an offense under this chapter or said sections;

**(e)** Commits the offense as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity; or

**(f)** Engages in the act that constitutes the offense with a person the actor knows to be, without regard to legitimacy, the actor's:

**a.** Ancestor or descendant by blood or adoption;

**b.** Stepchild while the marriage creating that relationship exists; Brother or sister of the whole or half- blood; or

**c.** Uncle, aunt, nephew, or niece of the whole blood;

**(2) "Commercial sex act"**, any sex act on account of which anything of value is given to or received by any person;

**(3) "Deviate sexual intercourse"**, any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

**(4) "Forced labor"**, a condition of servitude induced by means of:

**(a)** Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or

**(b)** The abuse or threatened abuse of the legal process;

**(5) "Sexual conduct"**, sexual intercourse, deviate sexual intercourse or sexual contact;

**(6) "Sexual contact"**, any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

**(7) "Sexual intercourse"**, any penetration, however slight, of the female genitalia by the penis.

566.023. Marriage to victim, at time of offense, affirmative defense, for certain offenses. –

It shall be an affirmative defense to prosecutions under sections 566.032, 566.034, 566.062, 566.064, and 566.071, that the defendant was married to the victim at the time of the offense.

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



**1.** A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

**2.** The offense of rape in the first degree or an attempt to commit rape in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

**(1)** The offense is an aggravated sexual offense, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years;

**(2)** The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section;

**(3)** The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the offender has served not less than thirty years of such sentence or unless the offender has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such rape in the first degree is described under subdivision (4) of this subsection; or

**(4)** The victim is a child less than twelve years of age and such rape in the first degree or attempt to commit rape in the first degree was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

**2.** Subsection 4 of section 558.019 shall not apply to the sentence of a person who has been found guilty of rape in the first degree or attempt to commit rape in the first degree when the victim is less than twelve years of age, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

**3.** No person found guilty of rape in the first degree or an attempt to commit rape in the first degree shall be granted a suspended imposition of sentence or suspended execution of sentence.

566.031. Rape in the second degree, penalties.

**1.** A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.

**2.** The offense of rape in the second degree is a class D felony.

566.060. Sodomy in the first degree, penalties--suspended sentence not granted, when.

**1.** A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally

impaired so as to be incapable of making an informed consent to sexual intercourse.

**2.** The offense of sodomy in the first degree or an attempt to commit sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

**(1)** The offense is an aggravated sexual offense, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years;

**(2)** The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section;

**(3)** The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the offender has served not less than thirty years of such sentence or unless the offender has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such sodomy in the first degree is described under subdivision (4) of this subsection; or

**(4)** The victim is a child less than twelve years of age and such sodomy in the first degree or attempt to commit sodomy in the first degree was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

**3.** Subsection 4 of section 558.019 shall not apply to the sentence of a person who has been found guilty of sodomy in the first degree or an attempt to commit sodomy in the first degree when the victim is less than twelve years of age, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

**4.** No person found guilty of sodomy in the first degree or an attempt to commit sodomy in the first degree shall be granted a suspended imposition of sentence or suspended execution of sentence.

566.061. Sodomy in the second degree, penalty.

**1.** A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.

**2.** The offense of sodomy in the second degree is a class D felony.

566.062. Statutory sodomy and attempt to commit, first degree, penalties.

**1.** A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.

**2.** The offense of statutory sodomy in the first degree or an attempt to commit statutory sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

**(1)** The offense is an aggravated sexual offense or the victim is less than twelve years of age, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

**(2)** The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section.

566.064. Statutory sodomy, second degree, penalty.



1. A person commits the offense of statutory sodomy in the second degree if being twenty-one years of age or older, he or she has deviate sexual intercourse with another person who is less than seventeen years of age.

2. The offense of statutory sodomy in the second degree is a class D felony.

566.067. Child molestation, first degree, penalties.

1. A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense.

2. The offense of child molestation in the first degree is a class A felony and, if the victim is a child less than twelve years of age, the person shall serve his or her term of imprisonment without eligibility for probation, parole, or conditional release.

566.068. Child molestation, second degree, penalties.

1. A person commits the offense of child molestation in the second degree if he or she:

(1) Subjects a child who is less than twelve years of age to sexual contact; or

(2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.

2. The offense of child molestation in the second degree is a class B felony.

566.069. Child molestation, third degree, penalty.

1. A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.

2. The offense of child molestation in the third degree is a class C felony, unless committed by the use of forcible compulsion, in which case it is a class B felony.

566.071. Child molestation, fourth degree, penalty.

1. A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.

2. The offense of child molestation in the fourth degree is a class E felony.

566.100. Sexual abuse in the first degree, penalties.

1. A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.

2. The offense of sexual abuse in the first degree is a class C felony unless the victim is less than fourteen years of age, or it is an aggravated sexual offense, in which case it is a class B felony.

566.101. Sexual abuse, second degree, penalties.

1. A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.

2. The offense of sexual abuse in the second degree is a class A misdemeanor, unless it is an aggravated sexual offense, in which case it is a class E felony.

566.020. Mistake as to age--consent not a defense, when.

1. Whenever in this chapter the criminality of conduct depends upon a child being less than fourteen years of age, it is no defense that the defendant believed the child to be older.

**2.** Whenever in this chapter the criminality of conduct depends upon a child being less than seventeen years of age, it is an affirmative defense that the defendant reasonably believed that the child was seventeen years of age or older.

**3.** Consent is not a defense to any offense under this chapter if the alleged victim is less than fourteen years of age.

566.032. Statutory rape and attempt to commit, first degree, penalties.

**1.** A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age.

**2.** The offense of statutory rape in the first degree or an attempt to commit statutory rape in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

**(1)** The offense is an aggravated sexual offense, or the victim is less than twelve years of age in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

**(2)** The person is a persistent or predatory sexual offender as defined in section 566.125 and subjected to an extended term of imprisonment under said section.

566.034. Statutory rape, second degree, penalty.

**1.** A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has sexual intercourse with another person who is less than seventeen years of age.

**2.** The offense of statutory rape in the second degree is a class D felony.

568.020. Incest — penalty.

**1.** A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her:

**(1)** Ancestor or descendant by blood or adoption; or

**(2)** Stepchild, while the marriage creating that relationship exists; or

**(3)** Brother or sister of the whole or half-blood; or

**(4)** Uncle, aunt, nephew or niece of the whole blood.

**2.** The offense of incest is a class E felony.

**3.** The court shall not grant probation to a person who has previously been found guilty of an offense under this section.

455.010. Definitions. [Abuse--Adults and Children--Shelters and Protective Orders Adult Abuse]

As used in this chapter, unless the context clearly indicates otherwise, the following terms shall mean:

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

**(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. 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 person's consent;

**(f)** "Unlawful imprisonment", holding, confining, detaining or abducting another person against that person's will;

**(2)** "Adult", any person seventeen years of age or older or otherwise emancipated;

**(3)** "Child", any person under seventeen years of age unless otherwise emancipated; **(4)** "Court", the circuit or associate circuit judge or a family court commissioner;

**(5)** "Domestic violence", abuse or stalking committed by a family or household member, as such terms are defined in this section;

**(6)** "Ex parte order of protection", an order of protection issued by the court before the respondent has received notice of the petition or an opportunity to be heard on it;

**(7)** "Family" or "household member", 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;

**(8)** "Full order of protection", an order of protection issued after a hearing on the record where the respondent has received notice of the proceedings and has had an opportunity to be heard;

**(9)** "Order of protection", either an ex parte order of protection or a full order of protection;

**(10)** "Pending", exists or for which a hearing date has been set;

**(11)** "Petitioner", a family or household member who has been a victim of domestic violence, or any person who has been the victim of stalking or sexual assault, or a person filing on behalf of a child pursuant to section 455.503 who has filed a verified petition pursuant to the provisions of section 455.020 or section 455.505;

**(12)** "Respondent", the family or household member alleged to have committed an act of domestic violence, or person alleged to have committed an act of stalking or sexual assault, against whom a verified petition has been filed or a person served on behalf of a child pursuant to section 455.503;

**(13)** "Sexual assault", as defined under subdivision (1) of this section;

**(14)** "Stalking" is when any person purposely engages in an unwanted course of conduct that causes alarm to another person, or a person who 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 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.

455.020. Relief may be sought — order of protection effective, where. —

- 1.** Any person who has been subject to domestic violence by a present or former family or household member, or who has been the victim of stalking or sexual assault, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such domestic violence, stalking, or sexual assault by the respondent.
- 2.** A person's right to relief under sections 455.010 to 455.085 shall not be affected by the person leaving the residence or household to avoid domestic violence.
- 3.** Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties.

565.072. Domestic assault, first degree--penalty.

- 1.** A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section 565.002\*
- 2.** The offense of domestic assault in the first degree is a class B felony unless in the course thereof the person inflicts serious physical injury on the victim, in which case it is a class A felony.

565.073. Domestic assault, second degree--penalty.

- 1.** A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she:
  - (1)** Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
  - (2)** Recklessly causes serious physical injury to such domestic victim; or
  - (3)** Recklessly causes physical injury to such domestic victim by means of any deadly weapon.
- 2.** The offense of domestic assault in the second degree is a class D felony.

\*§ 565.002(6). Definitions: "Domestic victim", a household or family member as the term "family" or "household member" is defined in section 455.010, including any child who is a member of the household or family;

565.074. Domestic assault, third degree--penalty.

- 1.** A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term "domestic victim" is defined under section 565.002.
- 2.** The offense of domestic assault in the third degree is a class E felony.

565.076. Domestic assault in the fourth degree, penalty.

- 1.** A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and:
  - (1)** The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;

- (2)** With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;
  - (3)** The person purposely places such domestic victim in apprehension of immediate physical injury by any means;
  - (4)** The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim; The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or
  - (5)** The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.
- 2.** The offense of domestic assault in the fourth degree is a class A misdemeanor, unless the person has previously been found guilty of the offense of domestic assault, of any assault offense under this chapter, or of any offense against a domestic victim 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 two or more times would be a violation of this section, in which case it is a class E felony. The offenses described in this subsection may be against the same domestic victim or against different domestic victims.

565.225. Stalking, first degree, penalty.

- 1.** As used in this section and section 565.227, the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.
- 2.** A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:
  - (1)** Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or
  - (2)** At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or
  - (3)** At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or
  - (4)** At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or
  - (5)** He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or
  - (6)** At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

**3.** Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

**4.** This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

**5.** The offense of stalking in the first degree is a class E felony, unless the defendant has previously been found guilty of a violation of this section or section 565.227, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.227, or unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case stalking in the first degree is a class D felony.

565.227. Stalking, second degree, penalty.

**1.** A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

**2.** This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

**3.** Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

**4.** The offense of stalking in the second degree is a class A misdemeanor, unless the defendant has previously been found guilty of a violation of this section or section 565.225, or of any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.225, or unless the victim is intentionally targeted as a law enforcement officer, as defined in section 556.061, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer, in which case stalking in the second degree is a class E felony.

# APPENDIX D

## Crime Prevention Tips

While Fontbonne University and DPS make every effort to provide a safe campus, students, faculty, and staff must also do their part to help us maintain a safe environment. To this end, Fontbonne University 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 review the following tips on preventing crime and keeping yourself and your property safe and secure.

### Tips for Securing Valuables in an Office

- Always lock your office, even when you are away for a few minutes.
- If you have valuables stored in your office, do not leave them overnight.
- Never leave purses or other valuables unattended. Take them with you or lock them in a secure cabinet.
- Keep your desk and files locked when you are away.
- Never store money in your desk drawers or file cabinets
- Report all losses to DPS immediately.

### Tips for Securing Valuables in Residences

Conspicuously mark items of value with a unique identifier making the items more difficult to sell and making it easier for law enforcement officials to return lost or stolen property.

### Personal Safety Tips

- When walking alone after dark, walk on well-lighted, well-traveled walkways and plan your route ahead of time. Avoid places where attackers might hide (spaces between parked cars, overgrown shrubs, and dark passageways) and areas where you might get cornered. Remember that it is best to walk facing traffic.
- If anyone follows you while you are walking alone, look confident and let him or her know you are aware of their presence. Don't be polite or engage in conversation. If they continue to follow you, cross the street and/or change directions. If this doesn't work, walk toward other people or occupied buildings and stay away from places where you might get cornered.
- If you are trapped in your car and afraid for your safety, honk your horn in quick short bursts. This will attract people's attention.
- Make sure that all of the car doors are locked whenever you leave your vehicle.
- When returning to your car, have your keys ready so you can enter your car quickly and be aware of your surroundings. If you have to look into a purse or a pocket to find them, it takes extra time and you lose sight of what is around you, which could allow someone to sneak up on you.

### Preventing Thefts from Vehicles

- Install a vehicle alarm or mechanical lock for the steering wheel or ignition.

- Always lock the doors and leave the windows rolled up.
- Keep valuables out of sight. Place valuable items in your trunk not the front or back seats.
- Know the license number, year, make and model of your vehicle.
- Never leave money, checkbooks, or credit cards in the vehicle at any time.

### **Preventing Bicycle Theft**

- Keep bicycles locked any time they are unattended. Be sure the lock or cable goes through the front wheel, rear wheel and the frame, and secure it to a fixed object.
- Anyone who parks a bicycle on campus needs to register it at the Public Safety Office. Registration is free, but you must provide the serial number and a description of your bicycle for registration. Your serial number will help if your bicycle is ever lost or stolen on campus. Please remember that all bicycles are required to be parked at designated bicycle racks and may not be secured to trees or other landscaping, stair and walkway railings, or other building structures. Securing a bicycle to a prohibited item may result in the cutting/removal of the security device and the confiscation of the bicycle.



## APPENDIX E

### Bystander Intervention Tips

The University encourages the campus community to recognize that we all have an opportunity to make a difference and reduce the incidents of sexual misconduct on our campus, by learning how to intervene when we witness a situation that makes us uncomfortable, or we know is wrong. One method of bystander intervention is referred to as the “3 D’s - Distract, Delegate, and Direct.” Information about how to engage in this method appears below. **IMPORTANT REMINDER:** You should always assess whether you can safely intervene before engaging in any of the techniques described below.

**Distract.** This technique involves causing some form of distraction that will interrupt the flow of what is happening. Once you identify a high-risk situation you can attempt to distract either of the two individuals. Examples:

- Ask one of the people to help you find a lost item.
- Interrupt to ask for directions.
- Spill a drink.
- Start talking to the couple and don’t leave, so isolation cannot happen.
- An easy technique you can use is to invite the targeted individual to go outside for some fresh air. Once he or she is away from the other person, check in and ask if she or he needs help.

**Delegate.** When a bystander doesn’t feel safe to approach the situation alone, she or he can involve others. Examples:

- Group intervention. There is power in numbers. If you don’t feel comfortable going by yourself, ask a group to go with you. Say to one’s friends, I am concerned for that person. Can you find their friends and get them to check on the situation, while I stay here and watch?
- Ask a bouncer at a bar to look into the situation
- Ask the host to intervene. For example, I am worried for that girl, who is so drunk. Could you let that guy know that upstairs is off limits?

**Direct.** With the direct approach, you confront either the potential target or the person who you think is potentially about to commit a sexual assault. Examples:

- Say to the couple, “we are finding her friends and they will take her home.”
- Say to the targeted individual, “I am not letting a stranger take you home.”
- Say to the possible perpetrator, “Hey, you can’t take them upstairs; it’s not a good idea.”

Please contact Therese Jacques, Director of Counseling & Wellness Center at 314.889.1434.) with any questions about the material provided in this Appendix or about bystander intervention generally.

# APPENDIX F

## Fire Safety Tips

If your clothes are on fire, **stop, drop, and roll** to extinguish fire.

If you are trapped in a room:

- Place cloth material around the bottom of the door to prevent smoke from entering.
- Close as many doors as possible between you and the fire.
- Do not break glass unless necessary. Outside smoke may enter.
- Signal from a window if possible.

If you are caught in smoke:

- Drop to your hands and knees, and crawl.
- Hold your breath as long as possible.
- Breathe shallowly through your nose and use clothing as a filter.

If you are forced to advance through flames:

- Hold your breath.
- Move quickly.
- Cover your head and hair.
- Lower your head and close your eyes often.

# APPENDIX G

## Risk Reduction Tips

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately by calling 911.

# APPENDIX H

## University Violence and Weapons Statements

**Also see University Policy Manual 2.3.1 Firearms and Weapons and Weaponry in the Griffin Scratch**

### **PURPOSE**

Fontbonne University seeks to provide for the safety of student's faculty, staff and visitors and our buildings and property by eliminating or reducing threats of violence in our community. The University is committed to maintaining a community free from dangerous weapons, violence and/or threats of violence.

### **SCOPE**

This applies to all full-time and part-time students, employees of the University, all contract workers on university premises, and to all visitors on university property. This includes all locations where university-sponsored events and activities occur and all on-line, Skype and social media activity initiated by a student or employee of the University that may impact others in our university community.

### **STATEMENT**

Possession of firearms or other dangerous weapons (as defined below) at any university location or at any university event is prohibited. This includes but is not limited to items stowed in vehicles parked on any property owned, leased or maintained by the University. (This excludes Public Safety Officers who are licensed to carry a firearm during their normal course of carrying out their assigned duties and responsibilities.)

Students, faculty, staff, and campus visitors who are members of the military and/or commissioned law enforcement officers and who are required by the military or their law enforcement employer to carry their weapons while in uniform may carry a weapon while on campus upon presenting to the Director of Public Safety a copy of their government issued credentials and in the case of military personnel, orders necessitating the need to carry a firearm while on campus. Commissioned law enforcement personnel not wearing uniforms may carry weapons on campus so long as the weapon is concealed and not carried in a manner that would cause alarm to a reasonable person; they must also always have their credentials with them and readily identify themselves as a commissioned law enforcement officer. Likewise, with presentation of documentation substantiating the necessity of carrying weapons for their jobs, these individuals may be permitted to store such weapons in the secured storage areas on their vehicles while parked on campus. At no times should an individual be permitted to load or unload weapons while on campus.

Notwithstanding the above, the University recognizes that some individuals carry pepper spray or similar devices for personal protection when walking on or off-campus. This policy is not intended to prohibit the carrying of such items; however, the University expects that individuals will use good judgment in their use of

display of such devices. The University prohibits the sale of such devices on campus or by campus entities. Additionally, the University has the right to determine whether any such item is acceptable.

The university will not tolerate workplace violence or the threat of violence on campus or other locations in which University activities are sponsored. This includes but is not limited to threatening, destructive or violent actions directed by or toward students, employees, visitors or University buildings, equipment, or property.

A person who is found in violation of this will be subject to disciplinary action up to and including termination (if an employee), dismissal (if a student) or removal and/or permanent bar from campus if a student, employee, or visitor. Lesser sanctions may be considered depending upon the specific offense.

The Department of Public Safety (DPS) has overall responsibility for ensuring safety and a non-violent community for all the University's constituencies. This is supplemented by the responsibility of each administrator, supervisor, and each individual member of the University's many constituencies and communities to observe University policies designed to establish and maintain safe and non-violent, community.

If an individual learns of or witnesses' possession of or use of a dangerous weapon or learns of or witnesses a threat or any act of violence or any other conduct in violation at this university, he/she is urged to immediately report it to the Department of Public Safety, Office of Student Affairs and/or Office of Human Resources or Division Executive. Instances of severe and immediate danger should be reported to the local authorities and the Department of Public Safety.

The University will respond promptly, positively, and firmly to deal with reports of dangerous weapons and reports of threats and/or actual campus violence.

#### **DEFINITIONS:**

**The University Community** - includes the geographic location of Fontbonne University and all locations where university-sponsored events and activities occur and all on-line, Skype and social media activity initiated by a student or employee of the University that may impact others in our university.

**Commissioned law enforcement officer** - a law enforcement officer of the state or federal government or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state or federal statute.

**Dangerous weapons** - for purposes of this statement, "dangerous weapons" means fireworks, other explosives, other weapons, or dangerous chemicals not specifically authorized by the University. This also includes any item commonly used as, or primarily intended for use as, a weapon (concealed or otherwise) firearm, ammunition, knife with a blade over 3 inches, metal knuckles, billy, blackjack and club. This also includes misuse of legal objects in a dangerous manner.

Such items are prohibited on all University owned, leased, managed, or maintained property and any property used as a university sponsored event. Similarly, such items may not be stowed in any vehicle while parked on university owned, leased, managed, or maintained property or any property used by Fontbonne University.

The definition of dangerous weapons does not include certain tools issued by the University for use in the performance of assigned job duties such as knives or saws or drain cleaners issued to facilities personnel when used for their intended purpose. The definition does not apply to prop weapons used for theatrical performances and/or performance art with prior approval of the Director of Public Safety or his designee.

**Violence** - aggressive, hostile or similar behavior which is intended to injure or otherwise harm an individual or property.

**Threat** - a declaration of an intention or desire to injure or otherwise harm an individual or property. A threat may be made by means of innuendo or suggestion as well as by express language or gesture.

Aggressive or hostile behavior or threat of same may include but is not limited to:

- Statements, verbal, written or electronic, that threaten action
- Statements, verbal, written or electronic, that imply negative consequences
- Stalking or engaging in any pattern of harassment of another individual including, but not limited to following or covertly or overtly monitoring another person physically or electronically
- Physical aggression such as shoving or striking
- Loud, offensive or harsh language
- Defaming or derogatory terms used in describing an individual

**Witness** - one who has first-hand knowledge of an act, including a threat or act of violence or other violation of this Policy.

## **RESPONSIBILITIES**

As stated above, if an individual learns of or witnesses a threat or any act of violence or any other conduct in violation of this statement, he/she should immediately report it to the Department of Public Safety, Campus Directors, Office of Student Affairs and/or Office of Human Resources or Division Executive.

Department of Public Safety, Campus Directors, Office of Student Affairs, Office of Human Resources, Division Executives, Deans, Department Heads, Chairs and Supervisors all share in a leadership responsibility to help ensure a safe environment, to monitor and resolve conflicts and disputes when they arise, and to take appropriate action when potentially violent situations develop. They are empowered to take immediate action to resolve or stabilize violent situations and to protect individuals and property from harm. They must ensure that the Department of Public Safety and/or local authorities and the appropriate member of executive leadership are notified immediately in the event of a serious situation.

## **EDUCATION**

The Department of Public Safety will provide education programs for administrators, deans, department heads, chairs, and supervisors on how to deal with situations involving reports of dangerous weapons, threats, and/or violence.

A copy of the Firearms & Weapons Policy can be found in the HR Policy Manual **2.3.1** Firearms and Weapons.

Weaponry- can be found in the Griffin Scratch

A copy of the Violence and Weapons Statement can be obtained in the Annual Security and Fire Safety Report (Clery Report).