



UNIVERSITY

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Procedure for Preparing and Distributing the Report

The department of safety and security has been designated by the university to gather the information and statistics related to the act. The director of safety and security will oversee the preparation and distribution of the annual report. The report will include crime statistics from the previous three calendar years.

The report will be available for review on the Southwest Baptist University website and the SBU Safety and Security Portal page. Students, faculty, and staff will be notified of the location of the report by email and portal announcement, the official means of communication at Southwest Baptist University.

A hard copy of the report will be available upon request at the safety and security office. In addition, all prospective students and employees are informed about the availability of the report through a statement on applications. The department of safety and security will present educational programs to aid the university community in understanding the Clery Act.

The report will be published and made available each academic year. The vice president of student life will ensure that the annual report crime statistics are submitted to the Department of Education.

Reporting Crimes and Other Emergencies

All incidents occurring on the Springfield campus should be reported to the Springfield Police Department at 417-864-1810.

The Springfield Police will notify the campus director of any reported criminal activity occurring on campus or in the contiguous area. SBU safety and security can be contacted by calling 417-328-1556 or 417-328-8733. SBU will cooperate

Timely Warnings

Immediate Notification Policy

If a serious crime, a natural disaster, or a man-made emergency occurs that poses an immediate threat to the health and safety of the SBU community or a segment of the campus, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. If the institution implements the procedures regarding notification of the campus community for an immediate threat, the institution is not obligated to implement the timely warning notice procedures. The types of incidents that may cause an immediate threat to the SBU community could include but are not limited to: an active intruder on campus, a hostage/barricade situation, a riot, a suspicious package with confirmation of a device, a tornado, a fire/explosion, a suspicious death, structural damage to an SBU owned or controlled facility, a biological threat, significant flooding, gas leak, hazardous materials spill, etc.

All members of the SBU community are notified on an annual basis that they are required to notify local law enforcement of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Local emergency services have the responsibility to respond to such incidents to determine if the situation does in fact, pose an immediate threat to the community.

The campus director is responsible for immediately notifying the community of any situation that poses an immediate threat to the community. The director is responsible for immediately notifying the public information officer who is responsible for developing the content of the message to the community and sending the message using some or all of the below listed methods.

If marketing and communications staff receive information from other sources about a situation on campus that may cause an immediate threat to the SBU community, they are responsible for contacting the director of safety and security to confirm whether or not SBU Safety and Security or local law enforcement have responded to the incident.

The campus director and/or the public information officer will determine the content of the message and will use some or all of the systems described below to communicate the threat to the campus or to the appropriate segment of the campus, if the threat is limited to a particular building or segment of the population.

As per the requirements of the law, safety and security and marketing and communications will, without delay take 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 judgment of the first responders (including, but not limited to: safety and security, local law enforcement, and/or fire and emergency medical services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The various systems that the institution has in place for communicating information quickly to the SBU campus include:

1. SBU Email
2. SBU Portal
3. SBU Alert Texting
4. SBU Information Display Boards

Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. Safety and security and marketing and communications will post updates during a critical incident on the SBU Portal, webpage, and /or information display boards.

SBU uses RAVE for text and email alerts.

Drills and Exercises

The university conducts regular fire and tornado drills in all campus dorms, as well as tabletop exercises and panel discussions of many other emergencies. The SBU Alert system is tested annually with a select group.

Security and Access to Facilities

Building Security

The campus is secured by the campus director or designee when the last class is finished each day. The campus director is in charge of key and card access control. The campus is equipped with limited security camera coverage.

Maintenance of Buildings

The campus director is responsible for coordinating the maintenance of the building and grounds.

Crime Prevention Programs

Throughout the academic year the department of safety and security, student development, and other university organizations sponsor crime prevention and safety awareness programs for the university community. Some of the programs offered are personal safety and awareness, sexual assault awareness, theft prevention, and substance abuse awareness. In addition, safety and security officers will make presentations about services that the safety and security department offers. Officers meet with various groups during employee and student orientation, residential life meetings, speak to academic classes, and many other groups throughout the year providing information about security procedures and how to report incidents.

Some of the programs offered include:

- “ Protecting Community: Ongoing campaign to educate and prevent sex discrimination, harassment and violence.
- “ Resident director and resident assistant training in August. Includes discussion of fire safety, reporting crimes, responding to incidents, safety and security awareness.
- “ Annual Campus Security Authority training. Required training for all CSAs to be completed each year. Covers Clery compliance awareness and proper crime reporting.
- “ Sexual Assault Prevention program. Online program designed to educate students and combat sexual assaults.
- “ AlcoholEdu. An interactive online program incorporates the latest evidence-based prevention methods to create a highly engaging user experience, inspiring students to reflect on and consider changing their drinking habits.
- “ Security training by Center for Global Connections. Required for all international CGC trip participants.
- “ Information provided on travel safety and best practices when traveling outside the US.
- “ September is National Campus Safety Awareness Month. Displays and information for being safe at college.
- “ Other training is provided by the department of safety and security upon request.

Training Programs for Students and Employees

Sexual Assault Prevention for Undergraduates & Sexual Assault Prevention for Graduates

Built-in collaboration with leading researchers and practitioners, this course combines cutting-edge instructional design and rich media to educate students about healthy relationships, the importance of consent, and the role of bystander intervention. Interactive exercises take students through real-world scenarios and encourage students to challenge sexist language and attitudes, provide guidance for supporting someone who has experienced harm, and promote healthy relationships based on positive communication and respect- empowering students to create safe, healthy campus environments.

These Courses Cover: Importance of values, Aspects of (un)healthy relationships, Gender socialization, Sexual assault, Consent, Bystander intervention, Ongoing activism.

AlcoholEdu for College for All Students

This interactive online program incorporates the latest evidence-based prevention methods to create a highly engaging user experience, inspiring students to reflect on and consider changing their drinking habits.

This Course Covers: Overview of Key Definitions, Myths and Misperceptions, Alcohol and Motivation, Standard Drink, Blood Alcohol Concentration, Key Strategies for Drinkers, Key Strategies for Non-Drinkers, Bystander Intervention Skills, Academic Brain Science, Media Literacy and Expectations, Alcohol and the Law, College, Drinking and Stress.

Harassment & Discrimination Training for New Employees

This course leverages a combination of interactive scenarios, videos, and real cases to ensure that supervisors and employees get the appropriate information and practice doing their part to create a workplace that is free of harassment and discrimination. Supervisors receive training on how to manage their workplace culture to prevent incidents of harassment, and how to respond appropriately should it occur.

If safety and security has been notified and made a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus, the institution will initiate the

The vice president of student life shall have the responsibility to make the provisions of this policy and the procedures set forth below available to students.

Notification Procedure

1. When a student is reported missing, the safety and security department shall:
 - a. Initiate an investigation to determine the validity of the missing person report;
 - b. Contact the interim associate vice president of student life;
 - c. Make a determination as to the status of the missing student;
 - d. Notify Bolivar Police or other appropriate law enforcement agencies within 24 hours after determining that the student is missing.
2. When contacted by safety and security, the vice president of student life shall:
 - a. If, during an investigation of an official report, safety and security determines that the identified student is missing, the vice president of student life will notify the individual within 24 hours of making the determination that the student is missing;
 - b. If the missing student is under the age of 18 and not an emancipated individual, attempts to notify will be made to dial parent or guardian as contained in the records of the University within 24 hours of the determination that the student is missing.
3. The vice president of student life shall initiate whatever action he or she deems appropriate under the circumstances in the best interest of the missing student.

Student Notification of Missing Student Policy

- " Included in the Student Handbook.
- " Discussed during beginning semester, mandatory housing meetings.
- " Included in the annual campus security report.
- " Notices sent by email to all residents by campus housing.

VAWA Related Policy and Procedures

Violence Against Women Act

The Violence Against Women Act, including the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking was signed into law in 2013. SBU has created a Title IX Compliance committee that consists of the coordinator and investigators.

SBU has developed policies in an effort to meet the requirements of this law. These policies may be continuously developed as data, research and best practices are found. In addition, new regulations and interpretations may necessitate altering the policies and procedures. The most current policies and procedures may be found in the SBU Student Handbook and the SBU Employee Handbook.

Compliance Policies (SBU Student Handbook)

SBU prohibits domestic violence, dating violence, sexual assault, rape, acquaintance rape, stalking, and sexual harassment. The University expects behavior from all members of the University family that demonstrates the highest standard of respect for people and property and that exemplifies the Christian commitment to loving one another. Certain behaviors are not acceptable according to this moral and ethical standard.

It is important to recognize that emotional, verbal, and economic abuse are part of the umbrella of domestic violence, dating violence, sexual assault, and stalking and can exist without the presence of physical abuse.

Definitions

Many of the following terms, unless cited differently, were taken from MO Rev Stat § 455.010 (2016):

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:

- “ ~~Use of a deadly weapon~~ [·^ ^ Á | Á } [, á * | ^ Á | áá * Á | Ááá {] cá * Á | Á | áá Áá [@ | Á | Á áá Á - Á | @ · áá Áá { | Á
- “ ~~Use of a deadly weapon~~ [·^ ^ Á | Á } [, á * | ^ Áá · á * Á | @ · áá Áá { Á | Áá [@ | Á | Á ith or without a deadly weapon;

as consent to other forms of sexual activity. Without consent, any sexual activity will be considered unwanted and without consent. Sexual activity will be considered non-consensual if the victim was unable to communicate consent due to coercion, incapacitation, physical abuse, or any other item causing impaired judgment.

RSMo 556.061(5). Consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

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

Court - The circuit or associate circuit judge or a family court commissioner; (455.010 RSMO).

Dating Violence - V@Á!{ Áãã * Áã |^} & ^Á ^ã • Áã |^} & ^Á [{ { áã Á ^ Áã |^} • [] . (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship.
2. The type of relationship.
3. V@Á ^ ~ ^ } & ^ Á - Á ç |ãã } Á ^ ç ^ ^ } Á @ Á ^ | • [] • Á ç [|ç ^ á Á @ Á ^ |ãã } • @ - Á Ü Ö Æ € € € Æ Á G Á V È Æ Æ H U G Æ Æ

Domestic violence - Abuse or stalking committed by a family or household member, as such terms are defined in this

SBU students are encouraged to report incidents of quid pro quo harassment, any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively off

exclude information in preparing the investigation report if the information is irrelevant, immaterial, or more prejudicial than informative.

i. Witnesses

Both the complainant and respondent are permitted to provide names of potential witnesses to the investigator. The investigator will determine which of those potential witnesses, or other persons, may have relevant information about the alleged conduct and may request statements, either orally or in writing. Witnesses may include individuals outside the SBU community.

Witness statements should not be character evaluations, as all parties will be presumed to have good character. In addition, how individuals present themselves in other contexts (e.g., friendly, kind, and well-liked) has little probative value in evaluating whether the alleged conduct occurred. Moreover, the sexual history of the parties will not generally be deemed relevant, as described below.

ii. Additional Evidence

Both the complainant and the respondent are permitted to provide other relevant evidence to the inve

The investigator will produce a written report that contains the relevant information and facts learned during the investigation and may include direct observations and reasonable inferences drawn from the facts and any consistencies or inconsistencies between the various sources of information. The investigator may exclude statements of personal opinion by witnesses and statements as to general reputation for any character trait, including honesty. The investigator will not make a finding or recommended finding of responsibility. The report will be prepared by the investigator, the complainant, the respondent, and witnesses, as well as the evidence provided.

The investigation report will be shared with the Title IX Coordinator, as well as the complainant and the respondent to review before it is finalized. Within ten (10) business days, the complainant and respondent may offer additional comment, clarify information previously shared, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the investigation. When the report is finalized, it will be delivered to both parties and the Title IX Coordinator. The complainant and respondent may only share the investigation report for the purpose of receiving counsel or advice related to the University process.

D. Hearing Process and Deliberations

The Decision Maker will receive the complaint, notice to parties, and investigation report in advance of the hearing. Complainants and respondents may submit a written statement to the Decision Maker, as well as any potential questions for cross-examination which must be submitted to the Title IX Coordinator twenty-four (24) hours before the hearing.

- i) Prior to the hearing
 - a. Each party may have an advisor present with them throughout the hearing process who can ask questions on behalf of the party, and who may cross-exam witnesses.
 - b. The university will provide an advisor for either the complainant or the respondent if the party does not bring one, and an advisor agreement will be shared with each party.
 - c.

- ii. Advisor asks the question . All relevant questions and follow-up questions will be posed by the advisor.
- iii. Decision maker determines whether question is relevant. iv. If question is deemed relevant, other party answers.
- v. If question is deemed not relevant, decision maker provides reason, and the questioning proceeds with the next question
- h. After questioning and cross-examination by both parties the complainant may give a closing statement of no more than five (5) minutes.
- i. The respondent may give a closing statement of no more than five (5) minutes.
- j. The Decision Maker begins deliberations as to whether a preponderance of evidence exists to hold the respondent responsible.

iii) The Sanction and Decision

Following the Live Hearing, if the Decision Maker determines that the respondent is responsible for one or more violations of the University Policy, he or she will then deliberate as to an appropriate sanction. The Decision Maker will be permitted to consider prior policy violations in determining an appropriate sanction.

If the results of the Live Hearing substantiate any part of a complaint filed under this policy, immediate and appropriate corrective and/or disciplinary action will be taken. If the evidence shows that the reported allegation is more likely true than not true, then this type of violation is considered potentially a dismissible offense.

The Decision Maker prepares the written outcome decision and rationale, including a finding of responsibility or non-responsibility and, if applicable, the sanction and rationale. Within five (5) business days, the report of the Decision Maker will be provided simultaneously to the complainant and the respondent.

E . The Appeal Process

The complainant and respondent have the right to appeal the final determination of responsibility and/or the resulting sanction based on the limited grounds of

- “ A procedural irregularity that affected the outcome of the matter.
- “ New evidence emerges that was not reasonably available at the time the determination was made, and this new evidence may affect the outcome of the matter.
- “ The Title IX Coordinator, Investigator, or Decision Maker had a conflict of interest or bias for or against the complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals are heard by an Appeal Officer appointed by the Title IX Coordinator. The Appeal Officer may not fulfill their duties if there was substantial procedural irregularity that materially affected the outcome, new evidence not reasonably available at the time of the hearing that may affect the outcome, and/or The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against the complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

If any of these circumstances are found by the Appeal Officer, the appeal will be granted. If the appeal is denied, the matter is closed.

If the appeal is granted:

1. due to a substantial procedural error, the matter will be heard by a new Decision Maker
2. due to the discovery of new evidence not reasonably available at the time of the initial hearing, the matter will be returned to the same Decision Maker who originally heard the matter for reconsideration in light of the new evidence.

3. due to The Title IX Coordinator, Investigator, or Decision-Maker having a conflict of interest or bias for or against the complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter, the relevant parties will be replaced, and the matter will be investigated, heard by the newly appointed individuals.

In the event of a reconsideration, the Appeal Officer will give the Decision Maker instructions regarding the nature and extent of its reconsideration. The Decision Maker will act promptly to reconsider the matter consistent with those instructions. Following reconsideration, the finding of the Decision Maker or the sanction imposed by the Decision Maker will be final and not subject to further appeal.

VIII. Withdrawal of a Complaint

The complainant may request to withdraw a Complaint at any time. The University reserves the right to decide whether to

The accuser and accused are entitled to the same opportunities to have others present during a disciplinary proceeding.

Both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sexual assault.

Refer to the student guidelines and expectation section of the handbook to learn discipline and sanctions related to sexual assault.

Medical Centers in Springfield

Mercy Hospital
Phone: 417-820-2000
Address: 1235 E Cherokee St.

Greene County Health Department
Phone: 417-256-7078
Address: 227 E Chestnut Exp.

Cox South Hospital
Phone: 417-269-6000
Address: 3801 S National Ave.

The Victim Center
Phone: 417-863-7273 / 417-864-SAFE
Address: 816 Boonville

SBU Student Sanctions for Class C Violations

All sex offenses, domestic violence, dating violence, sexual assault, and stalking crimes are considered class C violations. Class C violations consist of unacceptable moral or ethical behavior; serious law violation(s); serious damage to property; or behavior that is harmful (or potentially harmful) to self, others, or the university. Therefore, class C violations are considered potentially dismissible offenses.

Class C offenses (including alleged violations of any potentially dismissible offense) are reviewed by the Student Life Judicial Council (SLJC) or Vice President for Student Life, and may be referred to the Student Infractions Peer Committee.

The following procedural process is applicable in cases where an alleged Class C violation has occurred and may require official student disciplinary action:

1. Acknowledgment of alleged incident including statement of facts and violation will be submitted to the Vice President for Student Life.
2. Investigation procedures will be initiated as outlined in the Student Handbook.
3. Notice will be provided to the student charged with an alleged violation of student conduct policy. The charged student will be granted a hearing.
4. A written hearing notice will be provided to the student charged with an alleged violation of student conduct policy that explains the alleged violation, date and time of the hearing, and the hearing process.
5. Following the hearing, the charged student will be informed of the outcome, including any imposed sanctions.

2. Research allegation, which may include, but certainly not limited to interviewing individuals, reviewing video surveillance footage, or requiring a drug test.
- 3.

3. Restricting off-campus living privileges (may require the student to remain in campus housing for an extended period of time or move from an off-campus residence to campus housing).

Disciplinary Notice: This sanction places the student on official notice to the effect that the violation has become part of the student's disciplinary record. Further violations may result in the student being placed on the status of Disciplinary Probation or Dismissal.

Disciplinary Probation: This sanction places the student on official notice to the effect that the violation has become part of the student's disciplinary record. Further violations that occur during the probationary period are likely to result in suspension or dismissal. Students placed on the status of Disciplinary Probation are ineligible to represent the University in any University-sponsored activity (see listing of activities under Academic Probation). The Vice President for Student Life will communicate with the affected student and with appropriate faculty/staff. The length of the probationary period imposed by the Vice President for Student Life will depend on the nature of the violation and the time frame of the semester. Probationary periods include one to five weeks, five to eight weeks, eight weeks to one semester, and one semester to two semesters.

Denial of Privilege to Re-enroll: This sanction places the student on indefinite disciplinary probation, allows for completion of the current semester but prohibits enrollment for subsequent semesters without permission from the Vice President for Student Life.

Suspension: Students on suspension are not permitted to enroll or continue to be enrolled in classes on campus and may be required to remain off campus except when an appointment with a University official has been arranged. Students who are suspended are not permitted to live in University housing.

Dismissal with Suspended Imposition of Sentence: This status enables an alternative recourse while stipulating that the student is not permitted to re-enroll at the University for a stated period of time. For an explanation, see the section on University Sanctions for Alcohol Policy Violation found elsewhere in this handbook.)

Dismissal: Dismissal is the termination of student status for a stated period of time. The conditions of readmission, if any, shall be stated in the order of dismissal. If a dismissed student, who is later allowed to return, conducts a class C violation, that student is subject to immediate dismissal.

Impositions of sanctions that deny a student the privilege to continue or re-enroll at the University will be communicated to the student and the student's parents/guardians. For an explanation, see the section on University Sanctions for Alcohol Policy Violation found elsewhere in this handbook.)

Employee Sanctions for Title IX Violations

[SBU Employee Handbook Policy Number: 06.03.18]

The following sanctions within the Employee Sanctions section apply to employees who have been found responsible for sexual misconduct.

Sexual misconduct can manifest itself in a wide range of behavior. Therefore, the University has empowered the Title IX Coordinator to impose sanctions on employees who are found responsible for a Title IX violation as deemed appropriate.

Written Warning .

Barring Leadership or Participation in Domestic or International Off-Campus Education Programs - Employee will not be allowed to partic

Arrests and Referrals		On Campus			Non Campus Property			Public Property		
		2020	2021	2022	2020	2021	2022	2020	2021	2022
	Liquor Law Violation	0	0	0	0	0	0	0	0	0
	Drug Law Violation	0	0	0	0	0	0	0	0	0

Weapo

Campus (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; and(2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). (Residential): Dormitories or other residential facility.

Non-campus building or property:(1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) 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.

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

Crime Statistics Definitions

The definitions listed below are used as a tool to assist in proper classification of the incidents for statistical purposes.

The list of crimes that a

recommended that you document the justification for this determination. Officer discretion is allowed only for weapons, drug and liquor law violation arrests resulting from a single incident

Rape 1 st Degree	Sexual intercourse	Incapable/lack capacity for consent, or by the use of forcible compulsion	5 years . life without parole (30 years)	566.030
Rape 2 nd Degree	Sexual intercourse	Without consent	Up to 7 years, C/Felony	566.031

Robbery 1 st Degree	forcibly steals property	Serious physical injury or weapons used or threatened	10 . 30, or life, A/Felony	569.020
Robbery 2 nd Degree	forcibly steals property	No weapon used or threatening	5 . 15 years B/Felony	569.030

Violence Against Women Act (VAWA) Crime Categories

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

Domestic Violence:

1. A felony or misdemeanor crime of violence committed-

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CHARGE	ACT	OTHER ELEMENTS	PRISON TERM	STATUTE
Harassment	Communicates a threat	Frightens, intimidates, or causes emotional distress	Up to 1 . 4 years, A/misdemeanor. D/Felony	565.090
Stalking	Communicates a credible threat	T	Up to 1 year or up to 7, A/misdemeanor or C,D/Felony	565.225
Aggravated Stalking	Communicates a credible threat	Multiple incidents of stalking	Up to 4 or 7 years, C,D/Felony	565.225

Invasion of Privacy 1st Degree
 Knowingly photographs or films another person (full/partial/nudity)
 127.1 563.02 13

Keeping or maintaining a public nuisance	Any structure used for the illegal use, keeping or selling of controlled substances		Up to 7 years, C/Felony	195.130
Possession or control of a controlled substance.	unlawful for any person to possess or have a controlled substance		Up to 1 or 7 years, A/misdemeanor . C/Felony	195.202
Distribution, delivery, manufacture or production of a controlled substance,	unlawful to distribute, deliver, manufacture, produce or attempt to or to possess with intent to	Class A felony within two thousand feet of an elementary or secondary school, vocational school or community college, college or university, or any school bus	Up to life (30 years), C,B,A/Felony	195.211
Unlawful distribution to a minor.	distributing or delivering any controlled substance to a person under seventeen years of age who is at least two years that person's junior		5 . 15 years, B/Felony	195.212

Unlawful purchase or transport with a minor. knowingly permits a minor child to purchase or transport illegally obtained controlled substances

Missouri Offense Table for Drug Violations (RSMo. 195)

Weapons Law Violations -

C	Up to 7	Up to \$5,000
D	Up to 4	Up to \$5,000
Misdemeanor Class	Penalties (Term of imprisonment 558.011 RSMo.)	Fines (560.016 RSMo.)
A	Up to 1 year	\$1,000
B	Up to 6 month	\$500
C	Up to 15 days	\$300
Infraction	-	\$200

Missouri Statute Definitions

(See 556.061 and 562.016 RSMo. for definition of applicable terms noted below)

§ 556.061. Assent does not constitute consent if:

“ Assent does not constitute consent if:

1. 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
2. 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
3. It is induced by force, duress or deception;

“ § 562.016. A person is considered to be in a drug-induced state if the person is under the influence of a drug to such a degree that the person is unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense.”

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Federal Trafficking Penalties

Drug/Schedule	Quantity	Penalties	Quantity	Penalties
Cocaine (Schedule II)	500 - 4999 gms mixture	First Offense: Not less than 5 yrs, and not more than 40 yrs.	5 kgs or more mixture	First Offense: Not less than 10 yrs, and not more than life. If
Cocaine Base (Schedule II)	28-279 gms mixture	If death or serious injury, not less than 20 or more than life.	280 gms or more mixture	death or serious injury, not less than 20 or more than life. Fine of
Fentanyl (Schedule II)	40 - 399 gms mixture	Fine of not more than \$5 million if an individual, \$25 million if not an individual.	400 gms or more mixture	not more than \$10 million if an individual, \$50 million if not an individual.
Fentanyl	10 - 99 gms		100 gms or more	
Drug/Schedule	Quantity	Penalties	Quantity	Penalties
Analogue(Schedule I)	mixture	Second Offense: Not less than 10 yrs, and not more than life.	mixture	Second Offense: Not less than 20 yrs, and not more than life. If
Heroin (Schedule I)	100 - 999 gms mixture	If death or serious injury, life imprisonment.	1 kg or more mixture	death or serious injury, life imprisonment.
LSD (Schedule I)	1 - 9 gms mixture	Fine of not more than \$8 million if an individual, \$50 million if not an individual.	10 gms or more mixture	Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Methamphetamine(Schedule II)	5 - 49 gms pure or			2 or More Prior Offenses: Life imprisonment.

Notwithstanding the above paragraph, no student shall be subject to discipline for entering alcohol counseling, evaluation or treatment provided that the alcohol abuse counseling is undertaken as a result of an incident that is reasonably likely to subject the student to discipline. Participation in an alcohol program may be a condition of enrollment in an alcohol policy. (Board of Trustees approved and adopted on October 19, 2009)

University Policy on Illegal Drugs

The purchase or unlawful manufacture, use, possession, dispensing or distribution of illegal narcotics, hallucinogenic, amphetamines, sports enhancement or controlled substances (as defined by Missouri statutes) or controlled medications

Dismissed students who are allowed to return will be subject to random drug screening throughout their remaining attendance.

In addition to any sanctions that may be imposed on a student for violating the above statement, a student employed in the work study program or through campus employment may be terminated.

As a condition of accepting employment as a work study student, a student does hereby agree to abide by the above statement and should the student be convicted of any criminal drug statute occurring in the workplace, the student will be terminated.

Health Risks

Alcohol: Even low doses significantly impair judgment and coordination. Moderate to high doses cause marked

University Alcohol and Drug Policies from SBU Employee Handbook

Alcohol and Drug-Free Workplace

SBU Employee Handbook Policy Number: 06.03.05

Creation Date: October 1, 2002 Revised Date: October 21, 2014

Definitions:

Alcohol means any beverage that may be legally sold and consumed and has an alcoholic content in excess of .5% by volume.

Drug means any substance capable of altering the mood, percepti 1 36 62] TJo.85 682.78 Tm0 * nBT/F1 0 1 53271 rg0pi4tiorkplac

Illegal Drugs:

1. The use of illegal drugs or controlled substances or the possession of the same on or off-duty is cause for immediate termination.
2. The manufacture, distribution, possession, sale, trade, use or delivery of drugs or controlled substances by an employee is cause for immediate termination.

Tobacco:

1. Any tobacco usage on campus is cause for disciplinary action up to and including termination.

Employee Assistance Program (EAP):

1. Any employee who feels that he or she has developed an addiction to, dependence upon or problem with alcohol or drugs should contact the Department of Human Resources. Information can be found on the online portal or by contacting the Department of Human Resources.
2. Rehabilitation is the responsibility of the employee.
3. Unpaid leave will be authorized for absences due to rehabilitation purposes.
4. Upon successful completion of treatment, the employee will be returned to active status without reduction in pay or seniority.
5. Any employee suffering from an alcohol or drug problem who rejects treatment or who leaves a treatment program prior to being properly discharged will be immediately terminated. No employee will be eligible for the EAP more than one time for substance abuse. The recurrence of an alcohol or drug problem will be cause for immediate termination.

Employees who are interested in the Employee Assistance Program should contact the Vice President of Student Life. Questions regarding the Employee Assistance Program should be directed to the Department of Human Resources.

Employee Assistance Program

SBU Employee Handbook Policy Number: 06.04.02.06
Creation Date: October 1, 2002 Revised Date: April 29, 2015

Policy:

Therefore, the University offers an Employee Assistance Program to help employees maintain or improve their mental health.

The employee assistance program is provided free to full-time employees and immediate family members based on the eligibility requirements outlined in the program.

The Employee Assistance Program provides free confidential assessment, professional counseling and referral services. Participation in the program is voluntary. The Employee Assistance Program may direct the employee or family member to alternative treatment sources or programs, which are the financial responsibility of the employee or family member.

Services due to rehabilitation

