WEBSTER UNIVERSITY ORLANDO SOUTH METROPOLITAN CAMPUS
2014 ANNUAL SECURITY REPORT


GENERAL STATEMENT

Webster University is committed to providing a safe and secure environment by consistently seeking and finding ways to promote, preserve, and deliver a feeling of security, safety, and quality of service to the campus, its employees, and students and to the community to which it serves.

Regardless of our efforts to provide a safe campus, there is no guarantee that a person will not become the victim of a crime while on campus; the possibility does exist and is always present. Crime prevention on campus is not just the responsibility of the Webster University Orlando Metropolitan Campus; it is a shared responsibility between the individual and the University. Students, faculty, and staff must accept responsibility for helping to maintain a safe environment.

Webster 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 become familiar with the various services and procedures that are outlined in this report and are offered by Webster University and the surrounding communities.

THE CAMPUS CRIME REPORT POLICIES FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

Webster University’s annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off campus buildings owned or controlled by Webster University; and on public property within; or immediately adjacent to and accessible from the campus. Statistics are compiled by The Department of Public Safety for Webster University along with the cooperation of local law enforcement agencies surrounding Webster University Orlando Metropolitan Campus as well as the offices of Student Affairs, Residential Life, Counseling and Life Development, prepares and compiles statistics for this report. Final statistics are compiled and published by the Department of Public Safety using the FBI Uniform Crime Reporting Handbook.

Campus crime, arrest and judicial referral statistics include those reported to the Department of Public Safety local law enforcement agencies and individuals identified by federal law as Campus Security Authorities (CSA) including but not limited to directors, deans, department heads, student affairs staff, judicial affairs, advisors, athletic coaches and extended site directors.

Each year prior to October 1st, each student, prospective student, employee or prospective employee will receive notification on how to access this report via e-mail, written notification or notification through documents received through the registrar’s office, human resources department or the administration offices on site.

Copies of Webster University Orlando Metropolitan Campus report may be obtained in student services located at 6750 Forum Drive Suite 300 Orlando FL 32821 or by calling 314-968-7430 or by downloading a copy form the University website at http://www.webster.edu/public-safety/reports.html

The report also includes institutional policies concerning campus security, such as policies pertaining to drug and alcohol use, crime prevention, the reporting of crimes, sexual assault and other pertinent matters as required by the act.
REPORTING CRIME OR SUSPICIOUS ACTIVITY REPORTING

The University endorses a reporting policy that strongly encourages victims to accurately and promptly report all crimes that occur within the jurisdiction of this community to the Orange County Sheriff’s Office at 407-254-7000 regardless of their nature. The prompt reporting of suspicious activity or persons can prevent crimes. Crimes occurring off campus should be reported to the law enforcement agency having proper jurisdiction. If you are a victim of a crime off campus and are unsure of the proper police department to contact; contact any staff member for assistance.

Members of the University are encouraged to report any suspicious activity to the Orange County Sheriff’s Office immediately when the victim of a crime elects to or is unable to make such a report. The prompt reporting of suspicious activity or persons can prevent crimes. If someone’s actions are out of character and you become suspicious, call to assess the situation. In addition, members of the community should report the criminal offenses for the purpose of making timely warning reports and to be included in the crime statistics.

Webster University Orlando Metropolitan Campus has access to local police agencies on an immediate basis to report crime and/or ask for assistance.

In addition to use of the telephone system, the University community can contact the Orange County Sheriff’s Department depending on the site location in person or in writing. Regardless of how reported, the department will investigate all reported incidents.

CONFIDENTIAL REPORTING

If you are a victim of a crime, and do not want to pursue action within the university system or the criminal justice system, you may still want to consider reporting the incident(s) in a confidential report. The Orange County Sheriff’s department can take a report without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. Confidential reports are counted and disclosed in the annual crime statistics report.

With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger.

PASTORAL COUNSELORS and PROFESSIONAL COUNSELORS

Campus “Pastoral Counselors” and Campus “Professional Counselors” when acting as such, are not required to report crimes for inclusion into the annual disclosure of crime statistics.

The Department of Public Safety at the main campus is St. Louis MO sends a request each year to the University Counseling Center that encourages the counselors to inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, when they deem it appropriate.

OFF CAMPUS CRIMINAL ACTIVITY/OFF CAMPUS STUDENT ORGANIZATIONS

Webster University does have a sorority a fraternity and other recognized student organization but none of them owns or controls any on campus or non-campus buildings or structures. Therefore the local police agencies do not report criminal activity by students, as there are no non-campus facilities.
**TIMELY WARNINGS**

In the event crime is reported or observed, that, in the judgment of the Director Nicolas Spina constitutes an ongoing or continuing threat, a campus wide timely warning notice which WU calls a "Crime Alert will be authorized by the Director or his designate. Crime Alerts, when deemed necessary will be issued for crimes occurring within the Webster University reportable Clery geography, Crime Alerts are not required to be distributed for off-campus crimes, however in some instances crimes that pose a serious or ongoing threat that occur off campus may be assessed on a case by case basis to determine if a threat exists for the campus community and if a crime alert is warranted.

Timely warnings will usually be distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crimes or incidents that include arson, criminal homicide and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the Orange County Sheriff's Office. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other Webster University community members and a timely warning notice would not be distributed. In cases of Sexual Assault, they are 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 information known by the Orange County Sheriff’s Office. Timely warnings for other crimes may be distributed as determined necessary by Director Vivaldi.

The information for a timely warning will generally be compiled and written by the Director; Nicolas Spina, or his designee and distributed to the campus community primarily via blast email. Additional methods of notifying the campus community may include the use of the Webster Alert System (emergency text messaging system) and/or posting to bulletin boards and/or posting to the website at [www.webster.edu/orlando](http://www.webster.edu/orlando)

Crime Alerts shall be provided to students and employees in a manner that is timely, that withholds the names of victim's as confidential, and that will aid in the prevention of similar occurrences.

The chart below describes who develops the messages for each system, who approves them and who is authorized to send them.

<table>
<thead>
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<th>System to use</th>
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instructed to “shelter the scene, as this type of evacuation would be coordinated on-site. In some emergencies, you may be instructed 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. Thus, to “shelter-in-place” means to 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. This means that if an incident occurs and 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 belongings (purse, wallet, access cards, 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 University building quickly. If police, public safety or fire department personnel are on the scene, follow their directions.

General information about the emergency response and evacuation procedures for Orlando South is publicized and is made available on www.webster.edu/orlando

EMERGENCY NOTIFICATION PROCEDURES

In the event of an actual emergency which poses an immediate threat to the health and safety of the members of the Webster University community, Webster University-Orlando South has systems in place for communicating information quickly to those individuals. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include sending blast email; sending a message via the Webster Alert system; and/or telephone and/or posting to the website. These systems are tested on an annual basis and may or may not be announced. Students should take responsibility for regularly checking their Webster University email account. In order to receive campus wide email announcement, students must have a university email account. Student email accounts are set up with the student upon acceptance to the university.

If Director Spina confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Webster University community, Director Spina will determine the content of the message and will use some or all of the systems described above and below to communicate the threat to the Webster Community. She 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 judgment of the first responders (including, compromise the efforts to assist a victim(s) or to contain, respond to, or otherwise mitigate the emergency.

The chart below describes who develops the messages for each system, who approves them and who is authorized to send them.

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<tr>
<td>Blast Email (all campus)</td>
<td>Campus Director</td>
<td>Designee at Campus and/or Office of Public Affairs</td>
<td>Both Campus Director and/or Campus Designee and/or Office of Public Affairs</td>
<td>Campus Director</td>
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After initial notifications are made in an emergency situation, Webster University will continue to update the community via some or all of the methods described above and may post updates on the Webster University website at www.webster.edu/orlando.

All emergency notification systems are tested on an annual basis by the Information Technology Department and may or may not be announced. All information concerning these tests is stored with the University Information Technology department.

Members of the larger community who are interested in receiving information about emergencies on campus can sign up for the emergency text message system and can access the Webster University website to obtain information and updates in the event of an emergency on campus. The larger community cannot sign up for blast email or broadcasts via IP phone system listed above but can follow any updates on the website or via local/national media.

**WEBSTER ALERTS (EMERGENCY TEXT MESSAGING SYSTEM)**

Webster Alerts is a campus alerts service that keeps you up-to-date on the latest campus information. Webster University has partnered with e2Campus to offer this service FREE to students, faculty, and staff. Using this service, Webster sends out text messages and/or emails containing emergency announcements and weather-related school closing information when necessary. Although optional, you are strongly encouraged to sign up for Webster Alerts. Reminders and instructions for setting up an account with Webster Alerts are sent out by the Informational Technology department 3-4 times a year.

Members of the larger community who are interested in receiving information about emergencies on campus can also sign up for the emergency text message system and can access the Webster University website to obtain information and updates in the event of an emergency on campus.

**EMERGENCY RESPONSE TESTING AND TRAINING**

Emergency training sessions for campus staff are held throughout the year to review the campus crisis response plan. The training sessions cover types of emergency scenarios, planned responses to those scenarios, and recovery plans. This information is also distributed to faculty and students twice annually. The information is posted throughout the campus and on the local website.

The crisis response plan is reviewed annually and updated as needed. Beginning in 2011 and future years, unannounced testing of the Crisis Response Plan will be conducted twice annually.

**SECURITY AWARENESS TOOLS/PROGRAMS**
The University’s crime prevention program is based upon the dual concept of minimizing criminal opportunities whenever possible and encouraging students and employees to take an active role in their own personal security and the security of others. The central theme of the campus crime prevention program is “AWARENESS AND SELF-PROTECTION. The self-protection philosophy includes the full utilization of campus public safety to encourage and enable this self-protection concept.

The Department of Public Safety on the main campus in St. Louis, Missouri in partnership with the Orange County Sheriff’s office and with other community groups and organizations (e.g. Women’s resource Center, Multicultural Affairs, Student Government Association, etc.) is available to provide, distribute and participate in discussion groups to address topics such as crime/fire prevention, general or specific safety issues, drug and weapons free environment compliance, and general property or personal security concerns. They will also utilize a number of strategies and activities specifically designated to educate the community regarding sexual assault issues and to promote awareness of rape, acquaintance rape, and other sex offense prevention strategies. The strategies and activities referenced above may include the use of posters, flyers, brochures, videos, lectures and awareness days/weeks.

SAFETY AND ACCESSIBILITY COMMITTEE

The University conducts an ongoing risk analysis and management process, which involves community members by was of the SAFETY COMMITTEE and the ACCESSIBILITY COMMITTEE. These committees work with the community, insurers, code officials, and government representatives.

EMERGENCY ASSISTANCE AND TELEPHONE NUMBERS

Main Campus in St. Louis Telephone Numbers:

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Numbers</th>
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<tbody>
<tr>
<td>PUBLIC SAFETY</td>
<td>1-314-968-6900 or 1-314-968-7430</td>
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<tr>
<td>UNIVERSITY INFORMATION SERVICE</td>
<td>1-314-968-6900</td>
</tr>
<tr>
<td>ALCOHOL AND DRUG PREVENTION</td>
<td>1-314-968-7402</td>
</tr>
<tr>
<td>CAMPUS MINISTRY</td>
<td>1-314-968-7030</td>
</tr>
<tr>
<td>COUNSELING</td>
<td>1-314-968-7030</td>
</tr>
<tr>
<td>DEAN OF STUDENTS</td>
<td>1-314-968-6980</td>
</tr>
<tr>
<td>DISABILITY SERVICES</td>
<td>1-314-968-7495</td>
</tr>
<tr>
<td>HEALTH SERVICES</td>
<td>1-314-968-6922</td>
</tr>
<tr>
<td>RESIDENTIAL LIFE</td>
<td>1-314-968-7030</td>
</tr>
<tr>
<td>SEXUAL ASSault-Gladys Smith</td>
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<tr>
<td>ASSISTANT DIRECTOR OF COUNSELING</td>
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<tr>
<td>AND LIFE DEVELOPMENT</td>
<td>1-314-968-7030</td>
</tr>
<tr>
<td>WOMEN’S RESOURCE CENTER</td>
<td>1-314-968-6920</td>
</tr>
</tbody>
</table>

SOUTH ORLANDO CAMPUS 1-407-345-1139

OFFICE SECURITY

A high percentage of crimes on campus are crimes of opportunity. Often, members of the campus contribute to crimes of opportunity by needlessly placing themselves or their property at risk.

Crime has no boundaries; crime will occur. However, prevention efforts can be effective in reducing opportunities for criminal activity. You play a key role in crime prevention efforts. Be cautious, careful, alert to your own safety, and protective of your possessions and University property.

1. Always lock your office, even when you are away for a few minutes.
2. If you have valuables stored in your office, do not leave them overnight.
3. Never leave purses or other valuable unattended. Take them with you or lock them in a secure cabinet.
4. Keep your desk and files locked when you are away.
5. Never store money in your desk drawers or file cabinets.
6. Report all losses to Director Nicolas Spina of the Orlando Metropolitan Campus immediately.

**POLICIES**

Webster University strives to maintain a safe and secure environment in which all members of the community are aware of and committed to respecting the rights and the human dignity of every other member as they pursue their academic and personal goals.

There are, however, certain behaviors, which are inconsistent with the mission and goals of the University. It is Webster’s policy to investigate promptly and seek the equitable resolution of all alleged violations of this code. Unacceptable behaviors include, but are not limited to: Theft, Vandalism, Harassment, (intimidation or threats based on race, gender, sexual orientation or ethnicity), Sexual Misconduct, Hazing, Illegal Alcohol/Drug Use, and Possession of firearms on campus, Assault (verbal and/or physical), Rape (sexual intercourse without the consent of the other person achieved through threat, force or deception).

For complete information about University policies, please refer to the student handbook.

**SUBSTANCE ABUSE POLICY**

Webster University expects its students to observe all federal, state and local laws, including those related to the possession, use, sale and consumption of alcoholic beverages. The Orange County Sheriff’s office will enforce Florida underage drinking laws. Persons under the age of 21 are prohibited from possessing or consuming alcoholic beverages. Students who are 21 years of age or older may consume alcoholic beverages only in the privacy of their own rooms (without anyone under 21 years of age present) and at sanctioned events.

Students in violation of this policy will be turned over to the Dean of Students and/or the Orange County Sheriff’s office; if circumstances dictate, for further action.

Drinking games are prohibited on campus, whether at events or in residential facilities. Additional University policies and procedures in reference to party guidelines are available in the Office of Student Affairs. The possession, use or sale of illegal drugs/narcotics is prohibited on the University campus and is illegal under both Florida state and federal law. The Orange County Sheriff’s Office will enforce Florida and Federal drug laws. Violators are subject to arrest and prosecution under Federal and Florida State Law.

Substance Abuse Education Programs are conducted out of the Counseling and Life Development department which operates an office of Alcohol, Tobacco and Other Drug (ATOD) Education and Prevention and educates students about the effects of drug use, misuse and abuse. The ATOD office which is located in the Health Services Building at 540 Garden Avenue is staffed by two full-time Missouri Certified Advanced Substance Abuse Counselors.

**SUBSTANCE ABUSE**

Early identification of substance abuse is important in the rehabilitation process. Numerous agencies, programs, and treatment and rehab facilities are located in the Bell South telephone directory yellow pages. Support groups also are available and would be listed in the directory.

**SEXUAL OFFENSE POLICY**
Webster University is committed to providing faculty, staff and students with an environment free from implicit and explicit coercive sexual behavior used to control, influence or affect the well-being of any member of its community. This policy provides the campus community with the appropriate processes for redressing individual grievances related to sexual harassment and other sexual offenses that occur. Webster University makes every effort to educate the community to prevent such events from occurring and provides support to those affected when it does occur.

Webster University has a comprehensive plan in place that addresses all types of sexual misconduct, educational programs and procedures that address all forms of sexual assault, domestic violence, dating violence and stalking; regardless of whether the incident(s) occurred on or off campus and when the incident is reported to a University official.

Webster University does not discriminate on the basis of sex in its educational programs. It should be noted that sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually biased or not and include dating violence, domestic violence, and stalking.

In this context, Webster University also prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintaining a campus environment emphasizing the dignity and worth of all members of the Webster University community.

Webster University has established a Sexual Assault Task Force. The team consists of members from Student Affairs, Human Resources, Department of Public Safety, Judicial Affairs, Campus Sexual Advocate, Title IX Coordinator and Deputy Title IX Coordinators, Campus Housing, Internal Auditor and other selected faculty and staff. The team meets quarterly and is responsible for developing, reviewing, and revising protocols, policies and procedures for addressing violence against women on campus.

For a complete copy of Webster University’s Sexual Offense Policy governing sexual misconduct can be found at:

For St. Louis campuses:  http://www.webster.edu/student-handbook/sexual-offense.html
For Extended Campus Sites:  http://www.webster.edu/student-handbook/extended-sexual-offense.html

**CAMPUS SEXUAL ASSAULT ADVOCATE**

The Campus Sexual Assault Advocate is designated by the University as the support and resource person for all students, faculty, and staff who believe they have experienced any form of sexual harassment; sexual assault or sexual offense.

Webster University has identified Gladys Smith; Assistant Director, Counseling and Life Development Office as the Campus Sexual Assault Advocate. Gladys Smith provides assistance to any member of the campus community who is interested in seeking medical attention, emotional/psychological support, and/or filing campus criminal, and/or civil charges against an alleged assailant(s).

Her contact information is as follows:

Office Hours Telephone: 314-246-7009  
24-hour Emergency Line: 314-422-4651  
Email address:  gmsmith@webster.edu

The Campus Sexual Assault Advocate is available to assist campus community members with the following areas of concern.
• The Advocate has training in crisis intervention and support techniques, and provides emotional, medical, and/or judicial support either directly or through on- or off-campus referral.
• The Advocate informs the person of all rights under the Sexual Offense Policy and provides procedural information and support as needed. The Advocate also works with Public Safety Officers when necessary to advise the person regarding options available for filing civil and/or criminal charges related to the offense. Those who believe they have experienced a sexual offense may also report the offense directly to Campus Public Safety or to the appropriate senior administrator (as defined below).
• The Advocate may serve as the complainant’s support person during all proceedings carried out under University auspices. The Advocate, in consultation with the person, may designate an alternate to act as representative in the event the Advocate is unable to perform the duties due to illness or other professional conflicts. The Advocate’s role is separate from the administrative functions associated with the Hearing Board or other hearing procedures.

**Reporting Sexual Violence – Options that are Available**

Webster University encourages survivors of sexual violence to talk to somebody about what happened – so survivors can get the support they need, and so Webster University can respond appropriately.

Some are required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.”

Other employees may talk to a victim in confidence, and generally only report to Webster University that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a University investigation into an incident against the survivor’s wishes.

Thirdly, some employees are required to report all the details of an incident (including the identities of both the survivor and alleged perpetrator) to the Title IX coordinator. A report to these employees (called “responsible employees”) constitutes a report to the University – and generally obligates Webster University to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a survivor of sexual violence. Webster University encourages survivors to talk to someone identified in one or more of these groups. If in doubt, victims can contact the Campus Sexual Advocate and/or the Department of Public Safety all of whom can assist the victim in proceeding further.

**Professional and Pastoral Counselors-(Privileged and Confidential)**

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the university community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a survivor’s permission.

Below is the contact information for all of Webster University’s professional and pastoral counselors:

Patrick Stack  
Director of Counseling  
Counseling & Life Development Office  
540 Garden Ave - Marketing Bldg  
Webster Groves Main Campus (WEBG)  
314-968-7030x6921

Kimberly Kemerer, M. Ed,
A survivor who speaks to a professional or non-professional counselor or advocate must understand that, if the survivor wants to maintain confidentiality, Webster University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these counselors and advocates will still assist the survivor in receiving other necessary protection and support, such as survivor advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

A survivor who at first requests confidentiality may later decide to file a complaint with the university or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the survivor with assistance if the survivor wishes to do so.

**NOTE:** While these professional counselors and advocates may maintain a survivor’s confidentiality vis-à-vis the University, they may have reporting or other obligations under state law.

**ALSO NOTE:** If Webster University determines that the alleged perpetrator(s) pose a serious and immediate threat to the Webster University community, Public Safety may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the survivor.

**Responsible Employees:**

In general, most University employees do not have legally protected confidentiality. Under Title IX, a University is required to take immediate and corrective action if a “responsible employee” knew or, in the exercise of reasonable care, should have known about sexual or gender-based harassment that creates a hostile environment.

A “responsible employee” includes any employee who:

- Has the authority to take action to redress the harassment;
- Has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or
- A student could reasonably believe has the authority or responsibility to take action.

Examples of “responsible employees”; may be,

- Student Affairs staff, except licensed counselors
- Coaches
- RA’s, OL’s, and Connection Leaders
- Supervisors of student employees
- Public Safety officers
When a survivor tells a responsible employee about an incident of sexual violence, the survivor has the right to expect Webster University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual violence shared by the survivor and that Webster University will need to determine what happened – including the names of the survivor and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University’s response to the report. A responsible employee should not share information with law enforcement without the survivor’s consent or unless the survivor has also reported the incident to law enforcement.

Before a survivor reveals any information to a responsible employee, the employee should ensure that the survivor understands the employee’s reporting obligations – and, if the survivor wants to maintain confidentiality, direct the survivor to confidential resources.

If the survivor wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the survivor that Webster University will consider the request, but cannot guarantee that Webster University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the survivor’s request for confidentiality. Responsible employees will not pressure a survivor to request confidentiality, but will honor and support the survivor’s wishes, including for Webster University to fully investigate an incident. By the same token, responsible employees will not pressure a survivor to make a full report if the survivor is not ready to.

**Title IX Coordinators:**

Deputy Title IX Coordinators from the Dean of Students office will coordinate the investigation and adjudication of sexual misconduct cases, if the students involved select the informal process.

If the student(s) choose the formal process, the Deputy Title IX Coordinators from the Dean of Students office will coordinate the investigation and assist the Sexual Offense Hearing Board with the adjudication of the case. If the incidents involves students from an extended campus such as Orlando South one of the Deputy Title IX Coordinators will designate a staff member at the campus and consult with them throughout the process. The appropriate Title IX Coordinator will conduct an initial assessment of the conduct, the Complainant’s expressed preferences, if any, as to course of action, and the necessity for any interim remedies or accommodations to protect the safety of the Complainant or the community.

Title IX Coordinator for matters concerning employees and applicants for employment:

**Betsy Schmutz**, Associate Vice President and Chief Human Resources Officer  
Title IX Coordinator  
Human Resources Office  
Loretto Hall 32  
Webster Groves Main Campus (WEBG)  
314-968-6960  
schmutz@webster.edu
Title IX Coordinator(s) for students:

Maureen Stroer, Student Affairs Coordinator  
Title IX Deputy Coordinator for Student Sexual Misconduct Cases  
470 E. Lockwood Ave  
St. Louis, MO 63119  
314-968-6980  
mstroer@webster.edu

Ted F. Hoef, Associate Vice President for Student Affairs and Dean of Students  
Title IX Deputy Coordinator for Student Sexual Misconduct Cases  
Webster University  
470 E. Lockwood Ave.  
St. Louis, MO 63119  
314-968-6980  
hoeftl@webster.edu

Merry Graf, Interim Director of Athletics  
Title IX Deputy Coordinator for Student Athletics  
Webster University  
470 E. Lockwood Ave.  
St. Louis, MO 63119  
314-246-7930  
mgraf@webster.edu

All other matters concerning students:

Colette Cummings, Associate Dean and Director of the Multicultural Center and International Student Affairs  
Title IX Deputy Coordinator for Student Grievances  
Webster University  
470 E. Lockwood Ave.  
St. Louis, MO 63119  
314-246-7738  
cumminco@webster.edu

Matters concerning academic issues:

M. Elizabeth (Beth) Russell, Assistant Provost for Graduate Studies  
Title IX Deputy Coordinator for Academic Affairs  
Webster University  
470 E. Lockwood Ave.  
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314-246-8298  
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Requesting Confidentiality From the University: How Webster University Will Weigh the Request and Respond.

If a survivor discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Webster
University must weigh that request against the University’s obligation to provide a safe, non-discriminatory environment for all students, including the survivor.

If Webster University honors the request for confidentiality, a survivor must understand that the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when Webster University may not be able to honor a survivor’s request in order to provide a safe, non-discriminatory environment for all students.

Webster University has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence: Betsy Schmutz, Associate Vice President and Chief Human Resources Officer Title IX Coordinator

When weighing a survivor’s request for confidentiality or that no investigation or discipline be pursued, Gladys Smith will consider a range of factors for student victims; Betsy Schmutz will consider a range of factors for employee victims, including the following:

The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:

-whether there have been other sexual violence complaints about the same alleged perpetrator;
-whether the alleged perpetrator has a history of arrests or records from a prior university indicating a history of violence;
-whether the alleged perpetrator threatened further sexual violence or other violence against the survivor or others;
-whether the sexual violence was committed by multiple perpetrators;
-whether the sexual violence was perpetrated with a weapon;
-whether the survivor is a minor;
-whether Webster University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
-whether the survivor’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead Webster University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, Webster University will likely respect the survivor’s request for confidentiality.

If, for example, the university has credible information that the alleged perpetrator has committed one or more prior rapes, the balance of factors would compel the university to investigate the allegation and, if appropriate, pursue disciplinary action.

If Webster University determines that it cannot maintain a survivor’s confidentiality, Webster University will inform the survivor prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University’s response.

Webster University will remain ever mindful of the survivor’s well-being, and will take ongoing steps to protect the survivor from retaliation or harm and work with the survivor to create a safety plan. Retaliation against the survivor, whether by students or College employees, will not be tolerated.

**Webster University will also:**

- assist the survivor in accessing other available survivor advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus
-provide other security and support, which could include issuing a no-contact order,
- helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests;
- inform the survivor of the right to report a crime to campus or local law enforcement
- and provide the survivor with assistance if the survivor wishes to do so.

DEFINITIONS

There are a number of terms used by Webster University in its sexual assault policies and procedures. To help the Webster University community better understand how the sexual offense policies and procedures of the university function, the following definitions are being provided.

AGE OF CONSENT

The Age of Consent is the age at which a person is deemed by Florida law to be capable of consenting to, and engaging in, sexual acts. Anyone who engages in sexual activity of any type with a partner under the applicable Age of Consent is breaking the law and can be charged with crimes. The Florida legal Age of Consent for sexual contact is 18 years old.

Florida Close-In-Age Exemption

Florida has a close-in-age exemption, also known as a "Romeo and Juliet law", to the legal age of consent. This provision allows partners who are close in age, or both under the Florida age of consent, to engage in consensual sex without fear of prosecution under Florida age of consent regulations.

Close in age exemptions to the Florida age of consent permit a person 23 years of age or younger to engage in legal sexual activity with a minor aged 16 or 17. A person 24 years of age or older who engages in sexual activity with a person 16 or 17 years of age commits a felony of the second degree.

Consent (Webster University) Consent; or a lack of consent, may be expressed or implied. In many cases, the issue of consent is fundamental to determining whether a sexual offense has been committed.

Webster University’s Student Code of Conduct considers varying degrees and circumstances surrounding whether consent has been given. The following principles apply in the process of determining whether a sexual offense has been committed.

- No Consent: An act is undertaken against a person’s will; there is a clear lack of consent, whether verbally or non-verbally expressed (no means no).
- Lack of Consent: A person may be reluctant to engage in certain sexual behaviors. This reluctance can be considered a lack of consent if: the person does not agree to specific behaviors or acts (for example, sexual intercourse), even though some sexual behavior (for example, kissing) has previously taken place; or the person is not in agreement with, or willing to comply with, the specific sexual behaviors as indicated either verbally or by commonly understood nonverbal behaviors (actions and signals such as shaking of the head, pushing away).
- Unwelcome Consent: A person may be reluctant to engage in certain sexual behaviors, but may do so under duress because of the implicit link between the behavior and employment, scholastic advancement, or physical safety.
- Initiators and Consent: Affirmative consent is required when one seeks to initiate a sexual encounter. A person may give consent either verbally or by voluntary acts unmistakable in their meaning.

It should be noted that a person cannot give consent if he/she is:
a. Incapacitated  
b. Past consent does not imply future consent  
c. Silence or an absence of silence does not imply consent

**Assent:** is an expression of approval or agreement after careful consideration; however, assenting does not constitute consent if the following occur:

a. It is given by a person who has a lack of mental capacity; or,
b. It is given by a person who is unable to make a reasonable judgment about the sexual activity because of age, mental disease or defect, intoxication, consumption of drugs, or some other reason; or,
c. It is induced by force, duress or deception.

**Incapacitation**

Incapacitation means being in a state where a person lacks the capacity to appreciate the fact that the situation is sexual, or cannot appreciate (rationally and reasonably) the nature and/or extent of the situation. A person who knows or should reasonably have known that another person is incapacitated may not engage in sexual activity with that person.

A person’s state of incapacity is a subjective determination that will be made after the incident in light of all of the facts available.

**Factors Contributing to Incapacitation**

**Consent-Alcohol and Other Drugs**

When a person is unconscious due to alcohol or other drug use, consent cannot be given. Therefore, if a person initiates any sexual activity with a person who is unconscious it is considered a sexual offense, since the person is, by definition, incapable of consenting to the activity.

**Alcohol**

Alcohol related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness, or intoxication. Incapacity may be indicated by:

- Slurred speech;
- Bloodshot eyes;
- The smell of alcohol on his or her breath;
- Shaky equilibrium;
- Vomiting;
- Outrageous or unusual behavior;
- Unconsciousness.

*NOTE:* Two things should be noted...

- First, none of these indicators, except for unconsciousness, will constitute – in and of itself – incapacitation.
- Second, indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of another person.

**Drugs**
There are a number of drugs that are used to incapacitate victims for the purpose of sexual assault. Two such drugs, Rohypnol and GHB (Gamma Hydroxy Butyrate), are illegal synthetic drugs that act as powerful central nervous system depressants. The effects of these drugs can be felt within 15-30 minutes of ingestion and can cause drowsiness, confusion, reduced levels of consciousness, partial or complete amnesia, and/or seizures and respiratory distress. These drugs are commonly mixed with alcohol and given to an unsuspecting person.

When a person is impaired from alcohol or other drug use, the ability to elicit or give consent is impaired due to the effects of the substance. Therefore, consent cannot be assumed. If a person initiates sexual activity with someone whom s/he had reason to believe was impaired by alcohol or drug use, the initiator risks violating the consent principle. If the initiator is impaired due to alcohol or other drug use and initiates sexual activity with another person, the initiator risks violating the consent principle.

**Sexual Exploitation**

Sexual exploitation includes any conduct in which an individual takes advantage of another without his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.

**Sexual Assault:**

“Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Forcible Rape** (UCR/NIBRS as published in the 2011 Handbook for Campus Safety and Security Reporting: For crime statistics calendar year 2012 and prior years)

Forcible Rape is the carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

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

This definition includes any gender of victim or perpetrator and for 2013 includes NIBRS Sodomy and Sexual Assault with Object definitions.

Sexual penetration means 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, or by a sex-related object.

This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol). Physical resistance is not required on the part of the victim to demonstrate lack of consent.

**Fondling:** is defined as the touching of the private parts of another person for the purposes 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:** is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
**Statutory Rape:** is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** The term “domestic violence” means a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.

Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Physical Abuse: Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.

Sexual Abuse: Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.

Emotional Abuse: Undermining an individual’s sense of self-worth and/or self-esteem is abusive. This may include, but is not limited to constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.

Economic Abuse: Is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.

Psychological Abuse: Elements of psychological abuse include - but are not limited to - causing fear by intimidation; threatening physical harm to self, partner, children, or partner’s family or friends; destruction of pets and property; and forcing isolation from family, friends, or school and/or work.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

*Source: National Domestic Violence Hotline, National Center for Victims of Crime and Women’s Law.org*

**Dating Violence:** The term “dating violence” means violence committed by a person

1) who is or has been in a social relationship of a romantic or intimate nature with the victim and

2) The existence of such a relationship shall be 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—

(i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(ii) Dating violence does not include acts covered under the definition of domestic violence.

*Source: Dating Violence, US Department of Justice*

**Stalking:** a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Stalking includes:
Repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email.

Repeatedly leaving or sending victim unwanted items, presents, or flowers.

Following or lying in wait for the victim at places such as home, school, work, or recreation place.

Making direct or indirect threats to harm the victim, the victim’s children, relatives, friends, or pets.

Damaging or threatening to damage the victim’s property.

Harassing victim through the internet.

Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.

Obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim’s garbage, following the victim, contacting victim’s friends, family work, or neighbors, etc.

Source: Stalking Resource Center, National Center for Victims of Crime

Sexual Harassment: is harassment on the basis of sex. It is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 and is also prohibited under Title IX of the Educational Amendments of 1972. Sexual Harassment can take many forms and includes, but is not limited to:

• Request for sexual favors
• Friendly hug, patting, touching
• Touching, rubbing, or brushing another’s body
• Use of risqué jokes, stories, images
• Physical assault of a sexual nature
• Sexually offensive remarks
• Inappropriate body images used to promote advertised events.

Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual’s employment or education; or submission or rejection of such conduct is used as a basis for employment or academic decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or creates an intimidating or hostile or educational environment.


The educational mission of the University is to foster an open learning and working environment. Any form of intimidation or discrimination is antithetical to this mission. Thus, Webster University is committed to providing faculty, staff and students with an environment free from implicit and explicit coercive sexual behavior used to control, influence, or affect the well-being of any member of its community. No member of Webster University may engage in sexual or other forms of harassment toward another individual. Sexual and other forms of harassment are grounds for University disciplinary action and may constitute a violation of federal and state law. Complaints of sexual harassment using established grievance procedures will be addressed promptly. Justice requires that the rights and concerns of both complainant and respondent be fully assured. Contact Betsy Schmutz, Associate VP for Human Resources at schmutz@webster.edu with any questions or complaints about harassment.
STATE OF FLORIDA STATUTORY DEFINITIONS

794.011 RAPE (Sexual Battery)
Florida state laws currently include rape under the offense of "sexual battery." The relevant statutes no longer give a separate legal definition for rape.

“Sexual battery” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

800.04 STATUTORY RAPE
A child under 16 years of age cannot consent to sexual activity, regardless of the age of the defendant. A child who is at least 16 years of age and less than 18 years of age cannot consent to sexual activity if the defendant is 24 years of age or older.

826.04 INCEST
Whoever knowingly marries or has sexual intercourse with a person to whom he is related by lineal consanguinity, or a brother, sister, uncle, aunt, nephew, or niece, commits incest.

Domestic Violence

This section defines domestic violence for the purposes of getting an injunction for protection against domestic violence.

Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.* If you are the victim of domestic violence or if you have reasonable cause to believe that you are in immediate danger of becoming the victim of any act of domestic violence, you can apply for an injunction against domestic violence.**

* Fla. Stat. § 741.28(2)
** Fla. Stat. § 741.30(1)(a)

Stalking

Florida’s criminal law, states that stalking is defined as when someone willfully (intentionally), maliciously, and repeatedly follows, harasses, or cyber-stalks another person. Below you will find the definitions of the emboldened terms:

1. Harassment is when someone commits a series of acts over a period of time against you, which causes you to have substantial emotional distress (and the acts serve no legitimate purpose). **
2. Cyberstalking is when someone commits a series of acts that communicate (or cause to be communicated) words, images, or language through e-mail or other electronic communication that is directed at you, causing you substantial emotional distress (and serving no legitimate purpose). ***

Here are some examples listed on the court petition so you can get an idea of what behaviors/acts may qualify someone for an injunction:
• Previously threatened, harassed, stalked, cyber-stalked, or physically abused the petitioner;
• Threatened to harm the petitioner or family members or individuals closely associated with the petitioner;
• Intentionally injured or killed a family pet;
• Used, or threatened to use, against the petitioner any weapons such as guns or knives; and
• Destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner. ****

* Fla. Stat. § 784.048(2)
** Fla. Stat. § 784.048(1)(a),(b)
*** Fla. Stat. § 784.048(1)(d)
**** Fla. Stat. § 784.0485(3)(d)

PROCEDURES FOR REPORTING A COMPLAINT

GENERAL INFORMATION

Webster University has procedures in place that serve to be sensitive to those who report sexual assault (rape, fondling, incest, or statutory rape), domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges and the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus. Gladys Smith; Campus Sexual Assault Advocate can arrange for these procedures to take place.

The dean of student’s office, working in conjunction with the Campus Sexual Assault Advocate, who also has the option of making Interim remedies/options available to the survivor prior to resolution, or in special circumstances even if the survivor chooses not to file a complaint. These options include modifications to: academic schedules, campus housing, transportation, student leadership, and working situations, as well as providing academic support or making special arrangements for withdrawing or dropping classes without penalty, if requested and reasonably available, regardless if the survivor chooses to file a formal report. No contact measures may also be implemented to prevent contact between a complainant and an accused party, to also include housing, academic, transportation and working accommodations, if reasonably available.

The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Department of Public Safety or a local law enforcement agency.

After an incident of sexual assault and/or domestic violence, and after the Campus Sexual Assault Advocate has been contacted, the victim should go to a safe place.

In Florida evidence may be collected even if you chose not to make a report to law enforcement. 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 disease.

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 a University judicial board/investigators or police.

Although the university strongly encourages all members of its community to report violations of this policy, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police.

If you have been the victim of domestic violence, dating violence, sexual assault or stalking, you should report the incident promptly to the Title IX coordinator. Their information is below:

Title IX Coordinator for matters concerning employees and applicants for employment:

**Betsy Schmutz**, Associate Vice President and Chief Human Resources Officer
Title IX Coordinator
Human Resources Office
Loretto Hall 32
Webster Groves Main Campus (WEBG)
314-968-6960
schmutz@webster.edu

Title IX Coordinator(s) for students:

**Maureen Stroer**, Student Affairs Coordinator
Title IX Deputy Coordinator for Student Sexual Misconduct Cases
470 E. Lockwood Ave
St. Louis, MO 63119
314-968-6980
mstroer@webster.edu

Webster University will provide resources, on campus off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

<table>
<thead>
<tr>
<th>Incident Being Reported:</th>
<th>Procedure Institution Will Follow:</th>
<th>Evidentiary Standard</th>
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### Sexual Assault

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<tbody>
<tr>
<td>1.</td>
<td>Depending on when reported (immediate vs delayed report), Webster University will provide the complainant with access to medical care</td>
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<td>Webster University will assist complainant with contacting Police if complainant requests <strong>AND</strong> complainant provided with contact information for the Police Department.</td>
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<td>4.</td>
<td>Webster University will provide complainant with referrals to on and off campus mental health providers</td>
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<td>5.</td>
<td>Webster University will assess need to implement interim or long-term protective measures, such as housing changes</td>
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**Stalking**

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<td>4.</td>
<td>Webster University will provide written information to complainant on how to preserve evidence</td>
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<td>5.</td>
<td>Webster University will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</td>
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<td>6.</td>
<td>Webster University will provide a campus restrictions or bans to accused party if deemed appropriate</td>
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Sexual Assault cases referred to the Title IX Coordinator and are adjudicated by the Webster’s Sexual Hearing Board using preponderance of the evidence standard. The “preponderance standard is met if the proposition is more likely to be true than not true.
ASSISTANCE FOR VICTIMS: RIGHTS AND OPTIONS

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, Webster University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. In Florida, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

NOTICE OF VICTIM’S RIGHTS

741.29 Domestic violence; investigation of incidents; notice to victims of legal rights and remedies; reporting.—
(1) Any law enforcement officer who investigates an alleged incident of domestic violence shall assist the victim to obtain medical treatment if such is required as a result of the alleged incident to which the officer responds. Any law enforcement officer who investigates an alleged incident of domestic violence shall advise the victim of such violence that there is a domestic violence center from which the victim may receive services. The law enforcement officer shall give the victim immediate notice of the legal rights and remedies available on a standard form developed and distributed by the department. As necessary, the department shall revise the Legal Rights and Remedies Notice to Victims to include a general summary of s. 741.30 using simple English as well as Spanish, and shall distribute the notice as a model form to be used by all law enforcement agencies throughout the state. The notice shall include:
(a) The resource listing, including telephone number, for the area domestic violence center designated by the Department of Children and Family Services; and
(b) A copy of the following statement: “IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you may ask the state attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting an injunction for protection from domestic violence which may include, but need not be limited to, provisions which restrain the abuser from further acts of abuse; direct the abuser to leave your household; prevent the abuser from entering your residence, school, business, or place of employment; award you custody of your minor child or children; and direct the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.”

(2) When a law enforcement officer investigates an allegation that an incident of domestic violence has occurred, the officer shall handle the incident pursuant to the arrest policy provided ins. 901.15(7), and as developed in accordance with subsections (3), (4), and (5). Whether or not an arrest is made, the officer shall make a written police report that is complete and clearly indicates the alleged offense was an incident of domestic violence. Such report shall be given to the officer’s supervisor and filed with the law enforcement agency in a manner that will permit data on domestic violence cases to be compiled. Such report must include:
(a) A description of physical injuries observed, if any.
(b) If a law enforcement officer decides not to make an arrest or decides to arrest two or more parties, the officer shall include in the report the grounds for not arresting anyone or for arresting two or more parties.
(c) A statement which indicates that a copy of the legal rights and remedies notice was given to the victim

ORDERS OF PROTECTION

Temporary (ex parte) Injunctions

The temporary or ex parte injunction is a court order designed to provide you and your family members with immediate protection from the abuser. As soon as you file your petition for protection against domestic violence, the clerk will give your petition to the judge. If the judge decides that there is an immediate and present danger of domestic violence, the judge will grant the temporary injunction.

You will not have to testify and the abuser does not need to be present. The judge will make the decision based only on the information in your petition so it is important to take the time to carefully fill out the petition.

The temporary injunction takes effect as soon as the abuser is served with (formally given) a copy of the order. This is called giving the abuser notice or having the abuser served with process.

The temporary injunction stays in effect for a certain number of days, but won't last longer than 15 days. Before the fixed time period ends, there will be a full hearing to decide whether to give you a final injunction. The date for the full hearing will be set at the same time the judge makes the decision about the temporary injunction. The temporary injunction will last until the full hearing takes place.
Even if the judge denies you a temporary injunction, it does not necessarily mean you will be denied a final injunction. If the judge believes that there is no immediate and present danger of domestic violence, the judge is still supposed to set a hearing date for a final injunction where you will have a chance to better present your case.

**Final Injunctions**

At the full hearing, the judge will decide whether to give you a final injunction. The final injunction will last longer than 15 days and may provide you with more protections than the temporary injunction did. The final injunction may have a set period of time that it will be in effect (for example, one year) or it may not have an expiration date. If there is no expiration date, either you or the abuser can file in court to modify (change) or dissolve (end) the injunction at any time and the judge will decide whether or not to grant the relief requested.

Victims may request that directory information on file be removed from public sources by request through:

Office of the Registrar
Loretto Hall 63
314-968-7450
800-987-3447
Fax: 314-968-7112
Alternative fax: 314-963-6037
Email: registraroffice@webster.edu

**Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking (On-Campus)**

**On Campus Resources**

<table>
<thead>
<tr>
<th>Counseling</th>
<th>Counseling &amp; Life Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health</td>
<td>Health Services</td>
</tr>
<tr>
<td>Mental Health</td>
<td>Counseling &amp; Life Development</td>
</tr>
<tr>
<td>Victim Advocacy</td>
<td>Sexual Assault Advocate/Counseling and Life Development</td>
</tr>
</tbody>
</table>

**Off-Campus Sexual Assault Programs**

http://www.rainn.org – Rape, Abuse and Incest National Network
http://www.ovw.usdoj.gov/sexassault.htm - Department of Justice
http://www2.ed.gov/about/offices/list/ocr/index.html Department of Education, Office of Civil Rights

**ADJUDICATION OF VIOLATIONS**

Whether or not criminal charges are filed, the university or a person may file a complaint under the Sexual Offense Policy alleging that a student or employee violated the University’s Sexual Offense Policy.

**Fundamental Assumptions Regarding the Respective Parties**
Both parties will be notified regarding procedures used in the informal and formal hearings. Information can also be provided regarding legal options; however, it is recommended that legal advice be obtained from a competent attorney.

Each party may have a support person or process advisor of their choosing present at the hearing (e.g., student, parent, faculty, staff, attorney); however this person may not speak on his/her behalf.

No reference to past consensual sexual relations of the complainant or the accused may be introduced at any time during the proceedings.

The fact that the accused and/or the complainant may have been under the influence of alcohol or other drugs or subject to some other sort of mental dysfunction does not excuse or justify the commission of any sexual offense as defined herein, and may not be used as a defense.

Both parties have the right to a copy of all written statements regarding the complaint.

Both parties have the right to testify either in writing or verbally.

The complainant and the accused may request to have witnesses testify. Such requests are granted at the discretion of the Hearing Officer. Witnesses must be identified in writing to the Hearing Officer at least 48 hours prior to the hearing. The Hearing Officer will inform both parties within 24 hours of the hearing of the witnesses who may appear at the hearing. Testimony of witnesses that demonstrates a pattern, habit, or routine of sexual misconduct similar to that which is alleged is considered relevant and may be heard as part of the impact statement, only in determining the sanction for a person found responsible for a sexual offense.

The complainant and the accused each have the opportunity to present an impact statement to the administrator or Hearing Officer following a decision of responsibility, but prior to the imposition of sanctions.

A formal hearing may only be invoked when both parties are members of the Webster University community. In the event that both parties were members of the Webster University community at the time of the alleged incident and one of the parties is no longer a member of the community, the charge will be referred to the Sexual Offense Policy Implementation Committee (see Section XIII.) to determine the appropriate means of resolution.

**INFORMAL GRIEVANCE PROCEDURES**

Once the accuser has filed an official complaint and the accused has responded as prescribed by Section V., both parties may choose to proceed through the informal grievance procedure. Both parties must agree to participate in this procedure. If either party refuses to participate in the informal resolution process, the appropriate administrator will refer the matter to the Hearing Officer for resolution through the formal grievance procedure as described in Section IX.

**The informal grievance procedure operates as follows:**

The appropriate administrator meets with the complainant to discuss the complaint.
The administrator then meets with the accused to discuss the complaint.

The administrator may designate someone to coordinate the investigation and/or the meetings with the complainant and/or the accused. The investigation includes, but is not limited to, interviews with witnesses.
The administrator (or his or her designee) meets together or separately with the complainant and accused to present the results of the investigation, the administrator’s conclusions, and resolution (including sanctions, if any). This resolution will be documented in writing and placed in the accused’s disciplinary or personnel file. The administrator is responsible for monitoring the timely completion of sanctions.

Either party may appeal the resolution as proposed by the administrator in writing, within 10 days (see process outlined in Section XII.). Upon receipt of the letter of appeal, the matter is referred to the Hearing Officer for resolution, pursuant to Section IX. In such cases, the administrator submits a summary of the results of the informal procedure to the Hearing Officer or the President to aid in the determination of appeal.

If the appeal is granted, and the Hearing Board hears the case, either party may choose to accept or reject the resolution of the administrator until a decision is reached by the Hearing Board. If on further consideration both parties accept the administrator's proposed resolution prior to a final decision of the Hearing Board, the Hearing Board will not issue a finding.

**SEXUAL OFFENSE HEARING BOARD**

The Sexual Offense Hearing Board responsible for any given case consists of a Hearing Officer (see Section VIII.B.) and six individuals chosen as outlined in Section VIII.E. by the Hearing Officer from a pool made up of representatives of each of the University's constituencies: the Faculty Senate, professional/administrative staff, Webster Staff Alliance, and the Student Government Association.

The Dean of Students (or designee), in consultation with the Presidents of FS, WSA, SGA, and the Associate Vice President and Chief Human Resources Officer, will select six persons from each constituency to serve as the pool of potential Hearing Board members. The terms of Hearing Board members are for one-year renewable terms. In cases of potential conflict of interest, the Hearing Officer rules as to whether such a conflict exists and has the prerogative to replace a Board member.

The Hearing Officer is a full-time faculty member with status selected by the Policy Implementation Committee. The Hearing Officer serves a one-year term (renewable at the discretion of the policy implementation committee). The Hearing Officer votes only in cases of ties.

The Hearing Officer meets as necessary with the Dean of Students, the Associate Vice President and Chief Human Resources Officer, and the Advocate to review and discuss the Sexual Offense Policy and procedures.

When a hearing is called, the Dean of Students (or designee) convenes a meeting of all potential Hearing Board members to review the Sexual Offense Policy and its procedures. The Hearing Board members for any given hearing are selected by the Hearing Officer from the Hearing Board pool, as set forth in Section VIII.A. The Board will consist of at least two, but no more than three members from the constituency of the accused.

The Hearing Board is responsible for hearing cases of alleged sexual offense and determining and administering disciplinary actions up to and including expulsion or termination from the University.

**THE HEARING**

The Hearing Officer schedules a hearing within 10 working days after the complaint has been referred from the appropriate administrator. The respective parties are notified of the time, place, and procedures of the hearing by the Hearing Officer. The Hearing Officer presides over the hearing.

The complainant presents the complaint and provides any further information, evidence, or corroborating testimony pertinent to the incident. Members of the Hearing Board may then ask questions of the complainant. The accused responds to the accusation providing any further information, evidence, or
corroborating testimony pertinent to the incident. Members of the Hearing Board may then ask questions of the accused.

At the discretion of the Hearing Officer, witnesses who have been previously identified to the Hearing Officer (see Section VI.) may be called to offer testimony. Members of the Hearing Board may ask questions of witnesses following their testimony. Either party may submit a list of suggested questions to the Hearing Officer at least 24 hours prior to the hearing. The use of these questions is at the discretion of the Hearing Board.

Questions from the accused must be relayed to the complainant through the hearing officer. There will be no direct questions from the accused to the complainant, or vice versa. All questions will be directed to the hearing officer who will relay the question to the other party, at the hearing officer’s discretion.

Generally, even if screened or testifying from a separate location, witnesses, including the complainant, should be visible to the hearing panel, and to the accused while testifying.

Evidence may consist of testimony, physical evidence, prior statements concerning the incident in question, or any other evidence that the Hearing Board wishes to consider. The reliability and weight given to such evidence is within the discretion of the Hearing Board.

Either party may request a five to ten (5–10) minute recess at any time during the hearing. Requests are granted at the discretion of the Hearing Officer.

In determining whether a violation of the Sexual Offense Policy has occurred, the Hearing Board will apply a preponderance of evidence standard. The “preponderance” standard is met if the proposition is more likely to be true than not true.

The accused must not be presumed “guilty” (or “responsible”). Instead, guilt, or responsibility, must be established by a “preponderance of the evidence.” (e.g., “more likely than not”) standard. The hearing board’s decision in this regard requires a conscientious and rational judgment on the whole record.

“Preponderance” means more than half. If, for example, the hearing board concludes that the evidence – considered overall – weighs equally on both sides, the preponderance standard has not been met and the charges have not been proven.

Hearings are confidential and closed to all but the principals of the case. At the discretion of the Hearing Officer, a transcript may be kept in audio taped or written form. The tape and transcript are the property of the University. Students are not permitted to tape or otherwise record the proceedings. Transcripts will be kept by the appropriate administrator (see Section V.) and may be reviewed but not copied or removed from the administrator’s office.

Based on a majority vote of the Hearing Board, the Hearing Officer issues the opinion as to whether a sexual offense, as defined in Section II., occurred. In the event of a three-three tie, the Hearing Officer will cast the deciding vote. The notification of the Board’s decision is made by the Hearing Officer to the appropriate administrator, who will convey the decision, in writing, to the parties within 24 hours of the hearing. The Hearing Board, pursuant to the guidelines in Section X., also determines disciplinary action (if any) to be taken. Disciplinary actions shall be implemented and monitored by that administrator. A record of the final decision will be placed in the accused’s disciplinary and/or personnel file.

**EXPEDITED PROCESS FOR SUSPENSION OR DISMISSAL**

In the most serious, “high risk” cases, in which the accused student may pose a serious threat to the health and safety of students, faculty, and staff, the following process may be enacted, with the approval of the assistant provost. Steps 1-3 can take place within a single day.
The accused student is informed of the charges against him/her via email, letter, or phone call. The accused student has the opportunity to respond to these charges via email, letter, or phone call. The accused student will have the opportunity to submit questions to be answered by his/her accuser(s).

The dean of students (or his/her designee) decides if the accused student is responsible for a violation of University policies, and if appropriate, determines sanctions, which could include suspension or dismissal. This is communicated to the accused student.

The accused student has ten days in which to forward a written appeal to the dean of students’ office. Any such appeal must set out the specific reasons supporting the appeal, including any contested finding of facts which are set out in the Dean’s determination of sanctions. The written appeal will be reviewed by the appropriate body, the University Judicial Board or the Sexual Offense Hearing Board.

Due to the seriousness of this kind of case, all requirements for advance notification are hereby waived.

*Examples of these “high risk” cases include:

a. violent crimes against a person,
b. behavior resulting in felony charges or convictions (equivalent to Class A, B, or C felonies in Missouri),
c. threats or harassment of such an egregious nature that campus safety is affected, or
d. any behavior that strongly suggests the accused may be a serious threat to the health and safety of students, faculty, or staff

Reports of all domestic violence, dating violence, sexual assault and stalking made to the Department of Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant choses to pursue criminal charges.

Webster university disciplinary process is consistent with the institution’s policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Sexual Offense Policy provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
6. A student conduct decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused student violated the university’s Student Conduct Code?
LIMITS OF APPEAL AND SEQUENCE OF APPEAL

The act of filing an appeal usually postpones the action required by the initial decision until the appeal process is completed, unless the administrator determines that postponement of the sanction may result in a serious threat to the University community.

Either the complainant or the accused may appeal the decision of the administrator to the Hearing Board or the decision of the Hearing Board to the Assistant Provost of the University based on one or more of the criteria cited above. The appeal must be written and addressed to the appropriate person (Hearing Officer or Assistant Provost and submitted to the appropriate administrator no more than 10 calendar days after written notification of the administrator’s or Hearing Board’s decision. (An extension of this deadline may be requested in writing to the Dean of Students to accommodate periods of University recess or for other extenuating circumstances.) The administrator then forwards the letter to the Hearing Officer or Assistant Provost.

The individual seeking the appeal must indicate, in writing, the specific bases or reasons for his or her appeal. The appeal statement should include the following: Name, ID#, address, and phone number, reason for appeal (see XI.A. above), and appropriate information regarding why the appeal should be granted. The letter should be of sufficient detail to stand on its own without accompanying testimony to permit the evaluation of the merit of the grounds for appeal. For example, if there were procedural errors, the errors should be identified and it should be noted what effect those errors had on the outcome of the case. If there is new evidence, the nature of that evidence and the potential effect on the outcome of the case should be noted. If the sanction is perceived to be excessive, one should note why s/he believes the sanction was excessive and should suggest a more reasonable sanction.

The Hearing Officer or Assistant Provost shall consider the written statement of appeal and recommend action to be taken within 10 working days. The decision will be either:

h. to uphold the decision of the administrator or Hearing Board; or
i. to refer the case to the alternate Hearing Officer and a new Hearing Board.

**Note:** The decision of the Assistant Provost is final.

The individuals involved will receive written notification of the decision from the appropriate administrator. If the result of the appeal is an order for a rehearing, the hearing procedures described above shall apply

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university’s policy against Sexual Harassment [http://www.webster.edu/human-resources/policies/workplace-safety.html](http://www.webster.edu/human-resources/policies/workplace-safety.html) in order to remedy any hostile environment.
All conduct proceedings against students, however, will be resolved through the

When a complainant does not consent to the disclosure of his or her name or other identifiable information
to the alleged perpetrator, the university’s ability to respond to the complaint may be limited.

HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who
observe violence or witness the conditions that perpetuate violence. They are not directly involved but have
the choice to intervene, speak up, or do something about it.” (5)

We want to promote a culture of community accountability where bystanders are actively engaged in the
prevention of violence without causing further harm. We may not always know what to do even if we want
to help. Below is a listing of some ways to be an active bystander. (6)

Further information regarding bystander intervention may be found. If you or someone else is in immediate
danger, dial 6911 for Public Safety if on campus and/or 911 if off campus. This could be when a person is
yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could
be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on or try to make out with, or have sex with people who are
incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or
with legal assistance.

RISK REDUCTION

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are
some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest
National Network, www.rainn.org)

1. 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.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don’t know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place
to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings,
especially if you are walking alone.
9. 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.
10. 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.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.

12. **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.

13. **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.

14. **If you suspect you or a friend has been drugged, contact law enforcement immediately**

   Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:

   a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

   b. **Be true to yourself.** Don’t feel obligated to do anything you don’t want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

   c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

   d. **Lie.** If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking**, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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**CONFIDENTIALITY**

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

**SANCTIONS AND PROTECTIVE MEASURES**

In all cases, investigations that result in a finding of more likely than not that a violation of the Sexual Offense Policy occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions including but not limited to: written reprimand, mandatory educational and/or counseling programs, restriction of campus access, disciplinary probation, suspension, or termination (in the case of employees), or expulsion (in the case of students, may be imposed upon those determined to have violated this policy). The University may implement protective measures following the report of domestic violence, dating violence, and sexual assault and/or stalking which may include some or all of the following actions: modifications to: academic schedules, campus housing, student leadership, and working situations, as well as providing academic support or making special arrangements for withdrawing or dropping classes without penalty, if requested and reasonably available, regardless if the survivor chooses to file a formal report. No contact measures may also be implemented.

For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.
The Title IX Coordinator(s) or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible.

Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. (9) Violations of the Title IX Coordinator’s directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Webster University.

Webster University will, 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 such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the 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.

**Webster University may not require a survivor to participate in any investigation or disciplinary proceeding.**

Because Webster University is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt Webster University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/surveys; and/or revisiting its policies and practices.

If Webster University determines that it can respect a survivor’s request for confidentiality, Webster University will also take immediate action as necessary to protect and assist the survivor.

**Amnesty from drug, alcohol, and other student conduct policies**

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 Student Code of Conduct consequences for his/her/their own conduct.

An individual who reports sexual misconduct, either as a complainant or a third party witness, 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. The amnesty policy applies to the University’s student conduct process.

**Miscellaneous**

Take Back the Night and other public awareness events

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs” or other forums in which students disclose incidents of sexual violence, are not considered notice to Webster University of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and Webster University will provide information about students’ Title IX rights at these events.
On campus counseling and mental health services exist for those who are victims of a sexual offense or for those who feel they need the advice or direction.

Main Switchboard  863-687-9309
Toll Free Number  800-598-9809

Lakeland Police Department:
Emergency  911
To Report a Crime  863-834-6966

SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000 went into effect October 24, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. People wishing to access this information can obtain it accessing the website at: [http://offender.fdle.state.fl.us/offender/homepage.do;jsessionid=cuc6eNZtQ1HBPmOF0FfhVQ](http://offender.fdle.state.fl.us/offender/homepage.do;jsessionid=cuc6eNZtQ1HBPmOF0FfhVQ)

MISSING STUDENT

If a member of the University community has reason to believe that a student is missing, whether or not the student resides on campus, all possible efforts are made to locate the student to determine his/her state of health and well-being through the collaboration of the Lakeland Police Department.

Webster University officials shall make every attempt to locate the whereabouts of the individual through contact with friends, associates, etc.

If located, the student’s health and well-being will be of the utmost priority. If appropriate, referral will be made to Student Affairs.

If not located, notification of the family within 24 hours of receiving the report is made to determine if they know of the whereabouts of the student.

DISCIPLINARY PROCEEDINGS

Because Webster University is an educational institution, judicial procedures and disciplinary response to student behavior are designed as much for guidance and correction of behavior as for invoking fair and appropriate sanction. Though every effort is made to address the seriousness of the offense and the record of conduct, of a given student, specific responses are not rigidly predetermined. The University recognizes that inappropriate behavior may be a result of the student’s inability to solve a problem or manage a situation appropriately. Ultimately, the student must accept responsibility for his/her behavior and the consequences that result. The University, however, also recognizes that judicial responses may include providing students with educational alternatives that assist the student in learning how to handle certain situations. The fundamental hope is that the student can learn and grow from the incident and sanctions imposed in response to that behavior, and that he or she can make necessary changes in his/her behavior to become a constructive member of the educational community.

The rights of a student and the specific procedures for reporting, and actions taken can be obtained in the student life policies and procedures guidebook provided by the Dean of Student Affairs.
FBI- UNIFORM CRIME REPORTING (UCR)/NATIONAL INCIDENT BASE REPORTING SYSTEM (NIBRS)

The criminal offenses that Webster University is required to report are the following offenses as defined by the FBI Uniform Crime Report (Sex Offenses are defined using the UCR –National Incident-Based Reporting System)

*Excerpted from the Implementing Regulations of the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” (originally the Campus Security Act) originally published in the Federal Register on April 29, 1994 (Vol. 59, No.82) and November 1, 1999 (Vol 64, No. 210).

The following definitions are to be used for reporting the crimes listed in 34 CFR sec.668.46 (previously 668.47) in accordance with the Federal Bureau of Investigation’s Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook

UNIFORM CRIME REPORT (UCR/NIBRS) - CLASSIFICATION OF CRIME STATISTICS

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Deaths caused by negligence attempts to kill, assaults to kill, suicide, accidental deaths, and justifiable homicide are excluded.

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

**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. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**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 kind.

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium, or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
**Liquor Law Violations:** the violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Sex-Offenses**

Any sexual act directed against another person, without consent of the victim including instances where the victim is incapable of giving consent

**A. Rape**

(Current UCR definition) Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

This definition includes any gender of victim or perpetrator and for 2013 includes NIBRS Sodomy and Sexual Assault with Object definitions.

Sexual penetration means 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, or by a sex-related object.

This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol). Physical resistance is not required on the part of the victim to demonstrate lack of consent.

**B. Sodomy**

Oral or anal sexual intercourse with another person, and/or against that person’s will; against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**C. Sexual Assault with an Object**

The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, and/or against that person’s will; or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**D. Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental capacity.

**E. Dating Violence**

Violence committed by a person
1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
   a. The length of the relationship.
   b. The type of relationship.
   c. The frequency of interaction between the persons involved in the relationship.”
F. Stalking
A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

Stalking means”, “to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and
B. to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
C. in the course of, or as a result of, such following, pursuit, surveillance or.Repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to:
   i. that person;
   ii. A member of the immediate family of that person; or
   iii. The spouse or intimate partner of that person;

G. Domestic violence
Includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.”

Immediate Family Member means: “with respect to a person”:
A. a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or 2013 Security and Fire Safety Report
B. any other person living in the household of that person and related to that person by blood or marriage.”

Sex-Offenses - Unlawful, non-forcible sexual intercourse

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

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

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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 word and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing,
breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Hate Crimes:**

*Source: Federal Register, April 29, 1994, Vol. 59, No. 82; Federal Register, November 1, 1999, Vol. 64, No. 210*

Any of the above offenses and any other crime involving bodily injury reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrators bias or the perpetrator(s) perceived the person to be in one of the protected group categories. There are six types of bias categories. (Race, Gender, Religion, Sexual Orientation, Ethnicity/national origin and Disability)

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

**Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are either male or female. Gender bias is a Clery Act specific term that is not found in the FBI Hate Crime Data Collection Guidelines.

**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 existence or nonexistence of a supreme being, e.g. Jews, Catholics, Protestants, Muslims, atheists, etc.

**Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their won sex or members of the opposite sex, e.g., gays, lesbians, heterosexuals.

**Ethnicity/National Origin:** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions, e.g., Arabs, Hispanics.

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

Hate Crimes include any offense in the following two groups:

**Group A**
- Murder and Non-Negligent Manslaughter
- Forcible Sex Offenses
- Non-Forcible Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

**Group B**
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/damage/vandalism of

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
**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 word and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Source - *Hate Crime Data Collection Guidelines*, October 1999; U.S. Department of Justice
CRIME STATISTICAL REPORTING FOR WEBSTER UNIVERSITY EXTENDED CAMPUS SITES

Webster University on any given year will have multiple extended site locations that fall under the Department of Education and the Jeanne Clery Act as “branch campus” and shall have an Annual Security Report (ASR). Each site will have an ASR that will contain all the security policies and procedures for that specific campus site as well as any and all crime statistical data.

In some occasions, campus sites may close down and/or move to a new location. If a site closes, a report may no longer be necessary for that particular site, but crime statistical data may still be required to be reported. In this particular year our Webster University-Elgin campus closed in August of 2013. We therefore, will not be publishing a ASR for this campus as it is no longer in existence, but we do wish to disclose that there were no crimes reported on campus, on any non-campus buildings and/or public property for that particular location in calendar years 2011, 2012 and 2013. There were also no Hate Crimes reported in those three years either.
## 2014 Reporting Year Webster University-Orlando South

*Non-Campus Buildings include Walt Disney World*

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*There were no hate crimes reported for calendar years 2011 and 2012*
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HATE CRIME REPORTING: There were no hate crimes to report for calendar year 2013.