



**Ozarks Technical Community College  
Safety & Security Department**

**WAYNESVILLE EDUCATION CENTER**

**2013**

**ANNUAL SECURITY REPORT**

Ozarks Technical Community College  
Safety and Security Department  
Waynesville Education Center  
320 Ichord, Suite U  
Waynesville, MO 65583  
573-774-5061

September 25, 2014

\*Reporting period from 01-01-2013 to 08-18-2013

Greetings,

Ozarks Technical Community College is committed to providing the members of the campus community and visitors with the safest and most secure environment possible; however, even the most extensive initiatives cannot succeed without the awareness and cooperation of the community members who study and work on campus.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000, 2008 and 2013 with the reauthorization of the Violence Against Women Act. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of Jeanne Clery, a student who was slain in her college dorm room in 1986.

The *Clery Act* requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crime data is collected, reported and disseminated to the campus community and are also submitted to the Department of Education. The act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions. To learn more about Jeanne Clery and the Clery Act, please visit: [Jeanne Clery Act](#).

In compliance with this act, the Ozarks Technical Community College, Safety and Security Department has produced this "Annual Security Report", which contains the aforementioned information. In addition to campus crime statistics, this report also is a resource guide for campus safety services and crime prevention strategies. Inquiries about this report may be directed to Scott Leven, College Director of Safety & Security, at 417-447-6911 or by electronic mail: [levens@otc.edu](mailto:levens@otc.edu)

We hope this publication proves helpful, informative, and provides an opportunity for communication between the OTC Safety and Security Department and the campus community which we serve.

Sincerely,

*Scott Leven*

College Director of Safety and Security  
Ozarks Technical Community College

\*The Annual Security Report for the Waynesville Education Center, located at 320 Ichord, Suite U, Waynesville, MO 65583, covers the following dates: 01-01-2013 to 08-18-2013. The center closed on 08-18-2013, at this location and relocated to 600 GW Lane, Waynesville, MO 65583. A separate Annual Security Report has been completed for the new Waynesville Education Center location.

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This report is published annually in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. Section 1092(f)). All currently registered students as well as employees are directly mailed (via college email) a notice by October 1 of each year that includes a statement of the report's availability, the electronic address at which it is posted, a brief description of the contents, and a notice that a copy will be provided upon request. The electronic version is available online at <http://www.otc.edu/security>. Printed copies may be requested by calling 417-447-6911, or by requesting a copy in person or by written request at the following location:

Safety & Security Department  
1001 E. Chestnut Expressway, Room IC208, Springfield, MO 65802

## **MISSION STATEMENT**

**of the**

### **Ozarks Technical Community College Safety and Security Department**

The mission of the Ozarks Technical Community College Safety and Security Department is to strive to ensure a safe and secure environment for students, faculty, staff, and visitors in partnership with all members of the campus community.

## **MISSION STATEMENT**

**of the**

### **Ozarks Technical Community College**

The College mission is to provide accessible, high quality, and affordable learning opportunities that transform lives and strengthen the communities we serve.

#### **Vision Statement**

The College vision is to serve our communities by expanding opportunities for personal and professional growth through our commitment to excellence and innovation.

#### **Core Values**

- Quality
- Accessibility
- Diversity
- Community
- Integrity
- Opportunity
- Learning
- Innovation
- Respect
- Personal Growth

## **OTC Campus Safety & Security Department**

Developing a safe and secure environment at an academic institution is the responsibility of the entire community, security personnel, faculty, staff, and students. Within our community, the OTC Safety & Security Department is assigned the primary responsibility of identifying programs, methods, and approaches to help the institution maintain a reasonably safe and secure environment.

The Waynesville Education Center is not staffed by the Safety & Security Department. Incidents that may occur are reported by Waynesville Education Center Staff to the Springfield Campus Safety & Security Department and the Waynesville Police Department. In the event of an emergency or need of immediate assistance, the Waynesville Education Center will contact 911 and the Waynesville Police or Fire Department will be dispatched. The Springfield Campus Safety & Security Department can be reached at 417-447-6911; 24 hours a day, seven days a week, 365 days a year. Safety & Security Officers are on call for 24/7 for any emergency all campuses and centers when the college is closed.

The OTC Safety & Security Department has approximately 45 security officers and staff serving the campus community at three of the five OTC Campus locations (Springfield, Richwood Valley and Lebanon.) Security personnel are responsible for unlocking and locking campus buildings and performing routine laboratory and building inspections for fire and other safety-related problems. Security personnel also patrol buildings, parking lots and campus grounds.

OTC Safety & Security dispatchers monitor telephones and a two-way radio service to provide information and direct response to emergencies. They can immediately request fire or emergency medical service and communicate with local and state law enforcement agencies when needed. Springfield Campus dispatchers monitor the national weather service radio network for severe weather information and notify the education centers.

Some of the services provided to the Waynesville Education Center by the Springfield Safety & Security Department include:

- Coordination with local law enforcement and EMS
- Receive telephone notifications through dispatch
- Crime / Accident / Injury investigations and reporting
- Monitor fire and intrusion alarms
- Provide guidance on OTC policies
- Provide guidance on safety and security issues
- Emergency notifications
- Ensure WEC has needed first aid supplies and equipment
- Develop and implement policies that assist each education center
- Respond to education centers in emergency situations

Ozarks Technical Community College Safety and Security Department provides Safety & Security Officers at the following OTC Campuses:

Springfield Campus, 1001 E. Chestnut Expressway, Springfield, MO 65802  
Richwood Valley Campus, 3369 Jackson, Nixa, MO 65714  
Lebanon Education Center, 22360 Highway MM, Lebanon, MO 65536

The following campuses do not have OTC Safety & Security personnel on-site:

Branson Education Center, 4440 Gretna Road, Branson, MO 65616  
Waynesville Education Center, 320 Ichord, Suite U, Waynesville, MO 65583

## **Annual Security Report**

The Ozarks Technical Community College, College Director of Safety & Security is designated as the Campus Security Survey Administrator, and is responsible for the preparation of the Annual Security Report in accordance with the *Jeanne Clery Disclosure of Campus Security and Crime Statistics Act*. The Annual Security Report includes campus security policy disclosures and campus crime statistics for the previous three calendar years. The report is reviewed and updated annually as a cohesive document and submitted to the U.S. Department of Education by October 1 of each year.

The Annual Security Report is prepared in cooperation with Local Law Enforcement Agencies surrounding each campus, OTC Safety & Security Department records, the Office of Student Affairs and the Dean of Students, who provide updated information on the College's educational programs and policy disclosures in order to comply with the Clery Act.

An additional purpose of the Annual Security Report is to serve as a mechanism for the Safety & Security Department to fulfill its role of informing the campus community of crimes reported to the department, crime prevention tips, victim/witness services, reporting procedures, mass notification procedures, important contact information, and additional information from the department.

The Annual Security Report is available annually through publications, mailings or computer network to all enrolled students and current faculty and staff. The Vice Chancellor for Administrative Services distributes an e-mail notification, to all enrolled students, faculty and staff, informing them of the appropriate web site address to access the Annual Security Report by October 1<sup>st</sup> of each year. Copies of the report may also be obtained at any OTC Campus/Center by contacting the OTC Safety & Security Department Office or by calling 417-447-6911.

All prospective students may obtain a copy of this report from the Office of Admissions. All prospective employees may obtain a copy of this report from Human Resources. A partial version of this report is located in the OTC Student Handbook, including the web site address to access the complete report.

## **Campus Law Enforcement Authority**

OTC Safety & Security Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at OTC. OTC Safety & Security Officers have the authority to issue parking tickets and traffic citations.

Reports written by OTC Safety & Security Officers are maintained by the Safety & Security Department for review and processing. These reports are public records under state law. Information such as names, addresses, etc., and personally identifiable information can be restricted to the extent permissible by law, the fact of the incident occurring itself cannot be held in confidence. The department maintains statistical data from these reports for appropriate use and the statistical data is available to the public upon request.

OTC Safety & Security Officers do not possess arrest powers. Criminal incidents are referred to the Waynesville Police Department who has jurisdiction on the campus. The OTC Safety & Security Department maintains a close working relationship with the Waynesville Police Department. Ozarks Technical Community College does not have a formal Memo of Understanding with the Waynesville Police Department.

All crime victims and witnesses are strongly encouraged to immediately report any crime to the OTC Safety & Security Department at 417-447-6911 and the Waynesville Police Department. Prompt reporting will assure Timely Warning notices on campus and timely disclosure of crime statistics.

### **Working Relationship with Law Enforcement Agencies**

OTC Safety & Security Department maintains a very close working relationship with Federal, State, County and Local Law Enforcement agencies to provide proactive security and law enforcement services to the OTC campus community.

The Waynesville Police Department investigates all crimes committed on campus with the assistance of the OTC Safety & Security Department. The prosecution of criminal offenses is handled by either the Waynesville Municipal Prosecuting Attorney's Office or the Pulaski County Prosecuting Attorney's Office.

In cases involving minor offenses by students, the Safety & Security Department may also refer the individual to the Dean of Students. Through coordination with local law enforcement agencies, criminal offenses by students at off campus locations may be reported to the Dean of Students for any action or follow-up that may be required.

### **Campus Access Control**

Ozarks Technical Community College buildings are open to the public, students, faculty and staff during normal business hours. During non-business hours access to all College facilities is by key, if issued, or admittance by OTC Staff. Students must be accompanied by faculty or staff members when in a closed building after regular campus hours. Each student, faculty and staff member is issued a college photo identification card that may be requested by any Security Officer, Police Officer, or college staff member to identify authorization for access.

OTC Safety & Security Officers begin securing exterior doors of buildings (except those to which access is necessary) after normal business hours. Security Officers walk through selected buildings each evening to check locked office doors and other security related matters. Custodial Staff are scheduled in some facilities overnight for additional security. This scheduling provides additional persons in the buildings to reduce the opportunity for unlawful activities.

Waynesville Education Center Staff lock all doors of buildings upon their departure for the evening. The doors are unlocked in the morning when Staff arrives for the day. Custodial Staff are scheduled in some facilities overnight for additional security. This scheduling provides additional persons in the buildings to reduce the opportunity for unlawful activities.

Some facilities may have individual hours, which may vary at different times of the year. Emergencies may also necessitate changes or alterations to any schedules. During periods of extended closure, the Waynesville Education Center Staff will only allow access to individuals with prior written approval to access the facilities.

Security surveys are conducted in areas that are identified as problematic by the Safety & Security Department. These surveys examine security issues such as alarms, locks, camera placement, landscaping, appropriate lighting and other safety concerns and reports any noted problems to the OTC Facilities & Grounds Department, so repairs or improvements can be made.

## **Reporting Crimes and Emergencies**

Preventing campus crime is a shared responsibility between the College and the campus community. Public apathy is a criminal's greatest ally. Do not assume that someone else has reported criminal activity, or an emergency. Students, faculty, staff, and visitors are strongly encouraged to report all crimes and public safety related incidents immediately to the Waynesville Education Center Staff and the OTC Safety & Security Department, or the Waynesville Police Department in a timely manner.

To report a crime or an emergency on the Ozarks Technical Community College-Waynesville Education Center call 911 or the OTC Safety & Security Department from any campus phone at extension 6911, or from outside phone system, 417-447-6911.

Due to the close proximity of the two campuses; the OTC Safety & Security Department at the Lebanon Education Center can be contacted at 417-447-6689, or by contacting the OTC Safety & Security Department Office at the Lebanon Education Center, 22360 Highway MM, Lebanon, MO

Persons reporting criminal incidents should provide as much information as available. If possible, this should include the location, nature of injuries, the description of possible criminals, and briefly what happened. Sexual based offenses may also be reported to the Title IX Coordinator.

Crimes may also be reported to a Campus Security Authority (CSA). Campus Security Authorities include campus safety & security personnel and anyone "who has significant responsibility for student and campus activities".

Some examples of CSA's include:

- Dean of Students
- Campus Directors
- Student group Faculty advisors
- Other individuals designated as CSA's by the College

Campus Security Authorities serve as a contact for students whom they can report crimes occurring on or near campus. The CSA is not responsible for taking any actions in regards to conducting an investigation or determining whether or not a crime took place; they are solely responsible for reporting crimes to the OTC Safety & Security Department.

### **If you observe a violent criminal act or emergency, call 911 immediately.**

When dialing 911, the initial call will go to the Waynesville/Pulaski County Emergency 911 Emergency Communications Center. They direct dispatch the Waynesville Police and Fire Departments. Please contact OTC Safety & Security as quickly as you can after calling 911, so we can render assistance as well. If medical assistance is needed, you will be transferred immediately to the appropriate hospital EMS ambulance dispatch.

The Waynesville Police Department is the primary law enforcement agency for reporting and investigating all crimes that occur at the Waynesville Education Center.

OTC Waynesville Education Center Staff will assist in any request for assistance, whether an emergency or not. OTC Staff will meet with you to gather information and prepare an official report. In certain situations, the Safety and Security Department (Springfield Campus) may dispatch a Safety and Security Officer to the Waynesville Education Center. Based on the information you provide the OTC Staff or the Security Officer the Waynesville Police Department may be contacted to file a crime report with them as



well. Your report can be forwarded to the Investigation Unit, where a Detective will review the report and evidence (if any) to attempt to determine the cause and perpetrator(s) of the crime.

In all instances of criminal activity, the OTC Safety & Security Department works closely with Local Law Enforcement agencies to determine the exact nature of the crime for the purposes of developing a viable case to be forwarded to the Municipal Prosecutor's Office or the County Prosecutor's Office for prosecution. All Safety & Security Department incident reports involving students are referred to Student Affairs for review and potential disciplinary action through the campus disciplinary process. Statistics for cases forwarded to Student Affairs that are offenses pursuant to the Clery Act will appear in this report.

### **Monitoring of Crimes at Off-Campus Activities**

Ozarks Technical Community College does not monitor any off-campus activities by students. There are no officially recognized student organizations with off-campus locations.

Criminal activity by students off campus is not officially reported to the college on a regular basis. When an OTC student is involved in an off-campus criminal offense, OTC Safety & Security Officers may assist in the investigation with local, state, or federal law enforcement authorities. Reports of such criminal activity may be shared by/with these agencies.

Several law enforcement agencies routinely work and communicate with the OTC Safety & Security Department regarding any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. While these law enforcement agencies have primary jurisdiction on and off campus, OTC Safety & Security Officers can and do respond to student-related incidents that occur in close proximity to OTC Campuses.

### **Voluntary Confidential Reporting System**

Ozarks Technical Community College does not have a voluntary confidential reporting system for annual crime statistics. Confidential reporting often times does not allow for the prosecution of suspects of criminal activity and crimes are not reported promptly.

- Timely notification about certain types of crime may affect the safety of others. These crimes include criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and arson.
- When you make a report, you assist the OTC Safety & Security Department in maintaining accurate records of the incidence of crime on campus. This information helps to keep the campus safe by providing the most accurate information on criminal activity to members of the campus community.

### **Pastoral and Professional Counselors Reporting Policy**

In accordance with federal law U.S.C. Section 1092 (f), campus Pastoral Counselors and campus Professional Counselors, who are functioning only within the scope of their responsibilities as counselors (as defined below), are not considered to be a campus security authority and therefore, are not required to report crimes for inclusion in the annual disclosure of crime statistics. However, if a Pastoral Counselor or Professional Counselor qualifies as a CSA under some other standard they are not exempt and are required to report crimes for inclusion in the annual disclosure of campus crime statistics.

As a matter of policy, the counselors are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

A Pastoral Counselor is defined as an employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. Ozarks Technical Community College has no Pastoral Counselors on staff.

A Professional Counselor is defined as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

### **Timely Warnings**

The College Director of Safety & Security or designee will develop and issue timely warning notices to notify the campus community about serious crimes against people that have occurred on campus, but may be considered to represent a serious or ongoing threat to students and employees community. Timely warnings will be distributed when the incident is reported to Waynesville Education Center Staff, the Safety & Security Department or indirectly through a campus security authority or Waynesville Police Department.

Timely warnings are considered a preventative and educational measure as they make the campus community aware of potential dangers to themselves or their property. Timely warnings may also request information that could lead to arrest and conviction of an offender. Timely warnings will not include the names or identifying information about victims involved in the incident.

Timely warning advisories will be sent by OTC staff in the form of electronic mail directly to all students, faculty, and staff on the affected OTC Campus, or all campuses, using their institution-provided email accounts, emergency text notification system, press releases, posted material, or making reports available to the campus community and media through campus websites, newspapers, and radio and television news stations

Anyone with information warranting a timely warning should report the circumstances to the Safety & Security Department, by phone 417-447-6911 or in person at the Center office.

### **Emergency Notifications**

If a serious crime, natural disaster or a man-made emergency occurs that poses an immediate threat to the health and safety of students or employees occurring on campus, Federal Law requires the institution to immediately notify the campus community or the appropriate segments of the campus community upon confirmation of the significant emergency.

The OTC Campus Alert System will be used to notify students, faculty and staff of the emergency. The OTC Campus Alert includes a variety of delivery methods that may be activated to notify the campus community, as OTC administrative personnel deem necessary, based on the circumstances of the event. The OTC Campus Alert System will make notifications in the following manner:

- Campus-wide phone notifications
- Network email to all accounts

- Text messaging system
- OTC website – alert box
- Social Media
- News Media

In addition to the above mentioned means of communication, the College may also use public mass media (radio and television) for appropriate announcements to keep the community informed.

The Communications and Marketing Department, in consultation with the Safety & Security Department, will determine the content of the notification and will disseminate the emergency notification information to the campus community, or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The notification may be limited or restricted if issuing a notification will, in the judgment of the first responders, compromise efforts to assist a victim or to contain the emergency.

The types of incidents that may cause an immediate threat to the OTC community could include, but are not limited to emergencies such as:

- |                             |  |
|-----------------------------|--|
| • Campus Closures           | • Terrorism incidents                            |
| • Natural disasters         | • Violent criminal behavior                      |
| • Tornado Warnings          | • Armed intruder on campus                       |
| • Fire/Explosions on campus | • Natural gas leaks or hazardous material spills |
| • Significant Flooding      |  |
| • Campus wide power outages |  |

The emergency notification will contain a brief message about the emergency. The information will be shared to help the campus community take action for their safety. Localized incidents within a building, such as a small fire or minor chemical spill in a lab most likely will not require a mass notification. Updates will be provided as information becomes available. An “all clear” message or follow up information will be disseminated as appropriate.

If the institution implements the procedures regarding notification of the OTC community for an immediate threat, the institution is not obligated to implement the timely warning notice procedures.

Individuals are encouraged to minimize the use of personal cell phones unless it is to report on the status of the incident to assure their personal safety or the safety of others. Mass use of cell phone systems typically results in system overloads and the general failure of the system until traffic diminishes.

Students, faculty and staff are responsible for providing all necessary information to insure a successful message delivery. Members of the campus community can sign up to receive alerts on the [OTC Campus Alert System](#) sign up page. It is the responsibility of every individual to provide the correct information for contact and update the appropriate campus office when contact changes need to be made.

Ozarks Technical Community College will conduct at least two test/drills of the Emergency Response-Campus Alert System per calendar year. The OTC Safety & Security Department will document each test of its emergency response procedures to include: a description of the exercise, date, time and whether it was announced or unannounced.

### **Daily Crime Log**

The OTC Safety & Security Department maintains a Daily Crime Log of crimes reported to the department by the date the crime was reported. The log records the date reported, date incident occurred, nature of the incident and where the incident occurred; on campus, non-campus building or property, on public property, or within the established jurisdiction of the campus and the disposition, if known. The Daily Crime Log may include reports made to law enforcement agencies, if known. All entries are recorded within two business days after the incident is reported to the department.

The OTC Safety & Security Department prepares this report in a timely manner so it is available to the campus community and public. The Daily Crime Log is open for public inspection at the Safety & Security Department office at any OTC Campus normal business hours.

### **Security Awareness**

The OTC Safety & Security Department is committed to protecting the safety and security of the entire campus community. All students, faculty and staff who feel uncomfortable walking during the hours of darkness may contact the Center Office and request a campus security escort. Security Escorts during daylight hours may be provided when documented safety concerns exist. If you wish to request a Security Escort, please contact the Waynesville Education Center Staff.

Security surveys are conducted in areas that are identified as problematic by the Safety & Security Department. These surveys examine security issues such as alarms, locks, camera placement, landscaping, appropriate lighting and other safety concerns and reports any noted problems to the OTC Facilities & Grounds Department, so repairs or improvements can be made.

Designated OTC staff conduct monthly fire safety inspections of the building. Annual fire inspections are conducted by contracted inspectors who inspect the buildings and fire systems and provide reports to the OTC Facilities & Grounds Department.

### **Crime Prevention Programs**

Crime prevention demands constant interaction and outreach to the campus community. The OTC Safety & Security Department sponsors crime prevention programs to stress community awareness and interaction. The department distributes materials and makes frequent presentations in order to familiarize students, faculty, and staff with their shared responsibility in reducing criminal opportunity. A common theme of the programs is to encourage students to be aware of their responsibility for their own security and the security of others. Such programs range from crime prevention presentations to on-site inspections and may be requested by contacting the OTC Safety & Security Department at 417-447-6911.

Some crime prevention tips that are provided on a routine basis are as follows:

- Always keep control of your personal possessions, don't leave anything unattended.
- Always lock your vehicle and put items that someone might try and steal inside your trunk or take it with you.
- Ask for a safety and security escort or walk in a group to and from your vehicle if you don't feel safe.
- Shred important papers before discarding them in a trash can.
- Lock offices when not occupied.
- Don't get in elevators with people who look out of place.
- Park in well-lighted areas if possible.

**Programs provided by OTC Safety and Security Department include:**

- New Student Orientation - A presentation on crime, personal safety and security offered to new students.
- Crime Analysis
- Electronic Alarm Systems
- Escorts
- Drug Information Seminars - National Substance Abuse Awareness Week
- Personal Safety on Campus
- Sexual Harassment and Rape Prevention (SHARP) program
- Robbery Prevention
- Theft and Fraud Seminars
- Crisis Follow-ups
- ALICE Training - (A.L.I.C.E. – Alert, Lockdown, Inform, Counter, Evacuate.)
- Security Surveys

**Alcoholic Beverages, Illegal Drugs and Controlled Substances Policy**

The possession, purchase, sale, consumption or furnishing of alcoholic or intoxicating beverages on College property or attending classes under the influence is prohibited by OTC policy, Waynesville Municipal Code and Missouri state law. The enforcement of alcohol law violations on campus is the responsibility of the Waynesville Police Department, in cooperation with the OTC Safety & Security Department. Violators are subject to College disciplinary action, criminal prosecution, fine and/or imprisonment.

Ozarks Technical Community College has been designated a drug-free workplace, and the unlawful possession, sale, manufacture, distribution or illegal use of any controlled substance is prohibited by OTC policy and is illegal under both Missouri state law and federal laws. These laws are enforced by the Waynesville Police Department and violators are subject to College disciplinary action, criminal prosecution, fine and/or imprisonment.

**College Sanctions for violations of Alcoholic Beverages and Illegal Drugs Policy**

Students who violate this policy or the College's Standard of Conduct pertaining to alcohol and illicit drugs will be subject to disciplinary action depending on the seriousness of the offense. Sanctions may range from an informal reprimand to dismissal from the College. Employees who violate this policy will be subject to disciplinary action ranging from an informal reprimand to termination of employment depending upon the seriousness of the offense. If the conduct resulting in discipline also involves a violation of state or federal law then the College will refer the matter to the appropriate authorities for prosecution.

**Legal Sanctions for Illegal use of Alcoholic Beverages and Illegal Drugs****Local sanctions—Waynesville City Code**

1. Alcohol offenses:
  - A. Possession by persons under 21 years of age of any beer, wine or intoxicating liquor. Waynesville City Code - Section 600-060.

- B. Open containers of alcoholic beverages in motor vehicles within the passenger compartment of any motor vehicle that is being operated upon a public way. Waynesville City Code - Section 600-070.
  - C. Possession, sale or consumption of alcoholic beverages in certain public places. No person may sell, give away, purchase or dispense any intoxicating liquors on public streets or alleyways, nor may any person sell, dispense, give away, offer to sell or possess or consume any alcoholic beverage in any city park. No person shall sell, purchase, dispense or possess any alcoholic beverages on school property, in proximity to churches and the courthouse. Waynesville City Code - Section 600-070.
  - D. Consumption or possession of alcoholic beverages. No person may possess or consume any alcoholic beverage on any business premise except those licensed by the city to sell alcoholic beverages. Waynesville Municipal Code - Section 600-060
2. Illegal Drug offenses:
- A. Possession of narcotics paraphernalia - It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance. Waynesville City Code – Section 210-330.
  - B. Possession of thirty-five grams or less of marijuana. Except as may be specifically authorized by Missouri or federal statutes, it shall be unlawful for any person to possess marijuana in any species or form thereof as defined in Section 195.010 RSMo. This ordinance shall not apply to the possession by a person of over thirty-five (35) grams of marijuana. Waynesville City Code - Section 210-330.

The above Waynesville Municipal Code violations are punishable by a fine of up to \$500 or imprisonment up to 90 days, or both fine and imprisonment. Waynesville City Code - Section 600-120.

### **State sanctions--Missouri Statutes:**

- 1. Alcohol offenses:
  - A. Purchase or possession by a minor. Any person under 21 years of age who purchases, attempts to purchase, or possesses any intoxicating liquor is guilty of a misdemeanor. *RSMo. 311.325*. This offense is punishable by a fine of not less than \$50 or more than \$1,000, nor by imprisonment in the county jail for up to 1 year, or by both jail sentence and fine. *RSMo. 311.880*.
  - B. Supply intoxicating liquor to any person less than 21 years of age. Any person who shall procure for, sell, give away or otherwise supply intoxicating liquor to any person under the age of 21 years, or any intoxicated person or any person appearing to be in a state of intoxication, or to a habitual drunkard, shall be deemed guilty of a misdemeanor. *RSMo. 311.310*.
  - C. Any person under 21 years of age who is convicted of any local or state offense involving the use or possession of alcohol will be required to complete an approved alcohol related education program. *RSMo. 577.525*.

D. Any person under 21 years of age who is convicted of any offense involving the possession or use of alcohol, committed while operating a motor vehicle, or any alcohol-related traffic offense, shall, for the first offense, have his or her license suspended for a period of 90 days, or upon a second conviction of any offense involving the possession or use of alcohol while operating a motor vehicle, will lose his or her driver's license for 1 year. *RSMo. 577.500.*

2. Illegal Drug offenses:

A. Possession of a controlled substance. Except for certain statutory exceptions, it is unlawful for a person to possess or have control of a controlled substance. *RSMo. 195.202.*

B. Any person who violates this section with respect to any controlled substance (except 35 grams or less of marijuana) is guilty of a Class C felony, punishable by imprisonment for up to 7 years, a fine of up to \$5,000, or double the amount of the offender's gain from the crime up to \$20,000, or both imprisonment and fine. *RSMo. 560.011, 558.011.*

C. Any person who violates this section with respect to not more than 35 grams of marijuana is guilty of a Class A misdemeanor, punishable by imprisonment for up to 1 year, or a fine of up to \$1,000, or both imprisonment and fine. *RSMo. 560.016, 558.011.*

D. Any person under 21 years of age who is convicted of a second offense involving the possession of a controlled substance will have his driver's license revoked for 1 year. *RSMo. 577.500.*

E. Any person over 21 years of age who is convicted of any local or state law involving the possession or use of a controlled substance will have his driver's license revoked for 1 year. *RSMo. 577.505.*

1). Distribution, delivery, manufacture or production of a controlled substance.

(a) It is illegal for any person to distribute, deliver, manufacture, produce or attempt to distribute, deliver, manufacture or produce a controlled substance. *RSMo. 195.211.*

(b) Violation of this section with respect to any controlled substance except with respect to 5 grams or less of marijuana is a Class B felony, punishable by imprisonment for not less than 5 years and not more than 15 years. *RSMo. 558.011.*

2). Unlawful distribution to a minor.

(a) It is illegal to distribute or deliver any controlled substance to a person less than 17 years of age, who is also two years younger than the person so delivering. *RSMo. 195.212.*

(b) Violation of this section is a Class B felony, punishable by imprisonment for not less than 5 years or more than 15 years. *RSMo. 558.011.*

3). Distribution of a controlled substance near schools.

(a) It is illegal to distribute or deliver any controlled substance to a person in or on, or within 2,000 feet of, property comprising a public or private elementary or secondary school, public vocational school, or a public or private junior college, college or university or on any school bus. *RSMo. 195.214.*

(b) Distribution of a controlled substance within 2000 feet of schools is a Class A felony, punishable by imprisonment for a term of not less than 10 years and not exceeding 30 years, or life imprisonment. *RSMo. 558.011.*

4). Trafficking drugs:

(a) A person commits the crime of trafficking drugs in the first degree if he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:

(1) More than 30 grams of a substance containing heroin;

(2) More than 150 grams of a substance containing coca leaves;

- (3) More than 2 grams of a substance that contains a cocaine base;
- (4) More than 500 milligrams of a substance containing LSD;
- (5) More than 30 grams of a substance containing PCP;
- (6) More than 30 kilograms of a substance containing marijuana; or
- (7) More than 150 grams of any illegal stimulants. *RSMo. 195.222.*
- (b) Violation of this law is a Class A felony, punishable by a term of imprisonment for up to life. Violations in excess of the above described minimums can result in life imprisonment without the possibility of probation or parole. *RSMo. 195.222; 558.011.*
- (c) A person commits the crime of trafficking drugs in the second degree if he possesses or has under his control, purchases or attempts to purchase, or brings into this state:
  - (1) More than 30 grams of a substance containing heroin;
  - (2) More than 150 grams of a substance containing coca leaves;
  - (3) More than 2 grams of a substance that contains cocaine base;
  - (4) More than 500 milligrams of a substance containing LSD;
  - (5) More than 30 grams of a substance containing PCP;
  - (6) More than 30 kilograms of a substance containing marijuana; or
  - (7) More than 30 grams of any illegal stimulants. *RSMo. 195.223.*
- (d) Violation of this law is a Class B felony, punishable by a term of imprisonment of not less than 5 years or more than 15 years. Violation with larger amounts may be a Class A felony, punishable by imprisonment for 10 to 30 years, or life. *RSMo. 195.223; 558.011.*
- (e) Any money found in close proximity to any controlled substance, or anything of value exchanged for a controlled substance, may be forfeited to the state. *RSMo. 195.140.*

### **3. Federal sanctions--United States Code:**

- A. Alcohol offenses: Legal sanctions for the unlawful possession or distribution of alcohol are found primarily in state and local law.
- B. Illegal drug offenses:
  - 1) Simple possession. It is illegal for any person to knowingly or intentionally possess a controlled substance unless obtained by a valid prescription. *21 U.S.C. 844.*
  - 2) Violations of this section are punishable by imprisonment for up to 1 year, a minimum fine of \$1,000, or both. After a prior conviction for any drug offense, the violator shall be imprisoned for a term of at least 15 days and not more than 2 years and fined a minimum of \$2,500. A third conviction carries a penalty of imprisonment for at least 90 days but no more than 3 years and a minimum fine of \$5,000. A person convicted under this subsection for the possession of a mixture or substance which contains cocaine base shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of \$1,000, if the conviction is a first conviction under this subsection and the amount of the mixture or substance exceeds 5 grams.
  - 3) Where a person at least 18 years of age distributes a controlled substance to any person under 21 years of age, or where a person possesses with intent to distribute, distributes or manufactures a controlled substance in or on, or within 1000 feet of a public or private elementary, secondary, vocational or public or private college, junior college or university, or playground or housing facility owned by a public housing authority, or within 100 feet of a youth center, public swimming pool or video arcade facility, the punishment shall be twice the maximum punishment provided in *21 U.S.C. 841*, which provides in part 1, such person shall be sentenced to a term of imprisonment which may not be less than 10 years or more than life and if death or serious bodily injury results from the use of such substance shall be not less than 20 years or more than life, a fine not to exceed the greater of that authorized in



accordance with the provisions of title 18 or \$4,000,000 if the defendant is an individual or \$10,000,000 if the defendant is other than an individual, or both.

- 4) Any person convicted of a drug offense under these federal laws shall forfeit to the government any property derived from or obtained directly or indirectly as a result of the violation, or any property used to commit or facilitate the violation. *21 U.S.C. 853.*
- 5) Ineligibility to receive or purchase a firearm. *18 U.S.C. 922(g).*
- 6) Miscellaneous: Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, are vested within the authority of individual federal agencies.

### **Alcohol and Drug Abuse Education Programs**

Programs or offices available for students needing assistance with drug, alcohol, or counseling include the following:

-Office of the Dean of Students, Springfield Campus, Information Commons West, Room 219, 417-447-6966, serves to administer and uphold Ozarks Technical Community College, Code of Student Conduct. The Dean of Students Office strives to assist students in understanding the impact of their actions and taking responsibility for those actions by utilizing an educational conduct process. Students who are concerned about their choices in regard to drugs and/or alcohol are encouraged to seek assistance from the Dean of Students as this office maintains close working relationships with campus and community resources that may be able to assist students who need help. Counseling Services maintains a list of available alcohol and drug education programs offered by the community.

**-OTC Counseling Services**, Springfield Campus, Information Commons West, Room 219, 417-447-6974, [counseling@otc.edu](mailto:counseling@otc.edu) or online at [OTC Counseling Services](#) offers services to students who are currently enrolled at Ozarks Technical Community College. Substance abuse referrals for students deemed in need of such services for out-patient or in-patient treatment of chemical dependency or other concerns requiring more specialized services may be made when such a need becomes apparent.

**-Alcoholics Anonymous (AA) and Narcotics Anonymous (NA)** groups meet weekly throughout the area. Questions regarding meeting days, times, locations, or type of meeting may be obtained from AA at [www.AA.org](http://www.AA.org) or 417-823-7125 and NA at [www.scmoana.org](http://www.scmoana.org) or 417-866-7392.

#### **-Fort Leonard Wood - Army Substance Abuse Program - 573-596-0938**

Bldg. 470, Room 1105, Fort Leonard Wood, MO 65473  
<http://www.wood.army.mil/newweb/garrison/dhr/asap.html>

#### **-Hope Connections - 573-217-4022**

704 Historic Route 66 W Suite 207, Waynesville, MO 65583

#### **-ProAdvice & Counseling - 866-651-4477**

No address listed, Waynesville, MO 65583

#### **-AmiCare of Missouri - Piney Ridge Center - 573-774-5353**

1000 Hospital Road, Waynesville, MO, 65583  
[www.amicarebehavioral.com](http://www.amicarebehavioral.com)

#### **-Pathways CBH, Inc. - Waynesville Office - 573-774-3121**

704 West Historic Route 66, Suites 200 201 and 202, Waynesville, MO, 65583  
[www.pathwaysonline.org](http://www.pathwaysonline.org)

**Hotline numbers for counseling services and information include:**

National Drug & Alcohol Treatment Hotline (1-800-662-HELP)

Cocaine Help: (1-800-COCAINE)

[Marijuana Anonymous](#): (1-800-766-6779)

[National Institute for Drug Abuse](#) (NIDA): (301-443-4577)

For additional information on treatment centers located in the Waynesville area call the [Missouri Department of Mental Health](#) at 573-751-4942.

-The Underage Drinking Task Force of Community Partnerships of the Ozarks offers programs on topics such as wellness, alcohol and other drugs, exercise and fitness, healthy eating and weight management, stress management, sexuality issues, and tobacco cessation.

Additional local programs can be located at Community Partnership of the Ozarks, at 417-888-2020, [Community Partnership of the Ozarks](#).

*Ozarks Technical Community College makes no endorsement with regard to any counseling/treatment facility and assumes no responsibility for the quality of services available.*

**Program Review**

Ozarks Technical Community College will conduct a biennial review of its alcohol and drug abuse awareness program to determine its effectiveness, make changes where necessary, and ensure that it is consistently enforced.

**Alcohol and Drug Abuse Health Risks**

Serious health risks are associated with the use of illicit drugs and alcohol. Some but not all of the risks are listed below:

**Alcohol and other depressants:** Consumption of alcohol and other depressants causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination required for safety and care. Use of alcohol and depressant can lead to addiction and accidents as a result of impaired ability and judgment.

**Marijuana:** Use of marijuana can lead to panic reactions, impaired short term memory, increased risk of lung cancer and emphysema, particularly in cigarette smokers, and impairment of driving ability.

**Cocaine:** Addiction, heart attack, seizures, lung damage, severe depression, paranoia, and psychosis. Similar risks are associated with other stimulants, such as speed and uppers.

**Hallucinogens:** Unpredictable behavior, emotional instability, violent behavior, and organic brain damage in heavy users, convulsions and coma.

**Narcotics (Heroin, Morphine, Codeine, etc.):** Addiction, accidental overdose, risk of hepatitis and AIDS from contaminated needles.

**Inhalants (Gas, aerosols, glue, etc.):** Loss of consciousness, suffocation, damage to the brain and central nervous system, sudden death, nausea and vomiting, nosebleeds and impaired judgment.

## **Sexual Assault, Domestic Violence, Dating Violence and Stalking**

Ozarks Technical Community College does not tolerate interpersonal violence which includes sexual assault, stalking, dating violence and domestic violence in any form. Any act that falls within the definition(s) of sexual assault, stalking, dating violence and domestic violence is prohibited at OTC and is in violation of OTC policy and would potentially violate state and federal law. This policy applies to all members of the OTC community including, but not limited to, students, faculty, staff, visitors, volunteers and vendors.

This policy addresses the definition of sexual assault, consent, domestic violence, dating violence and stalking and prevention efforts, how to report these crimes and how to obtain assistance or counseling if an incident occurs and the procedures for resolution of an incident.

## **Sexual Harassment and Title IX**

Ozarks Technical Community College does not tolerate sexually harassing behavior. Sexual harassment is a form of discrimination that violates Title VII of the Civil Rights Act of 1964.

Examples of sexual harassment include requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature by any employee, student or campus visitor when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing;
2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment or academic decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's performance, or creating an intimidating, hostile, or offensive environment.

Anyone with inquiries concerning OTC's sexual harassment policy or if you are a victim of sexual harassment please contact the Title IX Coordinator.

## **Title IX Coordinator**

The Title IX Coordinator or a deputy coordinator is responsible for coordinating the College's response to allegations of sexual misconduct from students, staff and visitors to campus. This includes taking prompt and effective action to stop any harassment or violence, prevent its occurrence and remedy its effects. Possible remedial measures can include, but are not limited to, academic schedule changes, changes in room assignment and No Contact Orders. All allegations of sexual misconduct will be investigated to the extent consented to by the complainant and may lead to a student conduct hearing and possible sanctions if a violation of the College's policy is found.

To report sexual misconduct, contact:

For student inquiries:

Julia Edwards  
Title IX Coordinator  
1001 E. Chestnut Expressway  
ICE 116D  
Springfield, MO 65802  
Phone: 417-447-8188  
Email: edwardsj@otc.edu

For employee inquiries:

Tim Baltes  
Title IX Coordinator  
1001 E. Chestnut Expressway  
Human Resources  
Springfield, MO 65802  
Phone: 417-447-2631  
Email: baltest@otc.edu

## **Definitions**

### **1. Sexual Assault**

Sexual Assault means causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress. It includes the crimes of rape, sodomy, forcible fondling, incest and statutory rape as defined by the 2013 Violence Against Women Act (VAWA) and the Revised Statutes of the State of Missouri (RSMo) Chapter 566.

### **2. Consent**

Consent or lack of consent may be expressed or implied. Assent does not constitute consent if (a) it is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense, and such mental incapacity is manifest or known to the actor; or (b) it is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor or to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or (c) it is induced by force, duress, or deception.

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

Consent or lack of consent may be expressed or implied.

Assent does not constitute consent if:

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

- **“No”** means **“No”**
- **“No”** can be expressed or implied (*it does not have to be spoken*)
- **“Yes”** means **“No”** if conditions **a, b, or c** listed above exist

### **3. Domestic Violence/Dating Violence**

Domestic Violence is a felony or misdemeanor crime 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 cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

The Safety & Security Department can provide information on contacting law enforcement and how to request an Ex-Parte Order of Protection. If you have already received an Ex-Parte or a Full Order of Protection, please provide the Safety & Security Department Office a copy of the order. This will allow the department to contact law enforcement authorities for follow-up if the Order of Protection is violated on campus. Always keep extra copies of the Order of Protection with you in case they are needed by law enforcement.

### **4. Dating Violence**

Dating Violence means violence committed by a person:

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

For the purpose of this definition-

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

## **Missouri Statutes Chapter 565 – Domestic Violence**

\*Dating violence falls under the Domestic Assault statutes.

### **Domestic Assault, first degree – RSMo. 565.072**

1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member, including any child who is a member of the family or household, as defined in section 455.010.
2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

### **Domestic Assault, second degree – RSMo. 565.073**

1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member, including any child who is a member of the family or household, as defined in section 455.010, and he or she:
  - (1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
  - (2) Recklessly causes serious physical injury to such family or household member; or
  - (3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.
2. Domestic assault in the second degree is a class C felony.

### **Domestic Assault, third degree – RSMo. 565.074**

1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member, including any child who is a member of the family or household, as defined in section 455.010 and:
  - (1) The person attempts to cause or recklessly causes physical injury to such family or household member; or
  - (2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or
  - (3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or
  - (4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or
  - (5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

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

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

#### **4. Stalking**

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

For the purpose of this definition –

- (i) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- (ii) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- (iii) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

#### **Stalking – RSMo. 455.010(13)**

Stalking is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:

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

#### **Crime of Stalking – RSMo. 565.225**

- 1. As used in this section, the following terms shall mean:

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

(2) "Credible threat", a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, or the safety of his or her family, or household members or domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat must be against the life of, or a threat to cause physical injury to, or the kidnapping of, the person, the person's family, or the person's household members or domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property;

(3) "Harasses", to engage in a course of conduct directed at a specific person that serves no legitimate purpose, that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

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

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

(1) Makes a credible threat; or

(2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or

(3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or

(4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person harassing the other person is twenty-one years of age or older; or

(5) He or she has previously pleaded guilty to or been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim.

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

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

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

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

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

### **1. Find a safe location away from the perpetrator.**

Ask a trusted friend to be with you for moral support.

### **2. Know that what happened was not your fault.**

### **3. Report the attack to law enforcement or OTC Safety & Security immediately.**

Victims are strongly encouraged to contact 911 immediately. If you prefer you can contact the OTC Safety & Security Department at 417-447-6911 and an officer will assist you with notifying law enforcement authorities if you wish. An OTC Safety & Security Officer will offer assistance in reporting the crime and in providing information for counseling support and medical treatment. Victims will be provided with a written copy of their rights, options and services available regardless of if the offense occurred on or off campus.

Ozarks Technical Community College strongly encourages persons who have been the victims of sexual assault, stalking, dating violence or domestic violence to seek assistance and to seek judicial action for their own protection and that of the entire campus community. Time is a critical factor for evidence collection and preservation. Filing a report with law enforcement will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

### **4. Preserve all evidence of the attack.**

- Do not bathe, use the toilet, wash your hands, brush your teeth, eat, or smoke.
- If you are still in the location at which the crime occurred, do not clean or straighten up or remove anything.
- Write down all the details you can recall about the attack and the perpetrator.

### **5. Seek medical care as soon as possible.**

Even if you do not have any visible physical injuries, you may be at risk of acquiring a sexually transmitted disease (women may also be at risk for pregnancy).

#### **Waynesville Area:**

Emergency Dispatch 911

\*Waynesville does not have a local hospital. Patients may be transported to Ft. Wood Army Community Hospital, Lebanon or Rolla Mercy Hospital.

General Leonard Wood Army Community Hospital 573-596-0131

Mercy Clinic (Saint Robert) 573-336-5100

Mercy Hospital (Lebanon) 417-533-5413

Phelps County Regional Medical Center (Rolla) 573-458-8899

Pulaski County Ambulance Service 573-774-5413

If you are unsure where to go for treatment at a healthcare facility that is equipped to collect forensic evidence, contact the National Sexual Assault Hotline (800-656-HOPE or on-line at [www.rainn.org](http://www.rainn.org)). The hotline will connect you to your local crisis center, which can provide information on the nearest medical facility, and in some instances, send an advocate to accompany you through the evidence collection process. You can receive medical assistance and evidence collection without having to make



legal/reporting decisions. Ask the health care professional to conduct a Sexual Assault Forensic Exam (SAFE). If you suspect you have been drugged, request that a urine sample be collected to preserve evidence.

## **6. Recognize that healing from an attack takes time.**

Give yourself the time you need and know that it is never too late to get help. In addition to the support provided by OTC Counseling Services; victims may seek assistance from other agencies such as The Victims Center 24 hour hotline 417-864-7233 or visit [The Victim Center](#) or the Family Violence Center, 417-837-7700

If you choose to call the Police Department as one of your options, and if you choose to file a report of the incident, the following information will be discussed with you.

- You are the person in control when you contact the police department and you decide how you want the incident handled.
- You may press charges against the suspect.
- You may ask that College disciplinary action be initiated against the suspect.
- You may ask the police to contact the suspect about the incident, and still choose not to have the suspect arrested.
- You may tell the police not to contact the suspect about the incident, and still choose not to have the suspect arrested.

It is not required that you file criminal charges against the suspect, but law enforcement officials hope that you will proceed with prosecution. However, IT IS YOUR CHOICE.

Victims can request assistance in changing academic, living, transportation, and working situations, and OTC will make such accommodations if they are reasonably available, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Anyone who has been a victim of sexual assault, domestic violence, dating violence or stalking may choose to pursue both criminal prosecution and College disciplinary procedures. OTC also recognizes the victim retains the right not to pursue either criminal prosecution, or a College disciplinary proceeding.

Choosing not to pursue the College's internal procedures or criminal action, however, does not remove the responsibility of OTC to investigate or to take action, as required under Title IX federal mandates, which may include the reporting of a crime by OTC to law enforcement authorities.

## **Investigative Process and Disciplinary Sanctions**

Ozarks Technical Community College will hold perpetrators of sexual assault, stalking, dating violence and domestic violence accountable for their actions through appropriate student conduct and personnel procedures and by working with community agencies and law enforcement personnel where appropriate.

The College Discipline Procedure provides that in cases of alleged sexual assault, domestic violence, dating violence or stalking:

- A. The accused is subject to College sanctions which may include an informal reprimand up to and including permanent expulsion or termination from the College.

- B. The accuser and the accused are entitled to the same opportunities to have others present during a College disciplinary proceeding.
- C. Any disciplinary proceeding concerning a student or an employee will be based upon a preponderance of the evidence standard.
- D. The accuser and the accused shall be informed of the outcome of any College disciplinary proceeding involving this policy.

Ozarks Technical Community may impose sanctions upon any student found to have violated the Student Conduct Code; more than one of the sanctions may be imposed for any single violation to include the following:

- **Censure** – Written reprimand to the student on whom it is imposed, giving official notice that subsequent violations of College policy will carry heavier penalties because of this prior infraction.
- **Probation** – The student may continue to attend classes but may be prohibited from officially representing the College or participating in any extracurricular activities. Probation may be for a designated period of time or indefinite as outlined in the letter to the student. Any further violations of Board policy may lead to suspension or expulsion from the College.
- **Restitution** – Reimbursement by the student for damage to, or misappropriation of property. Reimbursement may include appropriate service to repair or otherwise compensate for damages.
- **No Contact Order** – Requires that one or more involved individuals have no contact through any means of communication with another party. This order remains in effect until rescinded by the Dean of Students or other designated administrator, or by written request from all involved parties.
- **Suspension** – Severs the relationship of the student with the College and College related activities under conditions which permit and anticipate the student's eventual return to the College. The conditions for readmission will be stated in the letter of disposition.
- **Expulsion** – Permanent severance from the College. It may be recommended by the Vice Chancellor for Academic Affairs or the Student Grievance Committee and be imposed or rescinded only by the Chancellor.

Ozarks Technical Community may impose disciplinary measures upon any employee found to have violated OTC policy. An employee, regardless of occupation, position, profession or work performed, may be warned, reprimanded, or suspended by the Chancellor or his/her designee, or dismissed by the Board of Trustees.

### **Information for Crime Victims about Disciplinary Proceedings**

Ozarks Technical Community College will, in accordance with Section 487 (a)(26) of the Higher Education Opportunity Act, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in Section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, Ozarks Technical College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## **Educational Prevention Programs**

In its efforts to reduce the occurrence of sexual assault involving students and employees, OTC has and will continue to implement and operate educational programs for the prevention of sexual assault, stalking, dating violence and domestic violence. These educational programs will focus on raising awareness about causes and effects of (as well as remediation to) conduct that is in violation of this policy along with safe and positive options for bystander intervention.

The OTC Safety & Security Department offers personal safety, sexual assault education and information programs to OTC students and employees upon request. The Sexual Harassment and Rape Prevention (SHARP) program is provided to increase awareness of sexual harassment and sexual assault, acquaintance rape, and other forcible and non-forcible sex offenses.

## **Counseling Services and Resources**

The Office of Student Affairs – Counseling Services offers campus community information and education programs on sexual harassment, sexual violence, date rape and gender equity that are provided upon request. Counseling Services staff provides assistance to students and campus community members in crisis. This assistance includes support and referral for victims of sexual violence. For further information, call 417-447-6974 or [counseling@otc.edu](mailto:counseling@otc.edu) or visit [OTC Counseling Services](#).

### **OTC Behavioral Intervention Team (BIT)**

417-447-6697 [otccares@otc.edu](mailto:otccares@otc.edu)

### **OTC Title IX Team**

417-447-2686 [otccares@otc.edu](mailto:otccares@otc.edu)

### **The Victim Center – Springfield**

Main Number for scheduling appointments, general information- 417-863-7273

Local 24 Hour Hotline Number- 417-864-7233 (SAFE) [www.thevictimcenter.org](http://www.thevictimcenter.org)

### **The Clery Center for Security on Campus**

[www.clerycenter.org](http://www.clerycenter.org)

### **National Domestic Violence Hotline**

800-799-SAFE (7233)

### **National Sexual Assault Hotline**

800-656-HOPE (4673) [www.rainn.org](http://www.rainn.org)

### **National Teen Dating Abuse Hotline**

866-331-9474

### **No Means No**

203-349-5172 [www.nomeansno.org](http://www.nomeansno.org)

### **Stalking Resource Center**

202-467-8700 [www.victimsofcrime.org/src](http://www.victimsofcrime.org/src)

### **Title IX Information**

[www.knowyourix.org](http://www.knowyourix.org)

## **Not Alone: Together Against Sexual Assault**

[www.NotAlone.gov](http://www.NotAlone.gov)

### **Crime Victim's Rights**

The Missouri Attorney General's Website offers free brochures and other information. For more information on Crime Victim's Rights contact the Missouri Attorney General's Office at 573-751-0309 or visit: [Missouri Crime Victim's Rights](#)

### **Registered Sex Offender Information**

The *Campus Sex Crimes Prevention Act of 2000*, which amended the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Jeanne Clery Act* and the *Family Educational Rights and Privacy Act of 1974*, provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

This act requires institutions of higher education to issue a statement advising the campus community where information provided by the State of Missouri concerning registered sex offenders may be obtained. It also requires sex offenders already required to register with the State of Missouri to provide notice of each institution of higher education in Missouri at which the person is employed, carries a vocation, or is a student. In Missouri, convicted sex offenders must register with the Sheriff's Office in the county in which they reside and the sex offender database is maintained by the Missouri State Highway Patrol.

To obtain more information regarding registered sex offenders in the area please contact the following law enforcement agencies:

#### **Missouri State Highway Patrol**

888-SOR-MSHP (767-6747) or visit [Missouri Highway Patrol Sex Offender Registry](#)

#### **Pulaski County Sheriff's Office**

537-774-6196 or visit [Pulaski County Sheriff's Office Sex Offender Registry](#)

### **Behavioral Intervention Team**

The Ozarks Technical Community College Behavioral Intervention Team (BIT) coordinates OTC resources to address the needs of students who are experiencing significant behavioral disturbances. The BIT serves as an early intervention system that aids in maintaining a safe campus for the entire academic community. The BIT provides members of the campus community a vehicle to more easily identify someone who may be in distress and report their concerns in a very simple, confidential manner using an electronic reporting system.

All members of our campus community are asked to report student behaviors of concern using the BIT online [Student Concern/Incident Report](#) so the BIT can effectively and proactively reach out to students in distress. Reporting the issues of concern can assist the BIT in connecting students with the appropriate resources.

The Behavioral Intervention Team can be contacted at: 417-447-6697, email: [otccares@otc.edu](mailto:otccares@otc.edu), or visit [BIT Team](#).

## **Emergency Response and Evacuation**

In the event you observe a significant emergency or dangerous situation that poses an immediate threat to the health and safety of the campus community at any OTC Campus location (internal or external); the situation should be reported immediately by calling 911 and the OTC Safety & Security Department at 417-447-6911.

OTC Safety & Security Officers and supervisors have received training in the National Incident Management System (NIMS). When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually OTC Safety & Security, Waynesville Police & Fire Departments, and Emergency Medical Services. All can respond and work together to manage the incident. Depending on the nature of the incident, other OTC Departments, Office of Emergency Management and other local or federal agencies could also be involved in responding to the incident.

Ozarks Technical Community College will conduct at least two test/drills of the Emergency Response-Campus Alert System per calendar year. The OTC Safety & Security Department will document each test of its emergency response procedures to include: a description of the exercise, date, time and whether it was announced or unannounced.

OTC has established emergency response and evacuation procedures which are available on the OTC website at [Ozarks Technical Community College Crisis Management Plan](#) or in hard copy from the OTC Safety & Security Department.

Emergency Action Plans that can be reviewed upon request:

- Communications Protocol
- Death on Campus
- Medical Emergencies Policies
- Environmental Emergency Procedures
- Suspicious Mail Procedures
- Workplace Violence Procedures
- Natural Disaster Procedures
- Training & Crisis Drills
- Pandemic Event
- Protests, Public Demonstrations or Political Situations
- External Threat Procedures
- Utility Disruption & Outage Immediate Action Plan

## **Appendix A: Ozarks Technical Community College Emergency Contact Numbers**

### Safety & Security Department

Springfield Campus: 417-447-6911

Richwood Valley Campus-Ozark: 417-447-7861

Table Rock Campus-Hollister: 417-447-8943

Lebanon Education Center: 417-447-6899

Waynesville Education Center: 417-447-6640

Chancellor of the College: 417-447-2602

Provost / Vice Chancellor for Academic Affairs: 417-447-8152

Vice Chancellor for Administrative Services: 417-447-4852

Vice Chancellor for Advancement-Student Affairs-Strategic Planning: 417-447-2652

Associate Vice Chancellor for Student Affairs: 417-447-6914

Vice Chancellor for Finance: 417-447-4835

Vice Chancellor for Information Technology: 417-447-7552

President of Richwood Valley Campus: 417-447-7932

President of Table Rock Campus: 417-447-7932

Dean of Academic and Student Affairs: 417-447-8922

Lebanon Education Center Director: 417-447-8931

Waynesville Education Center Director: 417-447-6632

Dean of Students: 417-447-6966

College Director of Safety & Security Office: 417-447-6911

College Director of Facilities & Grounds: 417-447-4802

College Director of Communications & Marketing: 417-447-2655

Director of Counseling Services: 417-447-6973

Coordinator of Environmental Safety & Compliance Office: 417-447-6607

**Federal Agencies**

Alcohol Tobacco and Firearms (ATF)	417-837-2100
Drug Enforcement Administration (DEA)	417-831-3948
Environmental Protection Agency (EPA)	800-223-0425
Federal Bureau of Investigations (FBI)	417-882-3303
United States Secret Service (USSS)	417-864-8340

**State of Missouri**

Missouri State Highway Patrol-Troop I	573-368-2345
Department of Natural Resources (DNR)	417-891-4300
Oil/chemical spill reporting	913-281-0991

**Pulaski County**

Sheriff's Office	573-774-6196
Office of Emergency Management	573-774-6305

**City of Waynesville, Missouri**

Police Department - Emergency Dispatch	911
Non-Emergency	573-774-6305

Fire Department – Emergency Dispatch	911
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City Utilities	573-774-5217
Health Department	573-736-2217

**Hospitals & Ambulance Services****Waynesville Area:**

Emergency Dispatch	911
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\*Waynesville does not have a local hospital. Patients may be transported to Ft. Wood Army Community Hospital, Lebanon or Rolla Mercy Hospital.

General Leonard Wood Army Community Hospital	573-596-0131
Mercy Clinic (St. Robert)	573-336-5100
Mercy Hospital (Lebanon)	417-533-5413
Phelps County Regional Medical Center (Rolla)	573-458-8899
Pulaski County Ambulance Service	573-774-5413
American Red Cross	417-832-9500
Poison Control Center (St. Louis, MO)	800-366-8888

## **Appendix B: Emergency Evacuation of Mobility Impaired Individuals**

### **Students**

Students who are mobility impaired have an important responsibility to assist with arrangements for their own safety, by informing their instructors of their needs in case of an emergency. They should also inform their instructors what assistance they would require in case of an emergency. Students should know the location of fire exits in buildings they have classes. Contact Safety & Security personnel for locations of fire exits.

### **Instructors**

Instructors with mobility impaired students should discuss with the student what assistance they will require in case of an emergency. Instructor should ask for volunteers from the class to assist mobility impaired students in the event of an emergency. In the event there are no volunteers, the instructor should notify the Safety & Security Department. The College Director of Safety & Security will notify the instructor and student of the arrangements made in case of an emergency. Instructors should know the location of fire exits in their building. Contact Safety & Security personnel for location of fire exits.

### **Staff**

Staff who are mobility impaired have an important responsibility to assist with arrangements for their own safety. Staff should inform their supervisor and co-workers of their needs in the event of an emergency. They should also inform their supervisor and co-workers what assistance they would require in case of an emergency. They should know the locations of elevators, stairways and fire exits in their buildings.

### **Evacuation Procedures**

There should be at least two volunteers to assist each mobility impaired student or staff member. Volunteers should assist the mobility impaired person out of the building and to safety in the event of an emergency. The person with the impairment will know best what assistance he/she needs. The impaired person will also know to what extent they are able to assist the volunteers with their evacuation.

In the event of a fire and you are not on the ground floor, elevators may be used to evacuate the impaired person, if there is a fire exit separating the elevator from the fire danger area. All major buildings on campus have fire exits. If an elevator is not available, the impaired person can be taken to a stairway. The volunteers and the impaired person should allow people on foot to use the stairway first, so the impaired student does not impede the flow of traffic or get injured by other people evacuating the building. Once the stairway is clear, the impaired person and one volunteer should remain at the top of the staircase and inside the closed fire doors. This will ensure the volunteer and impaired people are in plain view for fire rescue teams. With the fire doors closed, even if the ventilation system does not work, there should be a sufficient supply of oxygen to last until rescued. The other volunteer should exit the building and notify emergency personnel of the location of the mobility impaired person and volunteer.

There may be a case where the best action is for the impaired person and volunteer to remain in the classroom and wait for rescue. If this is the case, the instructor should notify Safety & Security or emergency personnel of the location and names of people remaining in the classroom or office awaiting rescue.

As a last resort, the volunteers may need to carry the mobility impaired person down the stairway to safety. This method should be used only as a last resort because of the possibility of injury to the impaired person and volunteers. The impaired person, if possible, should make the decision to be carried to safety or to wait for fire rescue.



## **Appendix C: Emergency Preparedness Plan For Sheltering In-Place**

In the event hazardous materials such as chemical, biological or radiological materials are released into the atmosphere, government emergency preparedness agencies may request OTC to Shelter-in-Place. This is a precaution to keep the campus community safe while remaining indoors.

Shelter-in-Place means selecting interior rooms and hallways with no or few windows and taking refuge there. Rooms with mechanical equipment like ventilation blowers or pipes should not be used, because this equipment may not be able to be sealed from the outdoors. If there is a possibility of an outside explosion, rooms with windows should not be used. Interior rooms above ground level are best for shelter, because certain contaminants may be heavier than air; these would settle at ground level and could spread into ground level floors. Emergency information will be provided by local, state or federal authorities on television and radio stations.

If possible there should be a telephone or email access in every room used for shelter. This is so people can contact their emergency contact person. Staff and students need to have an emergency contact person and know how to contact them at any time. It is best to have a local contact and someone not in the immediate area. Someone not living in the immediate area may not be affected by the same event faced locally. In the event of an emergency the contact person can let others know you are safe and any information you want to pass on to family and friends. Information may be passed by telephone or email.

The person in charge of each building should have someone write down the names of everyone in that building. This information should be provided to the College Director of Communications & Marketing so family members can be informed of staff and students status if necessary.

In the event of an emergency it is best to use hard-wired telephones; cellular telephone equipment may become overwhelmed with numerous people trying to make telephone calls to family members. E-mail may be used if electrical power is available.

All exterior doors on all buildings where people are seeking shelter should be locked. Ventilation systems should be shut off to prevent contamination from the outside. People should remain in the shelter areas until told to leave by proper authority. Radios and televisions should be kept on so everyone can stay as informed as possible.

Remember that instructions to Shelter-in-Place are usually provided for durations of a few hours, not days or weeks. Local authorities on the scene are the best source of information for your particular situation. Following instructions during and after emergencies regarding shelter, food, water and cleanup methods is your safest choice.

A recording should be on telephone number 417-447-7500 stating that OTC is closed, and that staff and students are remaining on campus in their work or class buildings until proper authorities advise it is safe to leave.

## **Appendix D: Crime Statistics Definitions of Reportable Incidents and Locations**

The following pages contain crime statistics which were reported to the OTC Safety & Security Department and local law enforcement occurring in the OTC Clery Geography for the previous three years. The following *FBI Uniform Crime Reporting Standards* definitions were used in determining these crime statistics.

### **Offense Type Definitions**

#### **Criminal Homicide**

**A. Murder / Non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

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

**Sex Offenses-Forcible:** Any sexual act directed against another 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.

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

**B. Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly 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, 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 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 incapacity.

**Sex Offenses--Non-Forcible:** Unlawful, non-forcible sexual intercourse.

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

**B. Statutory Rape** - Non-Forcible sexual intercourse with a person who is under the statutory age of consent.

#### **Violence Against Women Act Crimes**

**Domestic Violence:** A felony or misdemeanor crime 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 cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which

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

**Dating Violence:** Violence committed by a person-

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - (i) The length of the relationship.
  - (ii) The type of relationship.
  - (iii) The frequency of interaction between the persons involved in the relationship.

For the purpose of this definition-

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

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

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

For the purpose of this definition –

- (i) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- (ii) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- (iii) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

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

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

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or 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 persons not having lawful access even though the vehicles are later abandoned; including joyriding.)

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

## **Hate Crime Definitions**

The Clery Act requires the release of statistics by category of prejudice concerning the occurrence of hate crimes in the crime classifications listed above and for other crimes involving bodily injury to any person in which the victim is selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim. Information related to Hate Crime Classifications can be found in the [FBI UCR Hate Crime Data Collections Guidelines and Training Manual](#).

**Hate Crime:** Hate Crimes are defined by the FBI Uniform Crime Reporting Standards as a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, ethnicity/ national origin, or sexual-orientation. For an incident to be considered a hate crime, it must be a component of one of the following crimes: murder, non-negligent manslaughter, a forcible sex offense, a non-forcible sex offense, robbery, aggravated assault, burglary, arson, or motor vehicle theft. There must be objective evidence that the victim of these listed crimes was chosen on the basis of actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

**Bias:** A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, ethnicity/national origin, gender, or gender identity.

- **Race:** A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair, facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, Blacks or African Americans, Whites.
- **Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.
- **Ethnicity/National Origin:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

In August of 2008 HEOA S 488, 20 U.S.C. S 1092 (f) (1) F (ii) modified the above hate crimes to include the following additional crimes under the hate crime category:

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded. (Note: Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.)

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

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

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

### **Arrests and Disciplinary Referrals**

Statistics for violations of the law resulting in arrests, or persons being referred for disciplinary action of these laws.

**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; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful growing, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. 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 state laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing or use of alcoholic beverages, not including driving under the influence and drunkenness; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

## **Clery Act Geography Definitions**

The Clery Act defines the Clery Geography as follows:

**Campus:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Non-campus Building or Property:** Any building or property owned or controlled by a student organization, such as a fraternity or sorority, that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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

### **2013 Campus Crime Statistics – Waynesville Education Center\***

\*2013 crime stats were reported through 08-18-2013, when the campus closed and moved to a new location. Please see the Annual Security Report for the new Waynesville Center location.

<b>Criminal Offenses</b>	2011	2012	2013
<b>Criminal Offenses – On-Campus</b>			
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	0	0	0
Sex offenses - Non-forcible	0	0	0
Dating Violence	**	**	**0
Domestic Violence	**	**	**0
Stalking	**	**	**0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
<b>Criminal Offenses – Non-Campus</b>			
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	0	0	0
Sex offenses - Non-forcible	0	0	0
Dating Violence	**	**	**0
Domestic Violence	**	**	**0
Stalking	**	**	**0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
<b>Criminal Offenses - Public Property</b>			
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	0	0	0
Sex offenses - Non-forcible	0	0	0
Dating Violence	**	**	**0
Domestic Violence	**	**	**0
Stalking	**	**	**0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

\*\*These categories were added for the 2013 reporting year and were not collected for the previous years. Collection began after the passage of the VAWA Act mid-year and a good faith effort was made to obtain statistics for the reporting year.

## **Hate Crimes – Waynesville Education Center**

There were no Hate Crimes reported for the 2011, 2012 and 2013 reporting periods.

<b>Arrest &amp; Disciplinary Actions</b>	2011	2012	2013
<b>Arrests – On-Campus</b>			
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
<b>Disciplinary Actions – On-Campus</b>			
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
<b>Arrest – Non-Campus</b>			
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
<b>Disciplinary Actions – Non-Campus</b>			
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
<b>Arrest - Public Property</b>			
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0
<b>Disciplinary Actions - Public Property</b>			
Illegal weapons possession	0	0	0
Drug law violations	0	0	0
Liquor law violations	0	0	0