Introduction
This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of University of Saint Mary-Overland Park with information on: the University’s security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report
This report is prepared by the Director of Safety and Security in cooperation with local law enforcement authorities and includes information provided by them as well as by the University’s campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report’s availability. Hard copies of the report may also be obtained at no cost by contacting 101 Saint Mary Hall, 4100 South 4th St., Leavenworth, KS 66048 or 913-758-6241 or Donald.stubbings@stmary.edu.

The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.
General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The University at the Overland Park Campus does not have a campus security or police department. While the University does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with the Overland Park Police Department.

Campus Security Authorities

The University has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the University’s annual report of crime statistics. The campus security authorities to whom the University would prefer that crimes be reported are listed below.

- Director of Campus Safety and Security (Located on Leavenworth Campus) at 913-758-6241
- Site Director at 913-345-6288

Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- All crimes occurring on or near University property should be reported immediately to the Overland Park Police Department. The number to contact is 913-895-6300. A dispatcher is available 24/7.
- Any crime should also be reported to the Leavenworth Campus Public Safety Office at 913-683-5201
- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a University staff member will assist in making the report to police.
- Anonymous incident reports can also be made at https://cm.maxient.com/reportingform.php?UnivofSaintMary
Confidential Reporting
The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim, or disciplining the perpetrator will know the victim’s identity.

Pursuant to the University’s sexual misconduct policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim’s request, a report of the details of the incident can be filed with the University without revealing the victim’s identity. Such a confidential report complies with the victim’s wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University does not employ any pastoral or professional counselors on the Overland Park Campus and thus does not have procedures for these positions to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Those who wish to meet with a confidential university resource can do this through the Leavenworth Campus resources.

Security of and Access to Campus Facilities
All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others:

- Do not prop doors open or allow strangers into campus buildings that have been secured
- Do not lend keys or access cards to non-students and do not leave them unattended
- Do not give access codes to anyone who does not belong to the campus community

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

Security Considerations in the Maintenance of Facilities
The Campus Security Department works with the Facilities Department to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming.
Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

**Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

The University provides information at the beginning of each academic term for students and employees regarding the University’s security procedures and practices. This information is in the form of posters and other displays, and email blasts. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.

Crime prevention programs are available at the request of university administrators. In addition, email blasts are periodically sent out to students and employees with crime prevention and other safety tips, and pamphlets on crime prevention are available in the Office of Human Resources and Public Safety Office (both located on the Leavenworth campus).

Campus Clarity is provided to all new students and will be emailed to the student.

**Monitoring Off Campus Locations of Recognized Student Organizations**

The University does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

**Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the University will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.
Drug and Alcohol Policy

The consumption and possession of alcohol by students under the age of 21 is prohibited. The university may host an event off campus such as a dance where alcohol for purchase may be available to those who are 21. These events are catered and supervised by university staff with the public safety department present.

The sale of alcohol is prohibited without a state of Kansas license.

If a student under the age of 21 is found to be in possession, the university may contact local law enforcement or use the student judicial system.

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University’s activities. Violators of the University's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Drug and Alcohol Abuse Prevention Program

The University has a drug and alcohol abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. For more information, see below.

- Student alcohol/drug policy: [https://www.stmary.edu/aod-policy](https://www.stmary.edu/aod-policy)
- Employee alcohol/drug policy: Located on page 22 of the employee handbook
- Alcohol/drug webpage: [https://www.stmary.edu/aod-policy](https://www.stmary.edu/aod-policy)
- Biennial review of the University’s drug and alcohol abuse prevention program: The latest review was in 2018. Information of the review process and the handbook review can be found by contacting the Dean of Students at 913-758-6128
- The University of Saint Mary also has online educational programming and optional yearly screenings for our entire community.

Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University’s policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Title IX Policy: [https://www.stmary.edu/titleIX](https://www.stmary.edu/titleIX)

The following sections of this report discuss the University’s educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.
Primary Prevention and Awareness Program:
The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the University prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

**Crime Definitions**

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<th>Crime Type</th>
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<td><strong>Dating Violence</strong></td>
<td>The institution has determined, based on good-faith research, that Kansas law does not define the term dating violence.</td>
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| **Domestic Violence**                  | “Domestic violence” means an act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member. For purpose of this definition:  
  • “Dating relationship” means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.  
  • “Family or household member” means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and person who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. Family and household member also includes a man and woman if the woman is pregnant and the man is the alleged father, regardless of whether they have been married or have lived together at any time. |
<p>| <strong>Stalking</strong>                            | • Stalking is: (1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person’s safety, or the safety of a member of such person’s immediate family and the targeted person is actually placed in such fear; (2) Engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for |</p>
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<td>such person’s safety or the safety of a member of such person’s immediate family; or (3) After being served with, or otherwise provided notice of any protected order...that prohibits contact with a targeted person, recklessly engaging in at least one act listed [below] that violates the provisions of the order and would cause a reasonable person to fear for such person’s safety, or the safety of a member of such person’s immediate family and the targeted person is actually placed in such fear.</td>
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<td>• “Course of conduct” means two or more acts over a period of time, however short, which evidence a continuity of purpose. A course of conduct shall not include constitutionally protected activity nor conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct shall include, but not be limited to, any of the following acts or a combination thereof: (A) Threatening the safety of the targeted person or a member of such person’s immediate family; (B) Following, approaching or confronting the targeted person or a member of such person’s immediate family; (C) Appearing in close proximity to, or entering the targeted person’s residence, place of employment, school or other place where such person can be found, or the residence, place of employment or school of a member of such person’s immediate family; (D) Causing damage to the targeted person’s residence or property or that of a member of such person’s immediate family; (E) Placing an object on the targeted person’s property or the property of a member of such person’s immediate family, either directly or through a third person; (F) Causing injury to the targeted person’s pet or a pet belonging to a member of such person’s immediate family; (G) Any act of communication.</td>
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Sexual Assault

The institution has determined, based on good-faith research, that Kansas law does not define the term sexual assault.

Sexual Assault

For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Kansas law are as follows:

- Rape (Kan. Stat. Ann. § 21-5503): (1) Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances: (A) When the victim is overcome by force or fear; or (B) when the victim is unconscious or physically powerless; (2) Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender; (3) sexual intercourse with a child who is under 14 years of age; (4) sexual intercourse with a victim when the victim’s consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or (5)
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<td>sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure within the scope of the offender's authority.</td>
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<td>Fondling: The institution has determined, based on good-faith research, that Kansas law does not define the term fondling.</td>
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<td>Incest (Kan. Stat. Ann. § 21-5604(a)): Incest is marriage to or engaging in otherwise lawful sexual intercourse or sodomy, as defined in K.S.A. 21-5501, and amendments thereto, with a person who is 18 or more years of age and who is known to the offender to be related to the offender as any of the following biological relatives: Parent, child, grandparent of any degree, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece.</td>
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<td>Aggravated Incest (Kan. Stat. Ann. § 21-5604(b)): Aggravated incest is (1) marriage to a person who is under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece; or (2) engaging in the following acts with a person who is 16 or more years of age but under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece: (A) Otherwise lawful sexual intercourse or sodomy as defined by K.S.A. 21-5501, and amendments thereto; or (B) any lewd fondling, as described in subsection (a)(1) of K.S.A. 21-5506, and amendments thereto.</td>
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<td>Statutory Rape: The institution has determined, based on good-faith research, that Kansas law does not define the term statutory rape.</td>
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<td>Other crimes under Kansas law that may be classified as a “sexual assault” include the following:</td>
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<td>Criminal Sodomy (Kan. Stat. Ann. § 21-5504(a)): Criminal sodomy is: (1) sodomy between persons who are 16 or more years of age and members of the same sex; (2) sodomy between a person and an animal; (3) sodomy with a child who is 14 or more years of age but less than 16 years of age; or (4) causing a child 14 or more years of age but less than 16 years of age to engage in sodomy with any person or animal.</td>
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<td>Aggravated Criminal Sodomy (Kan. Stat. Ann. § 21-5504(b)): Aggravated criminal sodomy is: (1) Sodomy with a child who is under 14 years of age; (2) causing a child under 14 years of age to engage in sodomy with any person or an animal; or (3) sodomy with a victim who does not consent to the sodomy or causing a victim, without the victim's consent, to engage in sodomy with any person or an animal under any of the following circumstances: (A) When the victim is</td>
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<td>overcome by force or fear; (B) when the victim is unconscious or physically powerless; or (C) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.</td>
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- **Sexual Battery (Kan. Stat. Ann. § 21-5505(a))**: Sexual battery is the touching of a victim who is not the spouse of the offender, who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another.

- **Aggravated Sexual Battery (Kan. Stat. Ann. § 21-5505(b))**: Aggravated sexual battery is the touching of a victim who is 16 or more years of age and who does not consent thereto with the intent to arouse or satisfy the sexual desires of the offender or another and under any of the following circumstances: (1) When the victim is overcome by force or fear; (2) when the victim is unconscious or physically powerless; or (3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.

- **Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(a))**: Indecent liberties with a child is engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age: (1) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (2) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another.

- **Aggravated Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(b))**: Aggravated indecent liberties with a child is: (1) Sexual intercourse with a child who is 14 or more years of age but less than 16 years of age; (2) engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age and who does not consent thereto: (A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) causing the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another; or (3) engaging in any of the following acts with a child who is under 14 years of age: (A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) soliciting the child to engage in any lewd fondling or
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<td>touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another.</td>
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Consent (as it relates to sexual activity)  
The institution has determined, based on good-faith research, that Kansas law does not define the term consent (as it relates to sexual activity).

**University Definition of Consent**

The University uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

Means a freely given agreement to the act of sexual penetration or sexual conduct in question.

Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the Offense shall not constitute consent. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after him or she withdraws consent during the course of that sexual penetration or sexual conduct.

**Risk Reduction**

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
• Don’t make assumptions about the other person’s consent or about how far they are willing to go.

• Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.

• If your partner expresses a withdrawal of consent, stop immediately.

• Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.

• Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.

• Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.

• Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

**Bystander Intervention**

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

• Look out for those around you.

• Realize that it is important to intervene to help others.

• Treat everyone respectfully. Do not be hostile or an antagonist.

• Be confident when intervening.

• Recruit help from others if necessary.

• Be honest and direct.

• Keep yourself safe.

• If things get out of hand, don’t hesitate to contact the police.

**Other Information Covered by the PPAP**

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other
pertinent information. Much of this information is set forth in the upcoming sections of this security report.

**Ongoing Prevention and Awareness Campaign**

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

**PPAP and OPAC Programming Methods**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- New students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a presentation by the Office of Student Services and the Campus Security Department during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.

- As part of its ongoing campaign, the University uses a variety of strategies, such as in-person presentations by sexual assault organizations, emails blasts with pertinent information, portal announcements, etc. While programming occurs throughout the year, the University also offers educational sessions and literature in coordination with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

**Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or the Campus Public Safety Department 913-683-5201. You may also contact the University’s Title IX Coordinator at 913-758-6241.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).

2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.

3. The victim’s options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.

4. Where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don’t bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Shawnee Mission Medical Center 9100 West 74th Street Shawnee Mission, Kansas 66204 913-676-2000.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Leavenworth Campus Public Safety-(No Officers are located on the Overland Park Campus) 913-683-5201
- Overland Park Police 11902 Lowell Ave, Overland Park KS · (913) 895-6300
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim’s ability.

Information about Legal Protection Orders

In Kansas, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Adult Orders of Protection May be found at http://www.kansasjudicialcouncil.org/legal-forms/protection-orders/protection-abuse

A protection order may be obtained by filing a petition with the court. Courts can issue two types of orders: (1) Ex Parte Orders, which act as a temporary emergency order to protect a victim, for up to 15 days, until a court hearing, and (2) Full Orders of Protection, which may be issued for up to one year. Additional information about the orders may be found at: http://www.kansasjudicialcouncil.org/legal-forms/protection-orders/protection-abuse

In Johnson County KS information about the process and application can be found here. http://da.jocogov.org/protection-orders

Johnson County District Court
100 N. Kansas Ave
Olathe, Kansas 66061
Available Victim Services

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

University Resources

- The closest hospital to provide services for survivors is Shawnee Mission Medical Center 7820 W. 165th Street
  Overland Park, KS 66223
- The University Counselor is located in Miege Hall (Leavenworth Campus) room 112 or call 913-758-6267 The Overland Park Campus does not have on campus counselors

- Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The University’s financial aid website can be found at: https://www.stmary.edu/scholarships

State/Local Resources

- Shawnee Mission Medical Center 7820 W. 165th Street
  Overland Park, KS 66223
- Johnson County Mental Health Services
  Shawnee Office
  6440 Nieman Road
  Shawnee, Kansas 66203
  913-826-4200
- Metropolitan Organization to Counter Sexual Assault
  3100 Broadway Suite 400 Kansas City MO, 6411
  24 Hour Help Line 913-642-0233
- State of Kansas Legal Aid 712 S. Kansas Ave, Suite 200. Topeka, KS 66603 1-800-723-6953

National Resources

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): https://www.rainn.org/
Accommodations and Protective Measures

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at 913-758-6241 and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University’s ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or
protection order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the institution’s Sexual Misconduct Policy and the related complaint resolution procedures. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

The complaint resolution procedures are invoked once a report is made to one of the following individuals:

**Title IX Coordinator**
Donald Stubbings
Director of Safety and Security
913-758-6241
101 Saint Mary Hall
Donald.Stubbings@stmary.edu

**Deputy Title IX Coordinator**
Stephanie Walker
Director of Human Resources
913-758-6236
Mead Hall 3rd Floor
Stephanie.walker@stmary.edu

An electronic form available at [https://cm.maxient.com/reportingform.php?UnivofSaintMary](https://cm.maxient.com/reportingform.php?UnivofSaintMary) can also be used to file a report.

Once a complaint is made, the Title IX Coordinator will commence the investigatory process as soon as practicable, but not later than seven (7) days after the complaint is made. The Title IX Coordinator and/or designee will analyze the complaint and notify the respondent that a complaint has been filed.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Upon completion of the investigation, the investigator(s) make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. The investigator(s) will then prepare an investigation report outlining the findings and include, if necessary, sanctions or other remedial measures to impose. The parties will be notified of this determination in writing within three (3) days of it being made. The institution strives to complete investigations of this nature within sixty (60) calendar days.
Both parties have an equal opportunity to appeal the determination by filing a written appeal with the President within five (5) days of being notified of the outcome of the investigation. The President will resolve the appeal within ten (10) days of receiving it, and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

**Rights of the Parties in an Institutional Proceeding**

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
   - A prompt, fair and impartial process is one that is:
     - Completed within reasonably prompt timeframes designated by the institution’s policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
     - Conducted in a manner that:
       - Is consistent with the institution’s policies and transparent to the accuser and the accused.
       - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
       - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
     - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
   - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.
   - The Title IX team is annually trained by industry experts through in-person training and webinars.

3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.

4. Have the outcome determined using the preponderance of the evidence standard.

5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this
purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

**Possible Sanctions or Protective Measures that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses**

Following a final determination in the institution’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the University at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the University can make available to the victim a range of protective measures. They include: forbidding the accused from communicating with the victim, other institutional no-contact orders, modifications to academic requirements or class schedules, changes in working situations, etc.

**Publicly Available Recordkeeping**

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

**Victims to Receive Written Notification of Rights**

When a student or employee reports to the University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

**Sex Offender Registration Program**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advice members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such Information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting Donald Stubbings, Director of Safety and Security at 913-758-6241 or Donald.stubbings@stmary.edu. State registry of sex offender information may be accessed at the following link: [https://www.kbi.ks.gov/registeredoffender/]
Timely Warnings and Emergency Response

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Director of Safety and Security, University President, and Overland Park Site Supervisor constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Public Safety Office (Leavenworth Campus), 913-683-5201
- Overland Park Admissions Office, 913-345-8288
- University President’s Office, 913-758-6102

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

Emergency Response

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Public Safety Office -Leavenworth Campus at 913-683-5201 of any emergency or potentially dangerous situation.

The Public Safety Office will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution’s response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the Director of Safety and Security will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The Director of Safety and Security in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.
Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Director of Public Safety will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

At the direction of Donald Stubbings, the University’s Director of Safety and Security will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

**Methods for Issuing Timely Warnings and Emergency Notifications**

The method(s) listed below may be utilized when the University issues a timely warning or emergency notification to the campus community.

<table>
<thead>
<tr>
<th>Method</th>
<th>Sign-Up Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Email</td>
<td>N/A all will recieve the email</td>
</tr>
</tbody>
</table>

**Testing & Documentation**

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the University’s emergency response plan.

The Director of Safety and Security maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University’s emergency response and evacuation procedures.
**Crime Statistics**

The statistical summary of crimes for this University over the past three calendar years follows:

<table>
<thead>
<tr>
<th>Crime</th>
<th>On Campus</th>
<th>Non Campus</th>
<th>Public Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter by Negligence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arrest - Liquor Law Violation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arrest - Drug Abuse Violation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Arrest - Weapon Violation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disciplinary Referral - Liquor Law Violation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disciplinary Referral - Drug Abuse Violation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disciplinary Referral - Weapon Violation</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stalking</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
*The University does not have on-campus student housing facilities.

**Hate crimes:**
2017: No hate crimes reported.
2016: No hate crimes reported.
2015: No hate crimes reported.

**Crimes unfounded by the University:**
2017: 0 unfounded crimes.
2016: 0 unfounded crimes.
2015: 0 unfounded crimes.

**Statistics for unfounded crimes provided by law enforcement agencies:**
2017: 0 unfounded crimes.
2016: 0 unfounded crimes.
2015: 0 unfounded crimes.

**Data from law enforcement agencies**
- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the University’s Clery Geography.