

**I. POLICY STATEMENT**

All College employees are required to report actual or suspected violence, discrimination or harassment to appropriate officials immediately, though there are some limited exceptions listed below.

The following are guidelines for Stephens College Mandatory Reporting under the Clery Act/VAWA, Title VII, Title IX, Missouri State Law and Stephens College Policy:

1. The College has defined all employees, both faculty, staff, and student residence life staff when they function as employees as mandatory reporters, except those designated as “confidential” below.
2. When an employee becomes aware of an alleged act of sexual harassment, discrimination, assault, the employee must promptly contact the Title IX Coordinator at (573) 876-7250 or the Safety and Security Office at (573) 876-7299. The employee should use the Title IX Reporting Form, which can be found on the website at [www.stephens.edu/titleix](http://www.stephens.edu/titleix). Alternatively, the employee may call the Title IX Coordinator or Safety and Security Office and then follow-up by completing the form. *In crisis or emergency situations, dial 911 immediately.*
3. When an employee thinks that a student may be about to report an act of sexual harassment, discrimination or assault, the employee should, if at all possible, tell the student that the College will maintain the privacy of the information, but the employee cannot maintain complete confidentiality and, is required to report the act and will be required to reveal the names of the parties involved. If the student wishes to proceed, the employee should inform the student that the report will put the College on notice and they will be contacted by the Title IX Coordinator.
  - a. If there is reluctance by the students to continue a report after learning about the mandatory disclosure requirement, an employee should offer to refer or accompany the student to Counseling Services or Health Services.
  - b. The student can also be referred to the 24/7 anonymous crisis hotline at (800) 395-2132 or True North Victim Advocacy Center at (573) 875-1370.
4. The Title IX Coordinator, the Office of Safety and Security and members of the Title IX Team are also available to provide guidance on how to handle a situation to faculty and staff at any time.
5. Under the Clery Act & VAWA, College employees are mandatory reporters for a broader array of serious crimes on or near campus property, including the following:
  - a. Criminal Homicide
    - i. Murder & Non-Negligent Manslaughter--The willful (non-negligent) killing of one human being by another.
    - ii. Negligent Manslaughter--The killing of another person through gross negligence.
  - b. Sex Offenses: Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.
    - i. 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.
- ii. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - iii. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - iv. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- c. **Domestic Violence:** A felony or misdemeanor crime of violence committed:
- i. By a current or former spouse or intimate partner of the victim;
  - ii. By a person with whom the victim shares a child in common;
  - iii. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - iv. 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
  - v. 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.
- d. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
- e. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- i. Fear for the person's safety or the safety of others; or
  - ii. Suffer substantial emotional distress.
- f. **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.
- g. **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
- h. **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.
- i. **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle including all

cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding.

- j. 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.
  - k. Arrests for 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.
  - l. Arrests for Drug Abuse Violations: Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).
  - m. Arrests for Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness & driving under the influence are not included in this definition.)
  - n. Disciplinary Referrals for Weapon Law Violations
  - o. Disciplinary Referrals for Drug Abuse Violations
  - p. Disciplinary Referrals for Liquor Law Violations
  - q. Hate Crimes: Crimes motivated by the victim's actual or perceived: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin and disability.
6. Pursuant to Missouri law 210.115, all college employees have a duty to make a report of known or suspected child abuse or neglect to the Missouri Department of Social Services Children's Division at (800) 392-3728 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

### **Confidential Reporters**

If a Party would like to disclose an incident, but they would prefer that the details of the incident be kept confidential, the individual may speak with:

- Counselors in the Counseling Center or off-campus licensed professional counselors
- Campus health service providers or off-campus healthcare professionals

- Employee Assistance Program counselors
- Local rape crisis or domestic violence counselors
- Off-campus Clergy/Chaplains

All of the above-listed individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor. Confidential employees are still obligated to report the incident (with no identifying information) to be included in statistical information required by the federal government.

All other College employees have a mandatory responsibility to report all known or suspected violence, discrimination or harassment.

By contractual agreement, all on-campus vendors will follow this policy.