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## 2022 ANNUAL SECURITY REPORT

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## 2022 Annual Security Report

Thank you for spending time reviewing our annual crime and fire safety report. Logan University publishes this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act of 2008. This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Logan University; and on public property within, or immediately adjacent to and accessible from the campus. The report also contains information regarding campus security and personal safety including topics such as crime prevention, crime-reporting policies and other matters of importance related to security and safety on campus. The 2022 report includes data for calendar years 2019, 2020 and 2021.

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

Regardless of our efforts to provide a safe campus, there is no guarantee that a person will not become a victim of a crime while on campus. Crime prevention is a shared responsibility between the University and its community members. Students, faculty and staff must accept responsibility for helping to maintain a safe environment. Logan University encourages all individuals who attend, work or visit the campus to follow basic personal and property crime prevention and procedures for yourself and for those around you.

The Security Department at Logan University works diligently with other departments and agencies to compile the necessary information for this report. The Logan Security Department, the Logan Safety Committee, Physical Plant, Student Affairs, Human Resources, St. Louis County Police Department, Chesterfield Police Department, St. Charles County Police Department and surrounding residential neighbors are just a few of the “key players” that assist us in providing important information for this report. I encourage all community members to take a few minutes and review this report. Please become familiar with the various services and procedures that are outlined in this report. If you have any questions, feel free to contact me at any time at 636-230-1932.

Sincerely,

*P. Herbert Caldwell, Ed.D.*

Chief of Compliance & Engagement

Title IX Coordinator | Logan University

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## **I. Campus Law Enforcement**

Mr. Law Pickett is the Security Manager for Logan University and is pivotal to leading efforts around safety and security. Additionally, Campbell Security Services is contracted to assist in providing services 24 hours a day, 365 days a year to the Logan University community. The goal is to assist in enhancing a safe learning, working and patient care environment. This is accomplished by the use of security officers, surveillance cameras, foot/vehicle patrols, emergency notification systems, cellular phones and digital two-way radios.

Logan Campus Security has jurisdiction and reporting duty for Logan University and clinics operated by Logan University. Logan Campus Security does not have enforcement authority, or authority to detain or make arrests. While there may or may not be a formal Memorandum of Understanding, Logan University maintains an open line of communication with local law enforcement agencies. Logan University maintains effective working relationships with Chesterfield, St. Peters and Saint Louis County Police, as all these agencies have jurisdiction in the geography of our campus and clinics.

## **II. Reporting Procedures**

All faculty, staff, students, visitors and campus neighbors are encouraged to report all crimes and public safety related incidents to the Logan University Chief of Security or Chesterfield Police Department. By promptly reporting crimes, it will ensure inclusion in the annual crime statistics and will aid in providing timely warning notices to the community, when appropriate.

Security is available 24 hours a day, 7 days a week. Students and employees should report any incidents or criminal action to Logan Campus Security. Any report of criminal activity will result in an immediate response by Logan Campus Security. In the event of an emergency, 911 should be contacted first, followed by a call to Campus Security. Response time may be affected by various factors, such as the number and location of available personnel and/or their involvement at the time a report is received. Response to an incident may also involve other personnel (i.e., Student Affairs in an incident involving a student); or an outside police agency or other agencies if an incident requires specialized abilities beyond the capabilities of security. All security officers are equipped with two-way radios to stay in constant communication with the front desk receptionist and physical plant and carry cell phones for immediate connectivity to St. Louis County Police, Chesterfield Police or other responding 911 contacts. Reporting of crimes to Logan Campus Security should be prompt and accurate. In the event a victim of a crime is unable to make such a report, Logan Campus Security on their behalf may contact law enforcement and make a report based on collected facts and evidence. Confidential Advisors, are not obligated to report crimes to the University or law enforcement in a way that identifies the reporting or responding party. Confidential Advisors will work to assist staff and students with the appropriate networks and resources for support.

### **III. Timely Warning**

In the event a situation/crime arises, either on campus or at an off-campus clinic, that, in the judgment of Logan University administration has been deemed a serious, on-going threat or reportable offense, Logan Campus security will issue a “timely warning” crime bulletin to notify the employees, faculty, staff.

The warning will make clear the crime, and will notify the Logan community of the appropriate action or next step. The timely warning may be issued via text service, campus email or posted on campus digital display. Reports shall be provided to students and employees in a manner that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences

### **IV. Emergency Response and Evacuation**

Logan Campus Security will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Logan University administration with consultation from local law enforcement or emergency responders may confirm that there is a significant emergency or dangerous situation.

Logan University administration with consultation from local law enforcement or emergency responders may determine if the threat applies to all students, faculty and staff or a particular segment of campus, or if the threat is isolated to specific building or area. Logan Campus Security, along with the Marketing Specialist, Plant Supervisor and the Chief Financial Officer may determine the content of the notification to be sent.

In such cases the University 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

Logan Campus Security will disseminate the notification via text, email, [www.logan.edu](http://www.logan.edu), social media and campus digital display. Any follow up information, including an all clear will also be delivered by Logan Campus Security via text, email, [www.logan.edu](http://www.logan.edu), social media and campus digital display. Logan University Administration may determine that an emergency or dangerous situation could be potentially impactful to the larger community, and may release notification to local radio, television and print media.

Logan University will annually test and make public our emergency response and evacuation procedures. The Safety Committee meets quarterly and trains on the University’s response to a critical incident through a variety of exercises. The Safety Committee also determines the dates for scheduled drills, exercises and any follow through activities. These tests may be announced or unannounced depending on the type of exercise. Community members are encouraged to review the University’s emergency response plan and evacuation procedures located on the Logan website [www.logan.edu/security](http://www.logan.edu/security).

## **V. Local Police Department**

Logan University has a strong relationship with the Chesterfield Police Department. Not only do they support by routinely having an officer patrol and visit campus, but we receive annual reports from Chesterfield Police, St. Louis County Police, and St. Peters Police in regards to crimes committed in their jurisdiction that may involve our students.

## **VI. Security and Access to Campus Facilities**

Access to campus buildings and grounds is a privilege extended to students, faculty, staff and authorized guests. The University encourages an open environment with limited constraints to ensure reasonable protection of all members of the community. The campus does not allow access to the buildings after midnight. Since the offsite clinic facilities are leased, the University works with the landlord and local law enforcement on any security or crime issues.

The Administrative Building is open, at a minimum, during normal business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Officers patrol the buildings on a regular basis. Exterior lights and landscape control is a critical part of that commitment

## **VII. Maintenance of Campus Facilities**

We make every effort to maintain and care for the campus while minimizing interruptions to the academic enterprise of the University. Members of the Physical Plant and Campus Security Department periodically conduct security surveys to ensure campus lighting is adequate and the landscape appropriately controlled. Other measures may be implemented by the Safety Committee to ensure our campus is well maintained and compliant with appropriate codes.

Physical Plant personnel are also available to respond to calls for service regarding unsafe facility conditions. These conditions may include unsafe steps and handrails, unsafe roadways on campus and unsecured equipment, etc. Any issue with maintenance should be reported to the receptionist at the Administration Building, Campus Security or Physical Plant.

## **VIII. Education Programs**

As part of the orientation process, each new student at Logan University receives the student and emergency handbook. These manuals along with other resources help to make students aware of procedures and practices as related to security and safety. Employees all have access to the emergency handbook which spells out in detail our procedures and practice for safety and security.

## **IX. Alcohol and Drug Policy**

The Logan University drug and alcohol policy includes all students, faculty, staff, fellows, residents, administration and volunteers. Logan University has a significant interest in ensuring that the work environment is free from the hazards to patients, students, employees, and visitors that are created due to the unauthorized use of alcohol, drugs, or controlled substances.

The Drug Free Workplace Act of 1988 and Drug Free Schools and Community Act of 1989 requires Logan University, as a Federal grant recipient and contractor, to certify that it will provide a drug free workplace and learning environment. A drug free awareness program has been established to inform all employees and students about:

- The dangers of drug abuse in the workplace
- The University's policy of maintaining a drug-free workplace
- The availability of drug counseling, rehabilitation, student and employee assistance programs
- Potential penalties for drug abuse violations.

This is accomplished by providing to each employee and student a copy of the University's Drug Free Workplace policy statement, and requiring that as a condition of employment under such a grant or contract the employee will abide by the terms of this statement; and notify the Director of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Copies of this policy can be obtained from the Dean of Students and Director of Human Resources.

### **Standards of Conduct**

The purpose of a drug and alcohol free campus is to promote the safety, health and general well-being of students and employees and to facilitate the efficient operations of campus business toward accomplishing the college mission. Accordingly, employees and students will not engage in the unlawful manufacture, distribution, possession, or use of controlled substances, illicit drugs, or alcohol while on University property or engaged in University-related activities. Controlled substances include, but are not limited to, narcotics, depressants, stimulants, hallucinogens, cannabis (marijuana), and prescription drugs, except when used in accordance with instructions from a proper medical authority. Logan also prohibits the sale, use and dispensing of alcoholic beverages on College premises with the exception of University sponsored events, where alcohol may be served. When alcohol is served at University sponsored events, employees and students are expected to comply with all University policies, including Logan's Guidelines for Appropriate Conduct.

### **University Sanctions**

The illegal sale, manufacture, distribution, or unauthorized use of drugs or controlled substances whether on or off Logan University premises or reporting to work, classes, clerkships, preceptorships or laboratory research under the influence of unauthorized drugs or controlled substances may constitute grounds for immediate dismissal including suspension/expulsion or termination of employment.

The unauthorized use or possession of alcoholic beverages on Logan University's premises or reporting to the school under the influence of alcohol also may constitute grounds for immediate dismissal including suspension/expulsion or termination of employment.

The University may in its discretion take appropriate disciplinary action up to and including termination of employment or suspension/expulsion against anyone who has violated the above rules. In some cases, the individual in question may be referred for counseling and treatment through the Employee Assistance Program or via Student Assistance Program. The University is under no obligation to refer an employee or student who has violated the above rules to the EAP/SAP or to any other rehabilitation program.

Any employee or student who is suspected of being under the influence of any alcoholic beverage or drug while on duty and who refuses to be medically evaluated or to release the results or such evaluation to the University or appropriate administrative officer of the University will be relieved from duty and will be subject to disciplinary action up to and including suspension/expulsion or termination of employment.

#### Legal Sanctions

Local state and federal governments have enacted laws making it a criminal offense to unlawfully possess, use or distribute illicit drugs or alcohol. These laws cover the one time, "social or recreational" users as well as the alcoholic and drug addict. In order to assist you in understanding the potential legal implications of such conduct, a summary of the criminal sanctions which may be imposed under local, state, and federal laws is provided below:

##### *Missouri Law*

Conviction for possession of illicit drugs results in up to 7 years imprisonment and a maximum fine of \$5,000, unless the offense involves 35 grams or less of marijuana, which entails up to 1 year in prison and a fine of \$1,000.

The purchase, attempt to purchase, or possession of any intoxicating liquor by a person under 21 years of age is punishable by a fine of \$50 to \$1,000 and up to a year in jail. The same penalties apply to persons knowingly furnishing alcohol to minors.

##### *Federal Law*

Conviction for possession of illicit drugs results in 1 to 3 years imprisonment and a minimum fine of \$1,000, unless the offense involves cocaine base (crack) which may carry mandatory imprisonment for up to 5 to 20 years.

The severity of the sanctions imposed for both possession and distribution offenses depend on the type and quantity of drugs, prior convictions, and whether death or serious injury resulted. Sanctions may be increased for offenses which involve distribution to minors or occur on or near Campus. In addition, other federal laws require or permit forfeiture of personal or real property used to illegally possess, facilitate possession, transport or conceal a controlled substance. A person's right to purchase a firearm or receive federal benefits, such as Student loans, grants, contracts, or professional or commercial licenses, may be revoked or denied as a result of a drug conviction. Additionally, federal law mandates that any Student who has been convicted of an offense under any federal or state law involving the



possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance during the period on the date of such conviction and ending after the interval specified.

### Health Risks

There are numerous, serious health risks associated with the use of illicit drugs and alcohol. Substance abuse, when left untreated, may lead to damaged vital organs such as the liver, brain, and kidneys. Other problems normally associated with substance abuse include nausea, vomiting, loss of memory, slurred speech, blurred vision, and violent acts of aggression. These effects can lead to poor academic performance, loss of jobs, arrests, arguments with family and friends, and serious accidents.

**<https://www.drugabuse.gov/sites/default/files/cadchart.pdf>**

### Effects of Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher manual functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicated that children of alcoholic parents are at a greater risk of becoming alcoholics than other children.

### Effects of Drug Use

Drug abuse often leads to harm to the individual and to society. Each of the known classifications of drugs has its unique effect leading to some sort of change in the individual and to specific harmful effects if taken habitually or in overdose quantities. However, it is important to note that signs and symptomology can be misleading. They may merely signify normal variability in human behavior or health. Any conclusions arrived at regarding the use of drugs should be based on incontrovertible fact, not on appearance, assumptions or rumor. The harmful effects of the ingestion of hallucinogens include hallucinations and other disorders of the senses. Hallucinogens, such as marijuana, L.S.D., psilocybin and synthetic compounds, D.M.T., P.C.P., etc., may result in dilated pupils, excessive perspiration, body odor, distorted perceptions of sight, touch, hearing or smell, and distinct mood and behavior changes from positivity to terror and violence. Withdrawal symptoms from addiction to hallucinogens, their derivatives or analogs are severe, painful and may actually be dangerous to one's life. Stimulants, such

as cocaine, amphetamines, crack and 101 similar compounds can lead to high blood pressures, physical violence, psychosis, dependence, and addiction. This is a very dangerous form of drug abuse. Users are excessively active, often lose interest in food and sleep, and frequently are irritable, nervous and argumentative. Cocaine users will eventually develop a runny nose, dry mouth and lips, dilated pupils and bad breath. The use of stimulants can quickly lead to addiction. The symptomology of excessive use of depressant drugs such as tranquilizers, barbiturates, chloral hydrate and similar sedative depressants including alcohol, which may be used in conjunction with the depressant, are not as readily apparent. However, slurred speech, unsteady gait, frequent complaints of nervousness, stress, insomnia and attempts to get prescription drugs at numerous pharmacies are characteristic of the user of depressants. All of the depressants can lead to physical and psychological dependence, impaired judgment and slowed reactions.

Continued excessive use of one or more of these depressants can result in impairment of interpersonal relations, loss of memory and gradual deterioration in performance and productivity. Drugs made from opium and drugs with effects like those of opium are called narcotics. Narcotics have a unique effect on the mind and body of the user. Breathing is slowed and with large dosages can stop altogether. Lethargy, drowsiness, constricted pupils, use of clothing to hide needle marks, and erratic or secretive behavior to conceal stealing, borrowing and excessive drug use are characteristic of narcotic abuse. Addiction to a narcotic builds quickly, a matter of a few weeks. Tolerance to the drug increases and the withdrawal illness is severe. There is always the danger of an overdose and death with narcotics or any illicit drug. The damage to the health of a society by those who overuse drugs is incalculable. The physical and psychological destruction of self and others is a major health problem. Crimes against property, violent crimes and the crimes associated with the manufacture and distribution of illicit drugs are directly related to the use and abuse of drugs.

## Counseling and Assistance

The Employee Assistance Program (EAP) and Student Assistance Programs (SAP) offers professional guidance counseling and a referral service for substance abuse, as well as other concerns, to students, employees and their immediate families free of charge. For confidential information, contact EAP/SAP at 314-845-8302 or 800-832-8302.

The following agencies provide alcohol and substance abuse treatment:

### **Assisted Recovery Center of America (ARCA)**

6651 Chippewa Ave., #224 St. Louis, MO 63109, 314-645-6840

17300 N. Outer Forty, #212 Chesterfield, MO 63005, (636) 532-8333

### **Bridgeway Behavioral Health**

1027 S. Vandeventer Ave., St. Louis, MO 63110, 636-224-1700

[www.bridgewaybh.com](http://www.bridgewaybh.com)

### **CenterPointe Hospital**

4801 Weldon Spring Pkwy St. Charles, MO 63304, 636-441-7300

<http://centerpointehospital.com>

### **Mercy Edgewood Program**

970 Executive Parkway Dr. St. Louis, MO 63141, 314-628-6500

[www.mercy.net/practice/edgewood-program](http://www.mercy.net/practice/edgewood-program)

### **Helplines and Websites**

- Alcoholics Anonymous 14 Sunnen Dr St. Louis, MO 63143 314-647-3677 [www.aastl.org](http://www.aastl.org)
- Behavioral Health Response (BHR) 314-469-6644 1-800-811-4760
- Cocaine Anonymous 314-361-3500 [www.camissouri.org](http://www.camissouri.org)
- Narcotics Anonymous 314-830-3232 [www.showmereionna.org](http://www.showmereionna.org)
- National Council on Alcoholism and Drug Abuse 314-962-3456
- Substance Abuse and Mental Health Services Administration (SAMHSA) 24/7 Treatment Referral Helpline: 1-800-662-HELP (4357) 1-800-487-4889 (TDD) [www.samhsa.gov](http://www.samhsa.gov)

# 2022 Annual Security Report

## X. Crime Statistics

	On-Campus				Non-Campus Building				Public Property		
<b>CRIMINAL OFFENSES</b>	2019	2020	2021		2019	2020	2021		2019	2020	2021
Murder/Non-Negligent Manslaughter	0	0	0		0	0	0		0	0	0
Negligent Manslaughter	0	0	0		0	0	0		0	0	0
<b>SEX OFFENSES</b>											
Forcible Sex Offenses	0	0	0		0	0	0		0	0	0
Rape	0	0	0		0	0	0		0	0	0
Fondling	0	0	0		0	0	0		0	0	0
Sexual Assault with an Object	0	0	0		0	0	0		0	0	0
Forcible Sodomy	0	0	0		0	0	0		0	0	0
<b>NON-FORCIBLE SEX OFFENSES</b>											
Incest	0	0	0		0	0	0		0	0	0
Statutory Rape	0	0	0		0	0	0		0	0	0
<b>OTHER OFFENSES</b>											
Robbery	0	0	0		0	0	0		0	0	0
Aggravated Assault	0	0	0		0	0	0		0	0	0
Burglary	0	0	0		0	0	0		0	0	0
Motor Vehicle Theft	0	0	0		0	0	0		0	0	0
Arson	0	0	0		0	0	0		0	0	0
<b>NUMBER OF ARRESTS/REFERRAL</b>											
<i>Liquor Law Violations Arrests</i>	0	0	0		0	0	0		0	0	0
Referred for Campus Disciplinary Action	0	0	0		0	0	0		0	0	0
<i>Drug Law Violations Arrests</i>	0	0	0		0	0	0		0	0	0
Referred for Campus Disciplinary Action	0	0	0		0	0	0		0	0	0
<i>Weapons Violations Arrests</i>	0	0	0		0	0	0		0	0	0
Referred for Campus Disciplinary Action	0	0	0		0	0	0		0	0	0
<b>VAWA OFFENSES</b>											
Dating Violence	0	0	0		0	0	0		0	0	0
Domestic Violence	0	0	0		0	0	0		0	0	0
Stalking	0	0	0		0	0	0		0	0	0
Unfounded	0	0	0		0	0	0		0	0	0

There were no hate crimes to report for 2019, 2020, 2021. Logan doesn't have on-campus housing, there is no requirement to maintain a daily fire log or missing students report.

## **XI. HEOA Victim Notification**

Logan University will upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of receiving the report.

## **XII. Sex Offender Registry**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes against Children and Sexually Violent Offender Act.

In accordance with section 121 of the Adam Walsh Child Protection and Safety Act of 2006 and the Campus Sex Crimes Prevention Act, persons required to register under a state offender registration program must notify the state concerning each post-secondary school at which the offender works or is a student. The State of Missouri has developed a state-wide registry list. The Revised Statutes of Missouri, Sections 589.400 to 589.425 and 43.650 RSMo mandate that the Missouri State Highway Patrol shall maintain a sex offender database and a website on the Internet that is accessible to the public. The information on the website refers only to persons who have been convicted of, found guilty of or plead guilty to committing or attempting to commit sexual offenses and may not reflect the entire criminal history of a particular individual. Offenders who are required to register for crimes of kidnapping, felonious restraint or child abuse may not be listed.

### **State of Missouri Sex Offenders List**

**<http://www.mshp.dps.mo.gov/CJ38/search.jsp>**

### **XIII. Dating Violence, Domestic violence, Sexual Assault and Stalking**

Logan University prohibits the crimes of domestic violence, dating violence, sexual assault and stalking. Programs are developed with coordination through the Dean of Students Office, Humans Resources and the Diversity Compliance Officer to ensure all students, faculty and staff are aware of our policy, and trained as a measure of prevention. Logan University will respond promptly and effectively to reports of sexual assault, domestic violence, dating violence and stalking. Appropriate actions will be taken to prevent, correct and to discipline behavior that violates this policy. In the event that a member of our community is victim to any of these crimes, Logan University will also work to support, remedy and connect the victim to University and community resources.

**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

- i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- ii. For the purposes of this definition-
  - a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
  - b. Dating violence does not include acts covered under the definition of domestic violence

**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

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is *"any sexual act directed against another person, without the consent of the victim, including instance where the victim is incapable of giving consent."*

- 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.

- Fondling: The touching of the private 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.
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent

**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. For the purposes of this definition-
  - a. Courses of conduct means two or more acts, including but not limited to acts which stalker direct, 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.
  - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Consent:** is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent cannot be inferred from the absence of a "no;" a clear "yes," verbal or otherwise, is necessary. Consent to some sexual acts does not constitute consent to others, nor does past consent to a given act constitute present or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent.

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual activity with a person whom you know, or reasonably should know, to be incapacitated constitutes sexual misconduct.

**Definition per the State of Missouri:**

**"Sexual assault"**- causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent;

**"Domestic violence"**- abuse or stalking committed by a family or household member, as such terms are defined in this section;

**"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.

**"Stalking"** -is when any person purposely engages in an unwanted course of conduct that causes alarm to another person, or a person who resides together in the same household with the person seeking the order of protection when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:

**"Alarm"** means to cause fear of danger of physical harm; and

**"Course of conduct"** means a pattern of conduct composed of two or more 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.

**"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 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;

**"Dating Violence"**- No local or jurisdictional definition



## Prevention & Awareness

Logan University commits to programs that increases awareness and prevents dating violence, domestic violence stalking and sexual assault. Our awareness and prevention programs will be comprehensive, intentional, and feature integrated strategies to end dating violence, domestic violence, stalking and sexual assault. Our programs will be culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs and informed by research or assessed for value and effectiveness. Our programs will consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels. These programs are available for new students and employees, as well there are ongoing campaigns directed toward students and employees.

Education and prevention programs take place throughout the year at Logan University.

- a. Logan provides education and prevention programs to all faculty, staff, and students as part of new employee and new student orientation. These orientation programs include:
  - i. Statements that Logan prohibits sexual misconduct, as defined by this policy, and the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by Missouri law.
  - ii. The definitions surrounding sexual misconduct and domestic violence under Missouri law.
  - iii. The definition of "consent," as defined for purposes of sexual activity.
  - iv. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against a person other than the individual.
  - v. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.
  - vi. Information about the procedures that recipients should follow, and that Logan will follow, after an incident of dating violence, domestic violence, sexual assault, or stalking has occurred and been reported.

Logan's education and prevention programs include:

### **1. Annual Awareness Programs**

- a)** Awareness programs consist of community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Annually, new students are required to complete Sexual Assaulting Prevention (SAPG) training through our partner EVERFI, as well as yearly campus written notification for existing students in regards to counseling, health, mental health, victim advocacy, substance abuse, legal assistance, and other services available for victims on campus and in the community. We also have brochures around campus to educate and bring about awareness on the topics of:

- Acquaintance Rape, Domestic Violence and Sexual Assault
- Facts about Stalking
- Risk Reduction
- Supporting the Academic Success of Pregnant Students
- University counseling services

#### Bystander Intervention Programs

**a)** Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. It also includes recognizing situations of potential harm, understanding institutional structure and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

The video assigned to all students as they enter the University includes information about being an active bystander. Additionally, a brochure on risk reduction with special attention paid to bystander awareness is available across campus.

### 3. Ongoing Prevention and Awareness Campaigns

**a)** Ongoing prevention and awareness campaigns consist of programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing, dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout Logan. Data from pre- and post-tests associated with SAPG will allow us to more specifically meet our students' needs through training on topics related to their experiences.

**4. Primary Prevention Programs**

- a)** Primary prevention programs consist of programming, initiatives, and strategies intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**5. Risk Reduction**

- a)** Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.

Risk reduction is articulated through SAPG as they enter the institution. A brochure for students and employees, specifically on the topic of risk reduction with strategies taken from the RAINN website, are available to new students and throughout campus.

**Sexual Harassment Incidents**

We encourage university members to promptly report any incidents of sexual harassment, including dating violence, domestic violence, sexual assault or stalking.

- If you have experienced sexual harassment, call someone who can help and support you, such as a friend or relative, the police (911), campus security (636-230-1900), or Student Care Manager (636-230-1970) on campus, Title IX Coordinator (636-230-1932), or H&H Health Associates toll free (800-832-8302).
- If you observe sexual harassment, safely intervene to stop the offending behavior. If you are not able to intervene safely, contact the police (911) or campus security (636-230-1900) to immediately report what you've observed.
- Preserve any and all potential materials and communication that can be presented as evidence in both an institutional investigation or criminal proceeding. Please contact the appropriate authorities as soon as possible after an incident occurs.
- Contact the University's Title IX Coordinator at 636-230-1932 or ([titleix@logan.edu](mailto:titleix@logan.edu)). The Title IX Coordinator's role is to oversee reports of sexual harassment, to ensure that there is a prompt, thorough and impartial investigation, and to ensure that offending behaviors ceases, it's effects are remedied and that it's reoccurrence is prevented. An investigation of a Title IX violation will launch whenever the Title IX Coordinator receives report of an incident from a recipient or witness of the offending behavior, or otherwise if informed by a mandated reporter or responsible employee.

A responsible employee is defined as any employee who has the authority to take action to redress harassment or has the duty to report harassment to appropriate official(s), or someone a student could reasonably believe has this authority. All faculty and staff at Logan University are to be considered responsible employees, thus able to report disclosed or observed sexual harassment to the Title IX Coordinator.

**Title IX Coordinator**

P. Herbert Caldwell  
Administration Building room 117  
1851 Schoettler Road  
Chesterfield, MO 63017  
(636) 230-1932  
[herb.caldwell@logan.edu](mailto:herb.caldwell@logan.edu)

**Office for Civil Rights**

Kansas City Office  
US Department of Education  
1010 Walnut St, Suite 320  
Kansas City, MO  
816-268-0550  
[ocr.kasnsascity@ed.gov](mailto:ocr.kasnsascity@ed.gov)

Questions about university compliance or policy can be directed to the Title IX or OCR

- Logan University provides around the clock security on campus 365 days a year, 7 days a week, 24 hours a day, and may be reached by dialing 636-230-1900. Logan's campus security or Title IX Coordinator can assist with notification of law enforcement, if desired. A person who has experiences sexual harassment may simultaneously pursue criminal and Logan disciplinary processes; but also has the right to decline to notify law enforcement.
- Violations of the University Honor Code in addition to sexual harassment, sexual assault, domestic violence, dating violence, or stalking may arise from an incident. The Conduct Committee may further investigate complaints when the additional charges arise out of the same set of facts and circumstances or are related to the alleged incident of sexual harassment, sexual assault, domestic violence, dating violence, or stalking.
- The only completely confidential reporting option is speaking with Logan's Student Care Manager. The Student Care Manager may also be helpful in deciding how to proceed through provision of information regarding additional reporting options and available support services and referrals.

#### **Grievance Process for Cases of Alleged Sexual Harassment**

Logan University has instituted a grievance process so that it can respond promptly when it has actual knowledge of a sexual harassment allegation. Actual knowledge is when the alleged harassment was witnessed or reported to a responsible employee (any Logan University faculty or staff member). The university is on notice when in receipt of this information, and will reach out via the Title IX office to the recipient of the offending behavior or *complainant*. The complainant will be confidentially informed of their right to file a formal complaint, as well be offered resources and supportive measures.

A complainant may file a formal complaint at any time by calling, mailing, emailing or meeting face to face with the Title IX Coordinator. If after receiving the report and formal complaint from the complainant, it is determined that the alleged behaviors are a potential Title IX violation, a formal investigation will commence. The Title IX Coordinator oversees the entirety of the grievance process to ensure it is equitable to both parties and manages the Title IX Team, which includes investigators, deputy coordinators, hearing officers, who are the decision makers.

#### **Formal Investigation**

Once the Title IX Coordinator has determined to move forward, a Notice of Investigation will be sent to the complainant, as well the *respondent*, or the party alleged to have committed the sexual harassment. The Notice of Investigation will include:

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- Name of Complainant
- Name of Respondent
- Date, time and location of the alleged incident
- Description of the acts that would constitute sexual harassment
- Policy on false statements and retaliation

The investigation presumes that the respondent is innocent, with no determination of responsibility being made until after the grievance process has been completed. Once both parties have been issued a written Notice of Investigation, the case is assigned to an investigator.

An investigator is a Logan employee who is a member of the Title IX Team, and has received specialized training in sexual harassment investigation. The investigator is not a decision maker, rather their responsibility is to collect facts concerning the allegations. Investigators are responsible to collect facts, without partiality, bias or conflict of interest. The burden of gathering evidence is not on the complainant or respondent. The investigator may interview both parties, witnesses, collect communications (text, emails, social media posts), video or otherwise that may be relevant in serving as evidence.

The investigation will be impartial, so both parties will have opportunity to be heard. Investigators have discretion to determine what information and witnesses are relevant to the investigation. The investigation will not request or include information that is protected by privilege, such as information shared with an attorney, pastor or physician. A party protected by privilege may choose to waive their privilege and disclose protected information. If such a waiver of privilege occurs, protected information may be included only if determined relevant to the investigation.

The culmination of the investigators work, is the investigative report, which is a document that includes statements from the complainant, respondent, witness and all evidence. Parties will be given equal access to review all evidence and the investigative report draft. Parties will be given a minimum of 10 days to respond to the evidence in writing. Any submitted responses must be considered by the Title IX Team before finalizing the investigative report. The finalized report will be submitted to both parties, and must be circulated for a minimum of 10 days prior to a decision or hearing.

Logan will strive to have the full investigation completed within 60 days. Involvement of law enforcement, absence of a party or witness may also cause a temporary delay. During an investigation, or once a report is received a student may be removed from the education program, if deemed an immediate threat to anyone's physical health or safety. An employee exhibiting threatening behavior may be placed on administrative leave during the investigation

### **Dismissals**

After receiving the report, if the described behavior reported by the complainant fails to meet the Title IX definition of sexual harassment, then it is mandatory that the case be dismissed. If the alleged behavior happened outside of the United States, or at a location or event outside of Logan's control as an activity or educational program, then a mandatory dismissal is warranted. A discretionary dismissal may occur if the complainant withdraws the complaint or allegations, the respondent is no longer enrolled or employed by Logan or if specific circumstances prevents the school from gathering evidence

sufficient to reach a determination. If there is a dismissal of any kind, both parties will be notified in writing, explaining the criteria leading to the dismissal, as well informing both parties of their right to appeal.

### **Live Hearing**

Upon completion of the investigative report, and barring dismissal, a live hearing will be scheduled. Each party will receive a written Notice of Hearing, informing of the date, time, location and purpose of the hearing. The hearing is the opportunity for parties to be heard in front of the decision makers, or hearing panel. Equal opportunity will be given to both parties to have witnesses and evidence, including expert witnesses as well inculpatory or exculpatory evidence. Prior to the hearing, each party will have had opportunity to choose an advisor. The primary function of the advisor is to support the party throughout the grievance process, including assisting them in understanding the grievance process, reviewing the investigative report, and general support. In addition, the advisor is responsible to cross-examine the opposing party during the live hearing. If a party is unable to choose an advisor, Logan can appoint a trained advisor free of charge to support them and cross examine the other party.

During the hearing no party is allowed to personally cross-examine the other party, cross-examination is solely the role of advisors. Cross-examination is the opportunity for advisors to ask questions of parties and their witnesses that might challenge the other party's denials. Cross examination questions must be relevant, so decision makers must decide if an asked question is relevant before the party or witness has to answer it. In addition to protected and privileged information being excluded from the investigative report and hearings, questions about sexual history of parties will not be allowed unless: information proves someone else other than the respondent committed the alleged sexual harassment or it relates to sexual behavior between the parties to demonstrate consent.

If requested, the entire hearing must be held with the parties located in separate rooms, with technology enabling everyone the ability to see and hear each other. Logan also may hold the entire hearing virtually, or allow participants to appear virtually. If a party chooses not to appear, or not to answer questions during a hearing, the decision maker will exclude those statements and evaluate evidence that doesn't involve those statements. Inferences will not be made about determining responsibility based on the fact that a party or witness didn't participate.

To ensure accuracy of statements, interview session of parties and witnesses may be recorded, and the resulting statements will be reviewable by each party. Similarly, hearings will be recorded and the transcript made available to parties for inspection and review. Parties will be consulted to ensure no disability laws are violated, and that needed accommodations are complied with.

## **Adjudication**

A panel of 3-5 Logan faculty and staff trained specifically in Title IX adjudication, will serve as decision makers for the case. Members of the panel will be free from conflicts of interest or bias against either party. The Title IX Coordinator and investigator(s) assigned to the case are prohibited from serving as a decision maker or hearing panel member. The Hearing Panel is charged with reviewing the investigative report, and all evidence and statements provided by parties and witnesses during the live hearing to determine if there was a violation of Title IX.

Hearing panel will make their determination of responsibility using the preponderance of the evidence standard, or whether the sexual harassment was more likely than not to have occurred.

Once a decision is made, each party will simultaneously be issued a Notice of Determination, which is a written document that includes:

- Which portion of the school's policy was violated
- Finding of facts section
- Section that shows conclusion after the application of facts
- Statement and rationale for the determination of responsibility
- Disciplinary sanctions imposed to the respondent
- Remedies offered to the complainant, and statement addressing how those remedies restore or preserve access to educational programs or activities
- Information describing the institutional Appeals process

## **Appeals**

Both parties have the right to appeal a decision made after a dismissal or at the end of the hearing and grieving process. Parties may appeal by submitting a written notice to the Title IX Coordinator within 3 business days of receiving a Notice of Dismissal or Notice of Determination. An appeal will be considered:

- If there was a procedural irregularity or deviation that affected the outcome
- Member of the Title IX team involved in the case, had a conflict of interest that affected the outcome
- New evidence discovered that was not reasonably available at the time of the dismissal or determination of responsibility

If there is an appeal, both parties will be notified by writing, including the applicable grounds for appeal. Both parties will have equal opportunity to submit a written statement supporting or challenging the outcome. The decision maker, or hearing officer cannot be a Title IX Team member involved as decision maker in the initial decision. The investigator(s) involved in the case, and the Title IX Coordinator may not serve as appeals officers. The Appeals decision must be written and distributed simultaneously; this decision is final.



### **Supportive Measures**

At any point before, during, or after the investigation the Title IX Coordinator may employ non punitive measures directed at the parties, witnesses, or a broader university population. These supportive measures are necessary and appropriate to prevent and/or respond to sexual harassment. Depending on the specific nature of the allegation, such measures may include, but are not limited to: implementation of a no-contact order, temporary course/classroom assignment changes, access to counseling services, access to medical services, alteration of work location, alteration of work hours, escorts to class, access to tutoring and other accommodations to provide equitable support.

### **Informal Resolutions**

Parties can forego a hearing and pursue informal resolution if both parties voluntarily and without threat or coercion agrees to do so. Notice of Allegations, Notice of Rights and information on confidentiality and withdrawing from the informal resolution must be provided to both parties. Facilitator of the informal resolution must have special training in both Title IX adjudication and informal resolution. Logan cannot require parties to undergo informal resolution, and parties must be allowed to proceed with formal grievance at any point. Informal resolution is not applicable when the responding party is an employee.

### **Sanctions**

Disciplinary action in cases related to sexual assault, rape, domestic violence, and stalking will be 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., the Student Honor Council considers the facts and circumstances of each case. Logan University may assign the following sanctions:

- Written reprimand or warning
- Mandated counseling assessment
- Campus restrictions or loss of privilege
- Disciplinary probation
- Restitution
- Fines
- Community service
- Notification to outside national organizations
- Educational sanctions
- Parental notification (when appropriate)
- Limitations to University activities and access
- Administrative hold on University account
- Postponement of activity participation and conferring of honors or degrees
- Suspension
- Expulsion

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When it is reported that there is a victim of dating violence, domestic violence, stalking or sexual assault, Logan University will provide written explanation of rights and options to the employee or students.

The University, upon written request, will release the report of the University disciplinary proceeding results to the alleged victim of the crime of violence, or a non-forcible sex offense. If the alleged victim is deceased as a result of such a crime or offense, the next of kin of the victim shall be treated as the alleged victim.

### **Campus Resources**

Campus Security  
Administration Building Front Desk  
636-230-1900

Dean of Students  
Administration Building 137  
636-230-1797

Student Care Manager  
Administration Building 138  
636-230-1970

Title IX Coordinator  
Administration Building 117  
636-230-1932

### **Local Hospitals**

St. Luke's Hospital  
232 S. Woods Mill Rd, Chesterfield  
314-434-1500

Missouri Baptist Hospital\*  
3015 N. Ballas Rd, St. Louis  
314-996-5000

Barnes-Jewish Hospital\*  
1 Barnes Jewish Hospital Plaza, St. Louis  
314-747-3000

\*can perform forensic exams for sexual assault

**Additional Resources**

Bridgeway Sexual Assault Center Hotline

877-946-6854

[www.bridgewaybh.com](http://www.bridgewaybh.com)

Rape, Abuse & Incest National Network (RAINN)

1-800-656-4673

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

YWCA Sexual Assault Center

314-531-7273

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

Safe Connections

314-646-7500

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

H&H Health Associates

314-845-8302

[www.hhhealthassociates.com](http://www.hhhealthassociates.com)

National Domestic Abuse Hotline

1-800-799-7233

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