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 The Junior College District of Metropolitan Kansas City, Missouri a/k/a Metropolitan Community College ("College") with information on: the College'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 College 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 Chief Legal Officer in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. 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 MCC Police Department, 3217 Broadway, Suite 130, Kansas City, MO 64111. The College 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 Metropolitan Community College Police Department is responsible for campus safety at the College. Campus Police Department Officers are commissioned law enforcement officers who are professionally trained and licensed by the Missouri Department of Public Safety’s Peace Officers Standards and Training (POST) Program. They possess the same authority as any police officer within the state of Missouri and have the right to arrest any person for violation of state law or applicable county or city ordinances when such violations occur on or adjacent to any MCC District property which comprises the jurisdiction of the MCC Police Department.
The College has a close working relationship with local law enforcement agencies, including the Lee's Summit Missouri Police Department, the Kansas City Missouri Police Department, the Independence Missouri Police Department, and the Missouri Highway Patrol. MCC has mutual aid agreements in place with local law enforcement agencies related to calls for police service, crime investigation, and information exchange.

**Campus Security Authorities**

The College 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 College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Executive Director of Institutional Equity; Chocoletta Simpson; 3217 Broadway Suite 150, Kansas City, Missouri 64111; 816.604.1575
- Athletic Director; Brian Bechtel; 3217 Broadway, Suite 100K, Kansas City, Missouri, 64111; 816.604.1059
- Director of Student Disability Services; Kim Fernandes; 3200 Broadway Kansas City, MO 64111-2408; 816.604.1418
- Dean of Student Development & Enrollment (Penn Valley); Chelsia Potts; 3201 Southwest Trafficway Kansas City, MO 64111-2727; 816.604.4134
- Dean of Student Development & Enrollment (Maple Woods); Terrell Tigner; 2601 NE Barry Road Kansas City, MO 64156-1254; 816.604-3175
- Dean of Student Development & Enrollment (Longview); Diana McElroy; 500 SW Longview Road Lee’s Summit, MO 64081-2105; 816.604-2326
- Dean of Student Development & Enrollment (Blue River and Business & Technology); John Burke; MCC-Blue River 20301 E. 78 Highway Independence, MO 64057-2053; (816) 604-6620; MCC- Business & Technology 1775 Universal Avenue Kansas City, MO 64120-1318
- Campus Police Captain (Penn Valley - HSI, AC, & BP and Maple Woods); Ronald Reilly; 3201 SW Traffic Way, HU-101D, Kansas City, Missouri 64111, 816.604.4124; MCC-Maple Woods: 2601 NE Barry Road, ADM 107K, Kansas City, Missouri 64156, 816.604.3055
- Campus Police Captain (Longview, Blue River, and Business & Technology); Brenda Hasty; MCC-Longview: 500 SW Longview Road, LV-CC- 301, Lee’s Summit, Missouri 64081, 816.604.2073; MCC-Blue River: 20301 East 78 Highway, BR- CC-118, Independence, Missouri 64057, 816.604.6437; MCC- Business & Technology: 1775 Universal Avenue, TC-100, Kansas City, Missouri 64120, 816.604.5260

**Reporting a Crime or Emergency**

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, 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.

- Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling 911 from any campus phone or cell phone. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
• Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of College staff will assist a student in making the report to the police.

• Anonymous reports of crime or other incident may be reported via the MCC web page utilizing the MCC Cares link and completing the MCC cares report form. Personal identifiers are not required in order for the form to be completed/Submitted. Callers may also call (816) 604-1111 or (816) 604-1200 or any of our campus police offices to report crimes anonymously.

• Reporting all crimes and public safety related incidents promptly to the Campus Police Department or appropriate law enforcement agencies is very important to MCC students, visitors, and employees.

• Reporting also helps the Campus Police Department and local police authorities apprehend those responsible. It helps MCC determine if a referral for disciplinary action is required. It assists the Campus Police Department in the maintenance, and annual publication, of accurate crime incident records with respect to the campuses. This information helps keep the campuses safer by providing the most accurate information on criminal activity to members of the MCC community. Finally, the information reported may be crucial for timely emergency procedures such as the evacuation of buildings (emergency procedures are posted at www.MCCKC.edu/alert and evacuation maps are posted throughout campus buildings).

Confidential Reporting

The College 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 College’s sex discrimination and harassment policies, when an employee who is not a confidential reporter 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 to the Title IX Coordinator, within three calendar days. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College 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 College without revealing the victim’s identity. Such a confidential report complies with the victim’s wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College 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 College.

The College does not employ any pastoral or professional counselors 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.

Security of and Access to Campus Facilities
One of the most important methods to control crime is to control building access. For that reason, access to campus buildings is limited to certain hours and all facilities are monitored. In the event students, faculty, or staff need access to a campus building after normal hours, they should contact the Campus Police Department for assistance.

**MCC campus building hours are as follows:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Hours</th>
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<tbody>
<tr>
<td>MCC-Blue River</td>
<td>7:00 a.m. to 10:00 p.m., Monday through Thursday; 7:00 a.m. to 4:30 p.m. on Friday; and 8:00 a.m. to 1:00 p.m. Saturday</td>
</tr>
<tr>
<td>MCC-Business &amp; Technology</td>
<td>7:00 a.m. to 5:30 p.m. on Friday; and 7:30 a.m. to 4:30 p.m. on Saturday</td>
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<tr>
<td>MCC-Longview</td>
<td>7:00 a.m. to 10:00 p.m., Monday through Thursday; 7:00 a.m. to 6:00 p.m. on Friday; and 7:30 a.m. to 3:00 p.m. on Saturday</td>
</tr>
<tr>
<td>MCC-Maple Woods</td>
<td>7:00 a.m. to 10:00 p.m., Monday through Friday; and 7:00 a.m. to 7:00 p.m. Saturday and Sunday</td>
</tr>
<tr>
<td>MCC-Penn Valley</td>
<td>7:00 a.m. to 10:00 p.m., Monday through Friday; and 7:00 a.m. to 5:00 p.m. on Saturday</td>
</tr>
</tbody>
</table>

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.

Employees must adhere to policies regarding unauthorized access to school facilities, theft of, or damage to, school property, or other criminal activity. In particular, rendering inoperable or abusing any fire prevention or detection equipment is prohibited. Violation of these policies may lead to disciplinary action, up to and including termination and the filing of charges with law enforcement authorities.

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**

MCC is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Campus Police Department officers conduct routine checks of lighting on campus during regular patrol duties. If lights are not functioning, they will initiate an immediate work request. The MCC community is encouraged to report any deficiency in lighting to the Campus Police Department at (816) 604-1200. Any concerns about physical security, particularly any locking mechanism deficiency, should be reported to the Campus Police Department immediately. The Campus Police and Facility Service Departments are available to respond to calls for service regarding unsafe facility conditions.
or for personal safety and property protection. These conditions may include unsafe steps or
handrails, unsafe roadways on campus, and unsecured equipment.

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

The College 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.

**Crime Prevention & Awareness** - Presented each semester to increase awareness of personal
safety practices on campus and in the community, foster engagement/interaction between
students with the MCC police and counselors, and encourage students to think
about/implement behavioral change to promote their future personal safety.

**Student Orientation** - Each semester student orientation includes information on emergency
procedures at MCC including: locations of storm shelters and campus call boxes, and how to
sign up for text alerts.

**New Employee Orientation** - Each month that an orientation session occurs new employees are
provided with information from the MCC police department related to emergency procedures
at MCC including what to do in the event of: fire, smoke or explosion; weather
emergency/tornado; active shooter/violent intruder; lockdown; medical emergencies; utility
emergencies; bomb threats; and hazardous material spills.

**Bystander Intervention** - Annual campus events that focus on understanding the purpose and
use of the training as being part of the MCC campus community. Learning how to recognize
situations of potential harm and how to overcome barriers of intervening. Identifying safe and
effective intervention options.

**Domestic Violence and Assault Awareness** - Annual campus events presented to increase
awareness of domestic violence as an issue. Receive information on statistics on intimate
partner violence and how to identify the types or forms of abuse a domestic violence victim
may experience. Gain a better understanding of "why" a victim chooses to stay or leave. Learn
about the availability of local resources.

Another type of program is designed to inform students and employees about the prevention
of crimes. A description of these follows:

**Active Shooter Response** - Presented periodically. The program focuses on what to do in the
event of an active shooter on site including exiting area or sheltering in place.

**Special Safety Related Workshops** - Presented periodically to include various topics such as
self-defense tactics.

**Safety Tips**

Following these tips can help prevent you from becoming a victim of a crime.
• Stay in well-lit areas. Plan your route and use public sidewalks or walk midway between curbs and buildings away from alleys, entries and bushes. Avoid shortcuts through parks, vacant lots and other deserted places.
• When possible, walk in groups – there is safety in numbers.
• Scan the area as you approach or leave buildings or parking lots.
• Consider carrying a personal safety alarm device.
• When approaching your vehicle, scan the immediate area.
• Have your keys in hand and scan the inside of your car before entering.
• Always lock your car doors upon entering or leaving your vehicle.
• Never leave your windows down (even a crack) in your parked car.
• Never leave your keys in an unattended car.
• Always keep your keys in your possession.
• Report missing keys immediately.
• Do not hide a key on or in your car.
• Never attach a tag with your name and address to a key ring.
• If you carry a handbag, keep it close to your body. If your bag is snatched, don’t fight.
• Make sure valuables are out of sight or locked in the trunk.
• Don’t leave vital information in your car - it provides personal information to a criminal.
• Report anyone who behaves suspiciously to the Campus Police Department.
• Advise the Campus Police or physical plant personnel of any hazards or security concerns.
• Follow your instincts – if your intuition tells you there is a risk, act accordingly.
• If you believe you are being followed, cross the street, change direction or vary your pace. This might discourage the follower.
• As a rule, do not stop to give direction or other information to strangers.
• If you feel uncomfortable in an elevator, leave at the first chance you have. Don’t feel embarrassed or guilty for protecting yourself.
• While in class or office, keep personal belongings in view. Keep your purse either with you or in a locked location.
• Do not remove rings to wash your hands – they can be forgotten and/or stolen.
• Carry only necessary credit cards and money.
• To access the 9-1-1 emergency number from a campus non-pay phone dial 8-911.

Monitoring Off Campus Locations of Recognized Student Organizations

The College 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 College 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 College 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**

MCC is committed to a safe, secure, healthy, drug-free work, campus, and community environment, and has adopted the Drug-Free Schools and Communities Act and Drug-Free Workplace Act standards as part of its policies. All applicable alcohol regulations, including federal and state underage drinking laws, are enforced. The unlawful possession, use, and/or sale of alcoholic beverages are specifically prohibited, and violations carry substantial sanctions up to and including expulsion or termination of employment and/or referral for prosecution. MCC standards of conduct prohibit the unlawful possession, use or distribution of alcohol by students and employees on the college’s property or as part of any of its activities. Alcohol is permitted on college property only in certain limited circumstances when required approvals have been obtained.

The College enforces the state’s underage drinking laws and complies with state law and other applicable regulations governing alcoholic beverages for those on the College’s premises or participating in its activities. The College strongly supports education and treatment programs as the most effective means to help prevent and reduce alcohol abuse. In addition, the College is committed to providing an academic and social environment that supports individual freedom while promoting individual responsibility, health and safety, and community welfare. To that end:

1. The College expects that those who wish to include alcohol as part of their activities will do so responsibly and lawfully.

2. Persons planning events on campus should be mindful of the complexities introduced into planning an event with alcohol. Event management issues (the presentation of entertainment, provision of refreshments, management of the participants or audience, security, and other factors) require serious attention for any event, and all the more for an event at which alcohol is served. Event organizers must fully understand the College alcohol policy and applicable laws and manage their events accordingly.

3. Organizations may not plan events that promote or encourage the consumption of alcohol, nor may event planning be based upon the assumption of abusive or illegal alcohol consumption. Persons planning events should remember that the vast majority of events at the institution take place without alcohol, that most members of the undergraduate community are not of legal drinking age, and that among those who are, many do not drink alcoholic beverages at all.

MCC is committed to a safe, secure, healthy, drug-free work, campus, and community environment, and has adopted the Drug-Free Schools and Communities Act and Drug-Free Workplace Act standards as part of its policies. The possession, sale, manufacture or distribution of illegal drugs is prohibited under both state and federal laws. All applicable drug regulations, including federal and state laws, are enforced. Such laws will be enforced by the College's law enforcement authority on campus. The unlawful possession, use, and/or sale of illegal drugs are specifically prohibited, and violations carry substantial sanctions up to and
including expulsion or termination of employment and/or referral for prosecution. MCC standards of conduct prohibit the unlawful possession, use or distribution of illicit drugs by students and employees on the college’s property or as part of any of its activities.

In accordance with MCC board policy to provide a safe, secure, healthful, drug free work, campus, and community environment, employees are expected and required to report to work and participate in district activities, and students are expected and required to attend classes and participate in district activities, in appropriate mental and physical condition. Further, students and employees are expected to abide by MCC regulations related to the misuse of alcohol and other drugs and the unlawful possession, use, or distribution of illicit drugs and alcohol.

The appropriate vice chancellor or designee will be responsible for notifying all students and employees of policies and regulations related to providing a drug free workplace, campus, and community.

Federal Drug Laws

**Denial of Federal Benefits (21 U.S.C. 862)** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. 841)** Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to $10 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

**Federal Drug Possession Penalties (21 U.S.C. 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than $1,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of $2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of $5,000.
### Drug and Alcohol State Laws

<table>
<thead>
<tr>
<th>Category</th>
<th>Summary (Missouri Revised Statutes)</th>
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<tbody>
<tr>
<td><strong>Possession of Marijuana</strong></td>
<td>The use of recreational marijuana is illegal, and possession for personal use of less than 10 grams for a first offense is a misdemeanor with a maximum fine of $500 and no jail time. For a second offense, the maximum fine is $2,000 and up to one year in jail. Possessing more than 35 grams is a felony with a maximum fine of $10,000 and up to 7 years in jail. See MO. REV. STAT. § 579.015 (2019). Medical marijuana for certain conditions is allowed, and up to four ounces may be purchased every 30 days. Mo. Code Regs. Ann. tit. 19, § 30-95.030 (2020).</td>
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<tr>
<td><strong>Controlled Substances</strong></td>
<td>Missouri statutes cover a wide range of offenses related to the possession and delivery of controlled substances. See MO. REV. STAT. §§ 579.015 – 579.040 (2019). Possession of a controlled substance, except thirty-five grams or less of marijuana, is a Class D felony, with a term of up to seven years and a fine up to $10,000. See MO. REV. STAT. § 579.015 (2019). Delivery of a controlled substance other than 35 grams or less of marijuana is a Class C felony, resulting in a prison term of not less than 3 years and not more than 10 years, and a fine up to $10,000. MO. REV. STAT. §§ 558.002, 558.011 (2019). As an example, someone possessing methamphetamine faces a prison term of 7 years and a fine up to $10,000.</td>
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<tr>
<td><strong>Alcohol and Minors</strong></td>
<td>In Missouri, it is illegal for anyone under the age of 21 to possess, purchase, or attempt to purchase any intoxicating liquor, subject to a fine not to exceed $500. See MO. REV. STAT. § 311.325 (2019). A subsequent violation is a Class A misdemeanor, subject to a term of up to one year in jail and a fine not to exceed $2,000. Id. Anyone between 17–21 who represents that she/he is 21 for the purpose of obtaining intoxicating liquor is guilty of a misdemeanor. MO. REV. STAT. § 311.320 (2019). The use of a fake identification is subject to a $500 fine. Id. An attempt to purchase, or possession of alcohol, may also result in license suspension.</td>
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<td><strong>Driving Under the Influence (DUI)</strong></td>
<td>A person is guilty of a DUI if the person has a blood alcohol concentration of 0.08 percent. A first offense results in a suspended license for 30 days and then a restricted license for 60 days, and may require a certified ignition interlock device. MO. REV. STAT. § 302.525 (2019). A second offense within five years results in a one-year restricted license and additional penalties.</td>
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### Drug and Alcohol Abuse Prevention Program

The Drug-Free Schools and Communities Act (DFSCA) requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, the College is to collect information regarding drug and alcohol prevention policies, procedures and programs for students and college employees both on school premises and as part of any of its activities.

In order to certify its compliance with the regulations, the College must adopt and implement a drug prevention program to prevent the unlawful possession, use, or distribution of illicit
drugs and alcohol by all students and employees both on school premises and as part of any of its activities.

Creating a program that complies with the regulations requires institutions to do the following:

- Prepare a written policy on alcohol and other drugs.
- Develop a sound method for distribution of the policy to every student, faculty and staff member each year.
- Prepare a biennial review report on the effectiveness of its alcohol and other drug programs and the consistency of policy enforcement.
- Maintain its biennial review report on file so that it can be submitted, if requested by the U.S. Department of Education, other entity or individual.

The College continues to remain in compliance with the requirements of the Drug-Free Schools and Communities Act. The institution has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs by students and employees on its premises and as a part of any of its activities, as demonstrated through this biennial review. Also, MCC has a policy on alcohol and other drugs (AOD) and has developed a thorough method for distributing this policy to every student and employee.

The College has a drug abuse and prevention program and conducts periodic reviews of this program to evaluate its effectiveness. The last review was conducted in 2019. For more information about the biennial review, you may contact the Director of Student Success. You may request a hardcopy of the biennial review from the Deans of Student Development & Engagement at each campus and the Director of Financial Aid and the Student Consumer Information section on the MCC website http://mcckc.edu/our-students/consumer-info/stuconfirmationinfo.aspx.

**MCC Websites Providing MCC Policies Related to DFSCA**

Policies and guidelines, which provide information related to alcohol and drugs can be found below as well as in designated offices:

- The Student Consumer Information site has a plethora of links dedicated to the DFSCA: http://mcckc.edu/our-students/consumer-info/stuconfirmationinfo.aspx
- MCC Drug and Alcohol Awareness: http://mcckc.edu/counseling/drug-alcohol/
- Prohibited Student Conduct: http://www.mcckc.edu/codeofconduct
- Summary of Discipline Actions: http://www.mcckc.edu/codeofconduct
- Missouri Laws Pertaining to Alcohol https://www.alcoholproblemsandsolutions.org/missouri-alcohol-laws-wise-to-know/
• Drug free Workplace, Campus and Community 3.30060 BP Board Policy – See Appendix A

• Drug free Workplace, Campus and Community 3.30060 DR District Regulation – See Appendix B

• Prevention Programs
  http://mcckc.edu/our-students/consumer-info/stuconfirmationinfo.aspx

Campus Drug & Alcohol Resources and Programs

Each campus has developed a process to address the use of illicit drugs and abuse of alcohol by students and employees. The programs include the distribution of informational materials, educational programs, referrals, and college disciplinary actions. Students with alcohol or drug-related problems are encouraged to contact the campus counseling office for referrals to private and community agencies. Employees with alcohol or drug-related problems are encouraged to contact the human resource office for information and referral to the district employee assistance program. http://mcckc.edu/counseling/drug-alcohol/resources-programs.aspx

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

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

• Students: Sex discrimination and Sexual Harassment 7.30035 BP Board Policy: https://mcckc.edu/diversity-inclusion/docs/Sex_Discrimination_and_Sexual_Harassment_Policy_Student_7.30035_BP.pdf

• Students: Sex discrimination and Sexual Harassment 7.30035 DP District Procedure: https://mcckc.edu/diversity-inclusion/docs/Sex_Discrimination_and_Sexual_Harassment_Procedure_Student_7.30035_DP.pdf


• Employee: Sex Discrimination and Harassment 3.30015 DP District Procedure: https://mcckc.edu/diversity-inclusion/docs/Sex_Discrimination_and_Sexual_Harassment_Procedure_Employee_3.30015_DP.pdf

• MCC's Code of Student Conduct: https://www.mcckc.edu/our-students/docs/student_code_conduct.pdf
The following sections of this report discuss the College'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 College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College 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

<table>
<thead>
<tr>
<th>Crime Type (Missouri Revised Statues)</th>
<th>Definitions</th>
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<tbody>
<tr>
<td>Dating Violence</td>
<td>The institution has determined, based on good-faith research, that Missouri law does not define the term dating violence.</td>
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<td>Missouri's protective order statutes provide the following definitions (Mo. Rev. Stat. § 455.010):</td>
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<td>• &quot;Domestic violence&quot; is abuse or stalking committed by a family or household member.</td>
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<td></td>
<td>• &quot;Family&quot; or &quot;household member&quot;, [includes] 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.</td>
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<tr>
<td>Domestic Violence</td>
<td>In addition, Missouri criminal statutes include various degrees of the crime &quot;Domestic Assault,&quot; as follows:</td>
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<td>• Domestic Assault, First Degree (Mo. Rev. Stat. § 565.072): A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term &quot;domestic victim&quot; is defined under section 565.002.</td>
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<td>• Mo Rev. Stat. § 565.002(6) indicates that a &quot;domestic victim&quot; is a household or family member as the term &quot;family&quot; or &quot;household member&quot; is defined in 455.010, including any child who is a member of the household or family.</td>
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<td></td>
<td>• Domestic Assault in the Second Degree (Mo. Rev. Stat. § 565.073): A person commits the offense of domestic assault in the</td>
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<tr>
<td>Crime Type (Missouri Revised Statues)</td>
<td>Definitions</td>
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<td>second degree if the act involves a domestic victim, as the term &quot;domestic victim&quot; is defined under section 565.002, and he or she: (1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or (2) Recklessly causes serious physical injury to such domestic victim; or (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.</td>
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<td>Domestic Assault, Third Degree (Mo. Rev. Stat. § 565.074): A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term &quot;domestic victim&quot; is defined under section 565.002.</td>
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<td>Domestic Assault in the Fourth Degree (Mo. Rev. Stat. § 565.076): A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term &quot;domestic victim&quot; is defined under section 565.002, and: (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim; (2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument; (3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means; (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim; (5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or (6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.</td>
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| Stalking, First Degree (Mo. Rev. Stat. § 565.225): A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and: (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or (2) At least one of the acts constituting the
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<th>Crime Type (Missouri Revised Statues)</th>
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<td>course of conduct is in violation of an order of protection and the person has received actual notice of such order; or (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or (6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.</td>
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<td>Stalking, Second Degree (Mo. Rev. Stat. § 565.227.1): A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.</td>
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<td>As used in the definitions of stalking above, the term &quot;disturbs&quot; shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.</td>
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<td>The institution has determined, based on good-faith research, that Missouri's criminal statutes do not define the term sexual assault. However, Missouri's protective order statutes indicate that &quot;sexual assault&quot; means 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. (Mo. Rev. Stat. § 455.010(1)(e)).</td>
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<td>For purposes of the Clery Act, the term &quot;sexual assault&quot; includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Missouri law are as follows:</td>
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<td>• Rape in the First Degree (Mo. Rev. Stat. § 566.030.1): A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.</td>
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<td>• Rape in the Second Degree (Mo. Rev. Stat. § 566.030.1): A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.</td>
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<td>• Fondling: The institution has determined, based on good-faith research, that Missouri law does not define the term fondling.</td>
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<td>• Incest (Mo. Rev. Stat. § 568.020.1): A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her: (1) Ancestor or descendant by blood or adoption; or (2) Stepchild, while the marriage creating that relationship exists; or (3) Brother or sister of the whole or half-blood; or (4) Uncle, aunt, nephew or niece of the whole blood.</td>
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<td>• Statutory Rape, First Degree (Mo. Rev. Stat. § 566.032.1): A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age.</td>
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<td>• Statutory Rape, Second Degree (Mo. Rev. Stat. § 566.034.1): A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has sexual intercourse with another person who is less than seventeen years of age.</td>
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Other crimes under Missouri law that may be classified as a "sexual assault" include the following:

- Sodomy in the First Degree (Mo. Rev. Stat. § 566.060.1): A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

- Sodomy in the Second Degree (Mo. Rev. Stat. § 566.061.1): A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.

- Statutory Sodomy, First Degree (Mo. Rev. Stat. § 566.062.1): A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.

- Statutory Sodomy, Second Degree (Mo. Rev. Stat. § 566.064.1): A person commits the offense of statutory sodomy in the second degree if being twenty-one years of age or older, he or she has deviate sexual intercourse with another person who is less than seventeen years of age.

- Child Molestation, First Degree (Mo. Rev. Stat. § 566.067.1): A person commits the offense of child molestation in the first degree
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<td>if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense.</td>
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<td>• Child Molestation, Second Degree (Mo. Rev. Stat. § 566.068.1): A person commits the offense of child molestation in the second degree if he or she: (1) Subjects a child who is less than twelve years of age to sexual contact; or (2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.</td>
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<td>• Child Molestation, Third Degree (Mo. Rev. Stat. § 566.069.1): A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.</td>
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<td>• Child Molestation, Fourth Degree (Mo. Rev. Stat. § 566.071.1): A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.</td>
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<td>• Sexual Misconduct Involving a Child (Mo. Rev. Stat. § 566.083.1): A person commits the offense of sexual misconduct involving a child if such person: (1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child; (2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; (3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; or (4) Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.</td>
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<td>• Sexual Misconduct, First Degree (Mo. Rev. Stat. § 566.093.1): A person commits the offense of sexual misconduct in the first degree if such person: (1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm; (2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or (3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.</td>
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|                                     | • Second Degree Sexual Misconduct (Mo. Rev. Stat. § 566.095.1): A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in
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<td>sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.</td>
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<tr>
<td>• Sexual Abuse in the First Degree (Mo. Rev. Stat. § 566.100.1): A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.</td>
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<td>• Sexual Abuse, Second Degree (Mo. Rev. Stat. § 566.101.1): A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.</td>
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Consent (as it relates to sexual activity) (Mo. Rev. Stat. § 556.061(14))

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.

**College Definition of Consent**

In addition to the definition of consent under state law, the institution uses the following definition of consent in its sexual misconduct policies for the purpose of determining whether sexual violence (including sexual assault) has occurred:

An affirmative agreement through clear actions or words to engage in intimate activity. A person who is incapacitated unconscious, unaware, or otherwise physically helpless cannot give effective consent to sexual activity. One who is coerced; a minor; incapacitated due to disability; intoxicated; under the influence of drugs; or asleep cannot give effective consent.

- Consent is active, not passive.
- Silence, in and of itself, cannot be interpreted as consent.
- Previous relationships or prior consent cannot imply consent to future sexual acts.
- Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.

**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 College 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 College. Methods include, but are not limited to: online presentations, distribution of written materials, periodic email blasts, and guest speakers. Past programming and currently planned programming includes the following that have been provided by the Metropolitan Organization to Combat Sexual Assault (MOCSA), MCC Counselors, and MCC Campus Life and Leadership personnel: Sexual Assault Awareness, The Clothesline Project, Healthy Relationships Presentation, Domestic Violence Awareness, Safe Dates: Dating Violence Prevention, Nature and Dynamics of Domestic Violence, Sexual Assault Prevention Training, No More Violence Blue Donut Day – VAWA and Bystander Awareness, Passive Programming: Sexual Assault and Domestic Violence, What is Sexual Assault?, and The Facts About Domestic Violence, and mandatory online training for students and employees: Sexual Misconduct, Sexual Harassment, and Title IX and Sexual Misconduct.

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 Security Department at (816) 604-1200. At the earliest opportunity, you should also contact the College’s Title IX Coordinator or Title IX contact at your campus location:

• Chocoletta Simpson, Executive Director of Institutional Equity/Title IX Coordinator at 3217 Broadway, Suite 150, Kansas City, MO 64111 (816) 604.1575
• Chelsia Potts, Interim Dean of Student Development & Enrollment/Title IX /Title IX Contact (Penn Valley) at MCC-Penn Valley 3201 Southwest Trafficway Kansas City, MO 64111-2727; (816) 604-4134

• Terrell Tigner, Dean of Student Development & Enrollment/Title IX Contact (Maple Woods) at MCC-Maple Woods 2601 NE Barry Road Kansas City, MO 64156-1254; (816) 604-3175

• Diana McElroy, Dean of Student Development & Enrollment/Title IX Contact (Longview) at MCC-Longview 500 SW Longview Road Lee’s Summit, MO 64081-2105; (816) 604-2326

• Jon Burke, Dean of Student Development & Enrollment/Title IX Contact (Blue River, Business & Technology) at MCC-Blue River 20301 E. 78 Highway Independence, MO 64057-2053; (816) 604-6620; MCC- Business & Technology 1775 Universal Avenue Kansas City, MO 64120-1318

• Kim Fernandes, Director of Student Disability Services (Student Confidential Reporter) at 3200 Broadway Kansas City, MO (816) 604-1418

• New Directions Behavioral Health (Employee Confidential Reporter), MCC’s Employee Assistant Program (EAP) Phone: (800) 624-5544 Emotional Support: (833) 848-1764 https://www.ndbh.com/

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.

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:

• St. Luke’s Northland Hospital, 5830 NW Barry Rd., Kansas City, MO 64154, (816) 891-6000; University of Kansas Medical Center, 3901 Rainbow Blvd., Kansas City, KS 66160,(913) 588-5000;
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**

- MCC Police Department (816) 604-1200
- Independence Missouri Police Department, 223 N. Memorial Drive, Independence, MO 64050, (816) 325-7300;
- Kansas City Missouri Police Department, 1200 Linwood Blvd., Kansas City, MO 64109, (816) 234-5111;
- Lee's Summit Missouri Police Department, 10 NE Tudor Rd., Lee's Summit, MO 64086, (816) 969-1700;
- St. Joseph Police Department, 501 Faraon Street, Saint Joseph, Missouri 64501, (816) 271-4702

To make a police report, if you are a victim you should call the MCC Police Department at (816) 604-1200 or call 911. The MCC Police Department can assist you with notifying the
Kansas City Missouri Police Department Sex Crimes Unit or other local police authority. If you choose to call the MCC Police Department, an officer will contact you at the scene of the attack, the hospital, or another location. Other MCC personnel will assist you in notifying the MCC Police Department, the Kansas City Missouri Police Department Sex Crimes Unit or other local police authority as necessary. You should provide as much information as possible, including name, address, and when and what occurred, to the best of your ability.

**Information about Legal Protection Orders**

In Missouri, 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.courts.mo.gov/page.jsp?id=533](http://www.courts.mo.gov/page.jsp?id=533).

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.courts.mo.gov/file.jsp?id=69655](http://www.courts.mo.gov/file.jsp?id=69655).

A Petition for Order of Protection should be filed for in the:

- For Kansas City, Missouri, (Western Jackson County) 16th Circuit of Jackson County’s Kansas City Courthouse. The address is: 415 E. 12th Street, Kansas City, Missouri 64106. The phone number is 816-881-3971.
- For Independence and Lee's Summit, Missouri, (Eastern Jackson County) 16th Circuit of Jackson County’s Kansas City Courthouse. The address is: 308 W. Kansas Ave., Independence, Missouri 64050. The phone number is (816) 881-4555. More information is available here: [https://www.16thcircuit.org/domestic-violence](https://www.16thcircuit.org/domestic-violence).
  - Information about obtaining an Order of Protection in Jackson County can be found here: [https://www.16thcircuit.org/Data/Sites/1/media/Civil_Records/booklet-16.pdf](https://www.16thcircuit.org/Data/Sites/1/media/Civil_Records/booklet-16.pdf).
  - The circuit court clerk’s office can provide the necessary forms and may assist in completing the forms. Forms may also be found online at: [http://www.courts.mo.gov/file.jsp?id=537](http://www.courts.mo.gov/file.jsp?id=537). A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection.
- For St. Joseph, Missouri, 5th Judicial Circuit Court’s Buchanan County Courthouse. The address is: 411 Jules St., Saint Joseph, MO 64501. The phone number is (816) 271-1462.
  - Information about obtaining an Order of Protection in Buchanan County can be found here: [https://www.co.buchanan.mo.us/185/Domestic-Violence-Division](https://www.co.buchanan.mo.us/185/Domestic-Violence-Division).

Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order.

- The Kansas City Missouri Police Department provides advocates for victims of domestic violence through their Victim Services Office. The KCPD is located at: 1125 Locust, Kansas City, Mo. 64106. The Victim Advocate phone number is: 816-234-5205. More information may be found at: [http://kcmo.gov/police/victim-resources-2/](http://kcmo.gov/police/victim-resources-2/).
When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The institution will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.

The institution does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

**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 College and in the surrounding community. Those services include:

**MCC Resources**

- MCC Police Department (816) 604-1200
- Title IX Coordinators and Title IX Contacts (listed in prior section of report)
- 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 for your campus can assist in facilitating this conversation if desired. The College’s financial aid website can be found at: [http://mcckc.edu/financialaid/](http://mcckc.edu/financialaid/).

**State/Local Resources (Missouri)**

- Local police departments (listed in prior section of report)
- Hospitals/medical centers (listed in prior section of report)
- Jackson County Mental Health Services: [http://www.jacksongov.org/499/Health-Services](http://www.jacksongov.org/499/Health-Services)
- Buchanan County Resources: [https://www.co.buchanan.mo.us/345/Resources](https://www.co.buchanan.mo.us/345/Resources)
- Missouri Coalition against Domestic and Sexual Violence: [https://www.mocadsv.org/](https://www.mocadsv.org/)
- Newhouse: [https://www.newhouseshelter.org/](https://www.newhouseshelter.org/)
- A local service resource providing counseling, mental health, referrals and other services serving Jackson, Clay, Cass, and Platte counties in Missouri is MOCSA (Metropolitan Organization to Counter Sexual Assault), 3100 Broadway, Suite 400, Kansas City, MO 64111-2591, telephone (816) 931-4527. MOCSA’s 24-hour crisis
hotline numbers are (816) 531-0233 and (913) 642-0233. Relay services are available by dialing 711. The MOSCA website is [http://www.mocsa.org](http://www.mocsa.org). MOCSA office hours are 8:30 am – 5:00 pm Monday - Friday.

- Missouri Legal Services: [https://www.lsmo.org/](https://www.lsmo.org/)

**National Resources**

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network: [https://www.rainn.org/](https://www.rainn.org/)
- US Dept. of Justice Office on Violence Against Women: [https://www.justice.gov/ovw](https://www.justice.gov/ovw)
- U.S. Citizenship and Immigration Services: [https://www.uscis.gov/](https://www.uscis.gov/)
- Immigration Advocates Network: [https://www.immigrationadvocates.org/](https://www.immigrationadvocates.org/)

**Accommodations and Protective Measures:**

The College 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 College 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:

- Chocoletta Simpson, Executive Director of Institutional Equity at 3217 Broadway, Suite 150 (816) 604.1575

The Title IX Coordinator or designee is responsible for deciding what, if any, accommodations or protective measures will be implemented. When determining the reasonableness of such a request, the College 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 College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College’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 College 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 protective order, the
College 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:**

Complaints of sexual assault, domestic violence, dating violence and stalking will be resolved through the applicable sex discrimination and sexual harassment policies and procedures to include the formal processes as described below. Informal resolution may also be considered in certain circumstances if agreed by the parties, except not in situations alleging an employee sexually harassed a student.

Students or employees who believe they have been a victim of one of these offenses may file a complaint with the Title IX Coordinator. Information can be found at [https://mcckc.edu/diversity-inclusion/policies-procedures.aspx](https://mcckc.edu/diversity-inclusion/policies-procedures.aspx)

**For Students - Allegations Involving Alleged Sex Discrimination and Sexual Harassment:**

Allegations related to conduct involving alleged sex discrimination and sexual harassment, including dating violence, domestic violence, stalking or sexual assault, may be processed through the formal complaint process. An informal process may also be used, except to resolve allegations that an employee has sexually harassed a student. Students who believe they have been discriminated against or harassed may file a complaint with the Title IX Coordinator. A student who files a complaint will be given a copy of this policy and procedure in its entirety.

**Informal Process:** The purpose of the informal process is to review the complaint and constructively resolve the issue to come to a mutually acceptable agreement. If both parties voluntarily agree in writing to cooperate, the Title IX Coordinator or designee will facilitate and monitor the conversation. The conversations can take place through in-person, through online, telephone conferencing, or email. Within three (3) calendar days, Title IX Coordinator or designee will notify the complainant and respondent in writing that the informal process has been initiated – both parties will have the opportunity to provide any relevant information. The informal process may result in solutions such as asking the respondent to modify or stop the behavior, separating the complainant and respondent, and/or reaching a mutually acceptable agreement. However, this informal process will not result in formal disciplinary action against the respondent without a formal process. After a remedy is reached, Title IX Coordinator or designee will notify both parties in writing of the agreement. Title IX Coordinator will monitor the remedy and may inform other appropriate administrators (e.g., supervisors, Human Resources, Department Chairs, Police Department) to assist with monitoring. If informal efforts are unsuccessful, the formal resolution process may be initiated. Either party has the right to end the informal process and begin the formal process at any time. The informal process will not be used to resolve allegations that an employee sexually harassed a student.

**Formal Process:** The purpose of the formal resolution process is to formally investigate reports and/or claims of Sex Discrimination or Sexual Harassment and to address inquiries and coordinate the College's compliance efforts regarding such instances. The formal resolution process may result in formal disciplinary action against the respondent after thorough investigation. If the complainant wishes to pursue a formal resolution, and the request is provided in writing, or if the College, based on the alleged policy violation, wants to pursue a formal resolution on the complainant's behalf, then the Title IX Coordinator or designee will appoint a trained investigator(s) to conduct the initial assessment. Within three (3) calendar
The investigation will entail interviews with all relevant parties, witnesses, and procurement of evidence. Any formal investigation or hearing will be conducted using a preponderance of evidence standard. The following process will be implemented:

- The Title IX Coordinator or designee will review the report or complaint to determine the identity of the complainant and contact the complainant to discuss the incident and inform them of available resources and share rights and options (internal and external), and initiate any supportive measures, in coordination with campus partners.

- The Title IX Coordinator or designee will assign a trained investigator(s) to complete an initial assessment. In conjunction with the findings, the Title IX Coordinator will determine whether the formal resolution process should be used or the complaint will be dismissed. If there is a reason to pursue, the formal resolution will proceed. If there is no cause to pursue, the formal complaint will be dismissed or referred to the appropriate administrator and/or department for review (e.g., Human Resource Department).

- When it is determined whether a formal resolution process is warranted or not, both parties will be notified in writing within three (3) calendar days of that decision. The assigned investigator(s) will proceed with the investigation completing the investigative report, fairly, summarizing all relevant evidence, and providing it to the Vice President of Instruction and Student Services (VPISS) or designee. Ten (10) calendar days prior to completing the draft report and providing to the VPISS, the investigator will send the report to both parties and their respective advisors for review and written response. All evidence related to the allegation(s) will be included and disseminated.

- The VPISS or designee will facilitate the live hearing, as appropriate, including cross-examination of both parties by each party's advisor. The VPISS will provide the report to both parties, ten (10) days prior to the hearing, for review and comment. All hearings will be recorded, an audio, audiovisual, or transcript will be provided to both parties for inspection and review.

- Within seven (7) calendar days of the hearing, the VPISS or designee will provide the written determination, to both parties.

- Within five (5) calendar days of receipt of the determination by the VPISS or designee, either the complainant or respondent may appeal the determination in writing to the Campus President. The acceptable basis for an appeal is limited to the following:
  - The appearance of new evidence, unavailable or dismissed during the original hearing or investigation that could substantially impact the outcome of the matter. A summary of this new evidence and its potential impact must be included;
  - A procedural irregularity occurred that impacted the outcome of the (i.e., material deviation from established procedures);
  - The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the outcome of the matter.

- Within (10) ten calendar days of receipt of appeal request, the Campus President or designee will review the report, investigation materials, and determination. The determination will be communicated to both parties in writing.

- The President’s or designee’s decision is final; no further appeal is available. The determination regarding responsibility becomes final either on the date both parties are
provided a written decision of the result of the appeal if an appeal is filed, or if an appeal is not filed, the date on which the appeal has expired.

Pre-Hearing and Hearings: The pre-hearing will take place no sooner than 10 (ten) days after receipt of the investigation report from the hearing facilitator, the Associate Vice Chancellor of Human Resource/Chief Human Resource Officer (CHRO) or designee, the hearing facilitator may appoint a Chair to assist with the hearing proceedings. The pre-hearing will allow each party and their respective advisor to discuss and review hearing procedures, provide relevant questions to be asked in the hearing for review, and learn expectations of all involved parties. Hearings will be conducted live directly, orally, and in real-time and cross-examination will be facilitated by each party's advisor. Parties are not allowed to engage in cross-examination themselves. All questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker will not be able to rely on/include an absent party's statement or present party’s statement that is refusing to answer cross examination or other questions, or draw an inference about the determination regarding responsibility. This includes any party or witness that is not present or refuses to answer questions asked by the decision maker, for the hearing and cross-examination. A hearing can take place virtually and/or in-person. All hearings will be recorded (audio, audiovisual, or transcript) and provided to both parties for inspection and review.

Timelines: Complaints generally will be resolved within seventy (70) calendar days of the filing of the complaint. Where there is a need to extend this timeframe, for good cause, the parties will be notified of any delays and provided an explanation for the delay. Causes for delay include but are not limited to: schedule and availability of witnesses, holidays, semester breaks, non-contract days for faculty, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities. Both parties will receive regular updates regarding the status of the complaint.

For more information on Student Sex Discrimination and Sexual Harassment policies and procedures:

- https://mcckc.edu/diversity-inclusion/docs/Sex_Discrimination_and_Sexual_Harassment_Policy_Student_7.30035_BP.pdf
- https://mcckc.edu/diversity-inclusion/docs/Sex_Discrimination_and_Sexual_Harassment_Procedure_Student_7.30035_DP.pdf

For Employees - Allegations Involving Alleged Sex Discrimination and Sexual Harassment

Allegations related to conduct involving alleged sex discrimination and sexual harassment, including dating violence, domestic violence, stalking, or sexual assault, can be processed through the formal complaint process. An informal process may also be used, except to resolve allegations that an employee has sexually harassed a student. Employees who believe they
have been discriminated against or harassed may file a complaint with the Title IX Coordinator. An employee who files a complaint will be given a copy of this policy and procedure in its entirety.

Informal Process: The purpose of the informal process is to review the complaint and constructively resolve the issue to come to a mutually acceptable agreement. If both parties voluntarily agree in writing to cooperate, the Title IX Coordinator or designee will facilitate and monitor the conversation. The conversations can take place through in-person, through online, telephone conferencing, or email. Within three (3) calendar days, Title IX Coordinator or designee will notify the complainant and respondent in writing that the informal process has been initiated – both parties will have the opportunity to provide any relevant information. The informal process may result in solutions such as asking the respondent to modify or stop the behavior, separating the complainant and respondent, and/or reaching a mutually acceptable agreement. However, this informal process will not result in formal disciplinary action against the respondent without a formal process. After a remedy is reached, Title IX Coordinator or designee will notify both parties in writing of the agreement. Title IX Coordinator will monitor the remedy and may inform other appropriate administrators (e.g., supervisors, Human Resources, Department Chairs, Police Department) to assist with monitoring. If informal efforts are unsuccessful, the formal resolution process may be initiated. Either party has the right to end the informal process and begin the formal process at any time. The informal process will not be used to resolve allegations that an employee sexually harassed a student.

Formal Process: The purpose of the formal resolution process is to formally investigate reports and/or claims of Sex Discrimination or Sexual Harassment and to address inquiries and coordinate the College's compliance efforts regarding such instances. The formal resolution process may result in formal disciplinary action against the respondent after thorough investigation. If the complainant wishes to pursue a formal resolution, and the request is provided in writing, or if the College, based on the alleged policy violation, wants to pursue a formal resolution on the complainant's behalf, then the Title IX Coordinator or designee will appoint a trained investigator(s) to conduct the initial assessment. Within three (3) calendar days of determining that a formal process should proceed, the parties will be notified in writing. The investigation will entail interviews with all relevant parties, witnesses, and procurement of evidence. Any formal investigation or hearing will be conducted using a preponderance of evidence standard.

The following process will be implemented:

- The Title IX Coordinator or designee will review the report or complaint to determine the identity of the complainant and contact the complainant to discuss the incident and inform them of available resources and share rights and options (internal and external), and initiate any supportive measures, in coordination with campus partners.

- The Title IX Coordinator or designee will assign a trained investigator(s) to complete an initial assessment. In conjunction with the findings, the Title IX Coordinator will determine whether the formal resolution process should be used or the complaint will be dismissed. If there is a reason to pursue, the formal resolution will proceed. If there is no cause to pursue, the formal complaint will be dismissed or referred to the appropriate administrator and/or department for review (e.g., Human Resource Department)
• When it is determined whether a formal resolution process is warranted or not, both parties will be notified in writing within three (3) calendar days of that decision. The assigned investigator(s) will proceed with the investigation completing the investigative report, fairly, summarizing all relevant evidence, and providing it to the Associate Vice Chancellor of Human Resource/Chief Human Resource Officer (CHRO) or designee. Ten (10) calendar days prior to completing the draft report and providing to the CHRO, the investigator will send the report to both parties and their respective advisors for review and written response. All evidence related to the allegation(s) will be included and disseminated.

• The CHRO or designee will facilitate the live hearing, as appropriate, including cross-examination of both parties by each party's advisor. The CHRO will provide the report to both parties, ten (10) days prior to the hearing, for review and comment. All hearings will be recorded, an audio, audiovisual, or transcript will be provided to both parties for inspection and review.

• Within seven (7) calendar days of the hearing, the CHRO or designee will provide the written determination, to both parties.

• Within five (5) calendar days of receipt of the determination by the CHRO, either the complainant or respondent may appeal the determination in writing to the Chancellor. The acceptable basis for an appeal is limited to the following:
  o The appearance of new evidence, unavailable or dismissed during the original hearing or investigation that could substantially impact the outcome of the matter. A summary of this new evidence and its potential impact must be included;
  o A procedural irregularity occurred that impacted the outcome of the (i.e., material deviation from established procedures);
  o The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the outcome of the matter.

• Within (10) ten calendar days of receipt of appeal request, the Chancellor or designee will review the report, investigation materials, and determination. The determination will be communicated to both parties in writing.

• The Chancellor's or designee’s decision is final; no further appeal is available.

The determination regarding responsibility becomes final either on the date both parties are provided a written decision of the result of the appeal if an appeal is filed, or if an appeal is not filed, the date on which the appeal has expired.

Pre-Hearing and Hearings: The pre-hearing will take place no sooner than 10 (ten) after receipt of the investigation report from the hearing facilitator, the Associate Vice Chancellor of Human Resource/Chief Human Resource Officer (CHRO) or designee, the hearing facilitator may appoint a Chair to assist with the hearing proceedings. The pre-hearing will allow each party and their respective advisor to discuss and review hearing procedures, provide relevant questions to be asked in the hearing for review, and learn expectations of all involved parties. Hearings will be conducted live directly, orally, and in real-time and cross-examination will be facilitated by each party's advisor. Parties are not allowed to engage in cross-examination themselves. All questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s
prior sexual behavior are offered to prove that someone other than the respondent committed
the conduct alleged by the complainant, or if the questions and evidence concern specific
incidents of the complainant’s prior sexual behavior with respect to the respondent and are
offered to prove consent. The decision-maker will not be able to rely on/include an absent
party's statement or present party’s statement that is refusing to answer cross examination or
other questions, or draw an inference about the determination regarding responsibility. This
includes any party or witness that is not present or refuses to answer questions asked by the
decision maker, for the hearing and cross-examination. A hearing can take place virtually
and/or in-person. All hearings will be recorded (audio, audiovisual, or transcript) and provided
to both parties for inspection and review.

Timeline: Complaints generally will be resolved within seventy (70) calendar days of the filing
of the complaint. Where there is a need to extend this timeframe, for good cause, the parties
will be notified of any delays and provided an explanation for the delay. Causes for delay
include but are not limited to: schedule and availability of witnesses, holidays, semester breaks,
non-contract days for faculty, concurrent law enforcement activity, or the need for language
assistance or accommodation of disabilities. Both parties will receive regular updates regarding
the status of the complaint.

For more information on Employee Sex Discrimination and Sexual Harassment policies and
procedures:

- https://mcckc.edu/diversity-inclusion/docs/Sex_Discrimination_and_Sexual_Harassment_Policy_Employee_3.30_015_BP.pdf
- https://mcckc.edu/diversity-inclusion/docs/Sex_Discrimination_and_Sexual_Harassment_Procedure_Employee_3.30015_DP.pdf

Rights of the Parties in an Institutional Proceeding under MCC’s Sex Discrimination
and Sexual Harassment Policies and Procedures:

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:
     o 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 complainant and
       the respondent of the delay and the reason for the delay.
     o Conducted in a manner that:
       ▪ Is consistent with the institution’s policies and transparent to
         the complainant and the respondent.
       ▪ Includes timely notice of meetings and hearings at which the
         complainant or respondent, or both, maybe present; and
• Provides timely access to the complainant, the respondent, and appropriate officials to any information that will be used during the informal and formal meetings and hearings.
  
  o Conducted by officials who do not have a conflict of interest or bias for or against the complainant or the respondent.

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.

• Training addresses topics such as definitions of sexual misconduct, basic understanding of sexual harassment and sexual misconduct, and employee obligations, use of relevant evidence during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.

• MCC officials involved in these proceedings receive the following mandatory training:

  o **Title:** Sexual Misconduct (Annual). **Description:** While the vast number of school staff members are competent, capable, and caring professionals, sexual misconduct by staff members involving students, unfortunately, does happen. Sexual misconduct has a profound and lasting impact on the student, school, community, and staff members as well. In this course, you'll learn about the obligation of every staff member to provide an appropriate level of care for all students. Specifically, this course will explore the definition of sexual misconduct, the legal obligations of school staff members, and signs of sexual misconduct by staff members, and how to create clear professional boundaries that protect you as well as students.

  o **Title:** Sexual harassment Staff to Staff (Annual). **Description:** Sexual harassment can have lasting effects for individuals, organizations, and the community, such as psychological trauma; a hostile work environment for employees; damaged reputations; negative publicity; civil liability, and even criminal charges. This is why employers can't take sexual harassment lightly, and employees should understand their roles and obligations if they experience or witness it on the job. This course is designed to provide employees with a basic understanding of sexual harassment and strategies to maintain a harassment-free environment.

  o **Title:** Title IX and Sexual Misconduct (Annual). **Description:** This course provides information about Title IX and sexual misconduct in colleges. This course covers the definition of sexual misconduct, Title IX regulations, your obligations under Title IX, and effective policies.

  o **Title:** Title IX: Civil Rights Investigator/Decision Maker Training. **Description:** This training provides a full-time investigator or employee with investigative responsibilities, on top of other duties how to fully
process and resolve a sexual harassment complaint, conduct interviews, gather, assess, and analyze evidence. It also provides those with decision-making responsibilities the ability to recognize and overcome bias, understand the scope of their role, apply a policy with analytical precision, and be sure that their determination is reliably based on the evidence.

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 and must provide an advisor to the complainant or respondent if they do not have one.

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.

Other Procedures for Disciplinary Action:

For allegations of dating violence, domestic violence, sexual assault, and stalking in instances where the above Sex and Sexual Harassment procedures do not apply, the below apply:

Students:

- Students: Non-Discrimination and Harassment 7.30030 BP Board Policy [https://mcckc.edu/diversity-inclusion/docs/Non-Discrimination_and_Harassment_Policy_Student_7.30030_BP.pdf](https://mcckc.edu/diversity-inclusion/docs/Non-Discrimination_and_Harassment_Policy_Student_7.30030_BP.pdf)
- Students: Non-Discrimination and Harassment 7.30030 DP District Procedure [https://mcckc.edu/diversity-inclusion/docs/Non-Discrimination_and_Harassment_DP_District_Procedure_Student_7.30030.pdf](https://mcckc.edu/diversity-inclusion/docs/Non-Discrimination_and_Harassment_DP_District_Procedure_Student_7.30030.pdf)
- MCC’s Student Code of Conduct 7.35010 DP District Procedure [https://www.mcckc.edu/our-students/docs/student_code_conduct.pdf](https://www.mcckc.edu/our-students/docs/student_code_conduct.pdf)
  
Employees:

- Termination of Employment 3.40010 BP Board Policy – See Appendix C
- Progressive Discipline 3.40065 DP District Procedure – See Appendix D
- Dismissal of Faculty 3.40040 BP Board Policy – See Appendix E
Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:

Following a final determination in the College’s disciplinary proceeding that one of the above offenses has been committed, the College may impose a sanction taking into consideration any mitigating and aggravating circumstances involved. They include assessment of financial penalties, suspension, expulsion, probation, or termination/expulsion.

Sanctions for Students include but not limited to:

1. **Restitution**: Restitution necessitates compensation for loss, damage, or injury and can take the form of service and or monetary/material replacement.

2. **Educational Sanctions**: Educational Sanctions are the broadest category of sanctions used by MCC. Educational Sanctions typically include one or more of the following: work assignments, community service, behavioral contract, administrative referral, and other related educational assignments.

3. **Formal Warning**: Formal Warnings emphasize to the student that further violations would result in progressive sanctioning. A student receiving a Formal Warning shall continue to exercise the rights and privileges of a student in good standing.

4. **Conduct Probation**: Conduct Probation serves as a warning to students that they are not in good standing with MCC. Further violations of the Code of Conduct could result in suspension or dismissal.

5. **Facility Suspension**: The student no longer has the privilege of entering or using a particular facility or building or college property for a specified period of time or until a specific condition is met.

6. **Facility Expulsion**: Facility Expulsion entails the permanent loss of privileges to use a building or facility or college property for an unlimited period of time.

7. **Loss of Privileges**: Loss of Privileges entails denial of specified privileges for a designated period of time.

8. **Barring from Class, Activity or Contact**: The student is barred from attending a particular class, activity or from contact with specific students or employees.

9. **Suspension**: Suspension entails the termination of a student’s enrollment for a particular period of time, or until specific conditions are met. Suspended students may not be present on college property or at college-sponsored events. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. Following a suspension, the individual will be required to meet with the Title IX Coordinator and/or Dean of Students to discuss re-entry and expectations going forward.

10. **Expulsion**: Expulsion entails the termination of a student’s enrollment with MCC. Expelled students are prohibited from being present on college property, or at college-sponsored events.

All sanction requirements must be documented, completed, and provided to the Title IX Coordinator for safekeeping.
Failure to complete a required sanction is a serious offense. It is considered an additional violation of the Code of Conduct, and will usually result in more serious sanctions being imposed. Students failing to complete sanctions by the required deadlines may be suspended or expelled from the college.

Within two (2) weeks of a student’s failure to complete a sanction, a HOLD will be placed on the student’s records, and any pre-registration that the student might have already conducted. Thus, it is very important for the student to complete sanctions on time and avoid a HOLD being placed on their academic records or registration. A HOLD on a student’s admission, registration, transcript access or financial aid is not an independent penalty, but may be utilized by the college as a means to either direct a student’s attention to subsequent participation in a pending disciplinary proceeding or obtain the student’s compliance with a sanction which has been imposed, or other action which has been taken, under the Code of Student Conduct.

Sanctions for Employees

Employees found to be in violation will be subject to the full range of discipline up to and including verbal or written reprimand, performance improvement plan, required training or education, suspension, demotion, and termination. Following a suspension, the individual will be required to meet with the Title IX Coordinator and/or Director of Human Resources to discuss re-entry and expectations going forward.

Protective Measures

The College can provide a range of protective measures to victims of these offenses. They include, but are not limited to the following: no contact orders or banning from college property or participation in college sponsored events, remedial steps may include counseling for the complainant, work or other arrangements for the complainant, separation of the parties, and training for the respondent and other persons.

Publicly Available Recordkeeping:

The College 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 College to the extent permitted by law.

Victims to Receive Written Notification of Rights:

When a student or employee reports to the College 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 College 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 advise 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 College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the MCC Police Department at (816) 604-1200. State registry of sex offender information may be accessed at the following link: 
http://www.mshp.dps.mo.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html.

**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 Chief of Police or designee 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:

- MCC Police Department, (816) 604-1200
- Executive Director of Institutional Equity/Title IX Coordinator, Chocoletta Simpson; 3217 Broadway, Suite 150 (816) 604.1575
- Dean of Student Development & Enrollment (Penn Valley), Chelsia Potts; 3201 Southwest Trafficway Kansas City, MO 64111-2727; (816) 604-4134
- Dean of Student Development & Enrollment (Maple Woods), Terrell Tigner; 2601 NE Barry Road Kansas City, MO 64156-1254; (816) 604-3175
- Dean of Student Development & Enrollment (Longview), Diana McElroy; 500 SW Longview Road Lee’s Summit, MO 64081-2105; (816) 604-2326
- Dean of Student Development & Enrollment (Blue River, Business & Technology), John Burke; MCC-Blue River 20301 E. 78 Highway Independence, MO 64057-2053; (816) 604-6620; MCC- Business & Technology 1775 Universal Avenue Kansas City, MO 64120-1318

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

**Emergency Response**

MCC's Emergency Management Plan establishes policies, procedures and organizational structure for response to emergencies that are of sufficient magnitude to cause a significant disruption of the functioning of all or portions of MCC. This plan describes the roles and responsibilities of departments, units and personnel during emergency situations. The basic emergency procedures are designed to protect lives and property through effective use of MCC and community resources. Since an emergency may be sudden and without warning, these procedures are designed to be flexible in order to accommodate contingencies of various types and magnitudes. The Emergency Management Plan addresses each type of emergency on an individual basis, providing guidelines for the containment of the incident to include an Emergency Operations Plan.
MCC’s Emergency Notification protocol provides for the issuance of an Emergency Alert to the MCC Community if a significant emergency or dangerous situation has arisen and it has been confirmed by campus officials with local law enforcement authorities, governmental authorities, and/or by other methods deemed valid, that the same involves an immediate, impending, or imminent threat to the health or safety of the MCC Community, either on or off campus. In such event, an Emergency Alert will be immediately disseminated to the MCC Community.

Examples of significant emergencies or dangerous situations that could pose an immediate threat and warrant implementation of the Emergency Response Plan include the following: extreme weather conditions such as an approaching tornado, earthquake, gas leak, terrorist incident, armed intruder, bomb threat, civil unrest or rioting, explosion, nearby chemical or hazardous waste spill, or outbreak of meningitis, norovirus, or other serious illness. MCC may also elect to issue an Emergency Alert in the event of a power outage, snow closure, or minor crimes.

Students, staff and visitors are encouraged to notify the Campus Police Department at (816) 604-1200 of any emergency or potentially dangerous situation.

The institution 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 Chief of Police, or their designee 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. In an extreme emergency, the Emergency Alert issuance may be implemented at the sole direction of the Chief of Police.

Once the emergency is confirmed and based on its nature, the Chancellor or Chief of Police, or their designee, will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified. The Chancellor and the Chief of Police, or their designee, 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.

The primary responsibility for monitoring emergency threats and events resides with the MCC Police Chief or designee. Upon verification that an emergency or dangerous condition exists that is an immediate threat to the health and safety of employees and students, confirmation of the existence of the emergency will be done by receiving information from and coordinating with a variety of official and public sources, such as:
a. National Warning System  
b. National Weather Service (NWS)  
c. Emergency Broadcast System (EBS)  
d. State Patrol/Police  
e. Local Police, Fire and Emergency Medical Services  
f. Emergency Telephone Calls  

The MCC Police Department 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 Chancellor, or designee, the College’s Chief of Police, or designee, will contact 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.

If there is a potential that the significant emergency or dangerous situation may have an effect on the community outside MCC, the Chief of Police, Chancellor, and MCC’s Communications personnel, if appropriate, will determine if it is necessary to disseminate the Emergency Alert to the community outside MCC, determine the content of such Emergency Alert, determine the communication dissemination methods to be utilized, and cause the issuance of the Emergency Alert without delay. The Emergency Alert will be disseminated to the community outside MCC via various communication methods which may include press releases, radio alerts, television alerts, and/or other methods as may be deemed appropriate.

After the initial Emergency Alert, the MCC communications department, after consultation with the Chief of Police and the Chancellor, will initiate a communication chain of command, which will include the appointment of an individual responsible for issuing the Emergency Alert update messages, if necessary, and a media communications spokesperson. Emergency Alert updates, if appropriate, will be issued in twenty (20) minute intervals until the situation is resolved.

In the event local police authorities issue a news release or other alert about a significant emergency or dangerous situation that has arisen which could involve an immediate threat to the health or safety of the MCC Community, the Chief of Police and the Chancellor will determine if an Emergency Alert will be issued as described above.

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

The method(s) listed below may be utilized when the College 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>Text messages</td>
<td>Emergency Alerts will be sent directly to the mobile phones of those employees and</td>
</tr>
<tr>
<td></td>
<td>students who have registered with the emergency text service. Employees and students</td>
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<tr>
<td></td>
<td>are encouraged to register for this service. For sign up information, see <a href="https://www">https://www</a>.</td>
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<tr>
<td></td>
<td>getrave.com/login/mccckc</td>
</tr>
<tr>
<td>Email messages</td>
<td>No sign up required</td>
</tr>
</tbody>
</table>
Method | Sign-Up Instructions
--- | ---
Computer messages | No sign up required
Posts to the MCC website in multiple areas (MCC Newsroom, MCC Students Online, MCC Insider, Blackboard, and myMCCKC Portal) | No sign up required
MCC's Facebook pages (campus, location, or departmental) | Follow Facebook instructions to join
Twitter | Follow Twitter instructions to follow
Police Sirens/Public Address Systems | No sign up required

**Testing & Documentation**

The College 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 College’s emergency operations plan.

The Chief of Police 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 College will distribute to its students and employees information to remind them of the College’s emergency response and evacuation procedures.

**Crime Statistics**

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

MCC-Blue River, 20301 East 78 Highway, Independence, MO 64057

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**MCC-Business & Technology, 1775 Universal Avenue, Kansas City, MO 64120**
### MCC-Longview, 500 SW Longview Road, Lee's Summit, MO 64081

<table>
<thead>
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<th>Non Campus</th>
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### MCC-Maple Woods, 2601 NE Barry Road, Kansas City, MO 64156/MCC-St. Joseph
3434 Faraon St, St Joseph, MO 64506

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MCC-Penn Valley, 3201 Southwest Trafficway, Kansas City, MO 64111

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* The College does not have on-campus student housing facilities.
Hate crimes:

MCC-Blue River, 20301 East 78 Highway, Independence, MO 64057
2019: No hate crimes reported.
2018: No hate crimes reported.
2017: No hate crimes reported.

MCC-Business & Technology, 1775 Universal Avenue, Kansas City, MO 64120
2019: No hate crimes reported.
2018: No hate crimes reported.
2017: No hate crimes reported.

MCC-Longview, 500 SW Longview Road, Lee's Summit, MO 64081
2019: No hate crimes reported.
2018: No hate crimes reported.
2017: No hate crimes reported.

MCC-Maple Woods, 2601 NE Barry Road, Kansas City, MO 64156 / MCC-St. Joseph
3434 Faraon St, St Joseph, MO 64506
2019: No hate crimes reported.
2018: No hate crimes reported.
2017: No hate crimes reported.

MCC-Penn Valley, 3201 Southwest Trafficway, Kansas City, MO 64111
2019: No hate crimes reported.
2018: 1 On Campus incident of Destruction/Damage/Vandalism of Property characterized by race bias.
2017: No hate crimes reported.

Crimes unfounded by the College:

MCC-Blue River, 20301 East 78 Highway, Independence, MO 64057
2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Business & Technology, 1775 Universal Avenue, Kansas City, MO 64120
2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Longview, 500 SW Longview Road, Lee's Summit, MO 64081
2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Maple Woods, 2601 NE Barry Road, Kansas City, MO 64156/ MCC-St. Joseph
3434 Faraon St, St Joseph, MO 64506

2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Penn Valley, 3201 Southwest Trafficway, Kansas City, MO 64111

2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

Statistics for unfounded crimes provided by law enforcement agencies:

MCC-Blue River, 20301 East 78 Highway, Independence, MO 64057

2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Business & Technology, 1775 Universal Avenue, Kansas City, MO 64120

2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Longview, 500 SW Longview Road, Lee's Summit, MO 64081

2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Maple Woods, 2601 NE Barry Road, Kansas City, MO 64156/ MCC-St. Joseph
3434 Faraon St, St Joseph, MO 64506

2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 0 unfounded crimes.

MCC-Penn Valley, 3201 Southwest Trafficway, Kansas City, MO 64111
2019: 0 unfounded crimes.
2018: 0 unfounded crimes.
2017: 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 College’s Clery Geography.
APPENDIX
APPENDIX A

METROPOLITAN COMMUNITY COLLEGE

BOARD POLICY

3.30060 BP

DRUGFREE WORKPLACE, CAMPUS AND COMMUNITY

3.30060 BP

The board has the obligation to maintain an environment conducive to teaching and learning and at the same time to foster the health and welfare of district employees. The board recognizes that misuse of alcohol and other drugs poses a major health problem, is a potential safety and security problem, can adversely affect job performance and morale, and can jeopardize the health and welfare of employees.

As a result of this commitment, the board encourages employees who need help with alcohol or other drug problems to utilize the services of the district employee assistance program and guarantees that conscientious efforts to obtain such help shall not jeopardize employment with the district nor be written in the official personnel record.

Therefore, the chancellor shall establish regulations forbidding the unlawful manufacture, distribution, dispensing, possession, or use of illegal drugs on district premises and the misuse of alcohol and other legal drugs by district employees while on duty. Such regulations shall assure that the district is in conformity with all applicable federal, state, and local statutes, regulations, and ordinances.

Adopted: Board of Trustees November 16, 1989
Revised: August 23, 1990
Reviewed: November 22, 2005
APPENDIX B

METROPOLITAN COMMUNITY COLLEGE

DISTRICT REGULATION

3.30060 DR

DRUGFREE WORKPLACE, CAMPUS AND COMMUNITY

3.30060 DR

Reference: 7.35010 Code of Student Conduct

In accordance with board policy to provide a safe, secure, healthful, drug free work, campus, and community environment, employees are expected and required to report to work and participate in district activities, and students are expected and required to attend classes and participate in district activities, in appropriate mental and physical condition. Further, students and employees are expected to abide by the following regulations related to the misuse of alcohol and other drugs and the unlawful possession, use, or distribution of illicit drugs and alcohol.

The appropriate vice chancellor or designee will be responsible for notifying all students and employees of policies and regulations related to providing a drug free workplace, campus, and community.


Each employee of the district will, as a condition of employment, agree to abide by the provisions of this regulation and all applicable conditions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

II. Employee Assistance with Alcohol and Other Drug Related Problems

Employees with alcohol or other drug related problems are encouraged to utilize the services of the district employee assistance program.

A. All communications between the employee and the employee assistance program will be strictly confidential, except in the case of conditional referrals.

B. Employees will not be subject to disciplinary action solely for voluntarily acknowledging their alcohol or other drug related problems.

III. Prohibited Employee Activities

A. Employees will not report for duty while impaired by illicit or illegal drugs or alcohol.

B. Employees will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances, illicit drugs, or alcohol while on duty, on district premises or property, or as part of any district activities.
C. Employees will not conduct district business away from district premises or property or participate in any district activities while impaired by illicit or illegal drugs or alcohol.

IV. Employee Disciplinary Actions

A. Initial Actions upon Discovery

1. The appropriate law enforcement agency will be notified when illicit or illegal drugs are discovered on district premises or property or in the possession of or being used or distributed by any employee while on duty or while participating in any district activities.

2. Any employee discovered to be illegally impaired by drugs or alcohol while on duty will be required to leave the premises with an offer of transportation home furnished by the district.

B. Personnel Action

1. Violation of District Regulation. Any employee who violates the provisions of this regulation is subject to disciplinary action which may include termination, depending upon the circumstances of the individual case and the judgment of appropriate college officials.

   a. Upon notification of a violation of this regulation, the district director of human resources will discuss the matter with the employee's supervisor, the administrative supervisor, and the district officer in charge of the unit involved to determine proposed disciplinary action.

   b. The district director of human resources will arrange a meeting with the charged employee and the employee's supervisor to discuss the charges and the proposed disciplinary action.

   c. The district director of human resources will recommend to the district officer in charge of the unit involved the discipline to be assessed.

   d. The officer will determine the appropriate disciplinary action and communicate this recommendation in writing to the director of human resources who will advise the employee.

   e. The employee shall have the rights established by district policy for his or her applicable employment category (e.g., non-probationary faculty, probationary faculty, staff). If there is no such applicable policy, the employee may request a hearing conducted in accordance with the appropriate process.
2. Conviction for Criminal Drug Offense. Within 30 days of receiving notification of the conviction of any employee for a criminal drug offense occurring in the workplace, appropriate personnel action will be taken. Such action may range from requiring satisfactory participation in a drug abuse rehabilitation program to termination of employment, depending upon the circumstances of the individual case.

V. Reporting Violations and Convictions

A. It is every employee's responsibility to report immediately to an appropriate supervisor any violation of the district Drug-Free Workplace, Campus, and Community policy and regulations. The supervisor will report the information promptly to the district officer in charge of the unit involved and the district director of human resources.

B. An employee convicted of any criminal drug offense for a violation occurring in the workplace will notify the district director of human resources of such conviction no later than five days after such conviction. The district director of human resources will promptly report such information to the chancellor or designee.

C. Within ten days after learning of the conviction of any district employee for violation of any criminal drug offense occurring in the workplace, the chancellor or designee will notify the appropriate federal agency responsible for any grant or contract with the district in which the convicted employee is involved.

VI. Student Compliance with the Drug-Free Schools and Communities Act Amendments of 1989

Each student in the district will, as a condition of enrollment, agree to abide by the provisions of this regulation and all applicable conditions of the Drug-Free Schools and Communities Act Amendments of 1989.

VII. Student Assistance with Alcohol and Other Drug Related Problems

Students with alcohol or other drug related problems are encouraged to utilize the services of the private and community agencies.

VIII. Prohibited Student Conduct

A. Students will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances, illicit drugs, or alcohol while on district premises or property, or as part of any district activities.

B. Students will not attend classes or participate in any district activities while impaired by illicit or illegal drugs or alcohol.

IX. Student Disciplinary Action

A. Students who violate this regulation are subject to the following disciplinary actions as more fully set forth in the Code of Student Conduct: warning,
disciplinary probation, disciplinary reprimand, restitution, summary suspension, suspension, and expulsion. The particular disciplinary action taken may depend on the circumstances of the individual case and the judgment of appropriate college officials.

B. In conjunction with or in lieu of the imposition of any of the disciplinary actions set forth in Section A herein, students may also be referred to appropriate local, state, or federal law enforcement agencies for prosecution.

C. In conjunction with or in lieu of any of the disciplinary actions set forth in Section A herein, students may be required to complete an appropriate counseling or rehabilitation program.

D. All disciplinary hearings or proceedings due students charged with violations of this regulation shall be conducted in accordance with or as provided by the Code of Student Conduct.

E. If and to the extent the Drug-Free Workplace, Campus, and Community regulations conflict with or contradict the Code of Student Conduct, the Drug-Free Workplace, Campus, and Community regulations shall control.

X. Applicable Legal Sanctions

Apart, separate and distinct from district policies, employees and students who engage in the unlawful manufacture, distribution, dispensing, possession or use of controlled substances, illicit or illegal drugs, or alcohol are subject to sanctions under local and municipal ordinances, Missouri statutes, the United States Code, and other applicable local, state, and federal laws. Such sanctions could include, without limitation, fines and imprisonment.

XI. Health Risks Associated with the Use of Illicit Drugs and Abuse of Alcohol

The use, misuse, or abuse of illicit drugs and alcohol can lead to or result in a variety of health risks including, but not limited to, addiction or dependency, physical infirmities and trauma, mental and emotional disorders and trauma, and, in some cases, harm to unborn children.

Approved: Chancellor's Cabinet
September 12, 1989

Revised: August 23, 1990
( Editorial Corrections 1/17/06)
Termination of Employment

TERMINATION OF EMPLOYMENT

The Metropolitan Community College (MCC) Board authorizes the Chancellor to develop, implement, and maintain uniform and consistent processes for employee terminations. Further, the Board authorizes the Chancellor to take appropriate action concerning dismissal of employees in accordance with established progressive discipline procedures.

APPLICABILITY

This policy applies to all full time employees not subject to provisions of a negotiated bargaining agreement.

DEFINITIONS

Voluntary Termination: The decision of an employee to end his/her employment with MCC.

Involuntary Termination: The decision of MCC to end an individual’s employment.

At-Will: MCC employees who do not hold written employment contracts authorized by the Chancellor and the Board of Trustees are employed at-will and have no entitlement to or expectation of continued employment.

Employees with Contracts: Employees who hold a written employment contract detailing the employment relationship between the employee and MCC.

VOLUNTARY TERMINATION

RESIGNATION

To resign in good standing, an employee must provide two weeks written notice or the notice required in an employment contract. The employee shall provide written notice to her/his supervisor and a copy to the office of Human Resources. Employees who resign in good standing are entitled to receive pay for any accrued vacation time unless otherwise required by law.

A resignation cannot be revoked by the employee without the consent of the Chancellor or designee. All salary due the employee, including accrued vacation time (if applicable), shall be payable at the end of the notice period.

RETIREMENT

An employee must provide sixty (60) days written notice of retirement or as soon as reasonably possible or the retirement notice required in an employment contract. The employee shall provide written notice to her/his supervisor, with copies to the office of Human Resources and the Director of Total Rewards or designee.

EMPLOYMENT EXTENSION

Upon retirement or resignation notice, employees are not allowed to extend employment with MCC using accrued vacation past a maximum of ten (10) days.

ADMINISTRATIVE LEAVE

The Chief Human Resources Officer or designee may place an employee on administrative leave with pay pending an impartial and equitable investigation when the Chief Human Resources Officer or designee determines such placement to be in the best interest of MCC.

ADOPTED: June 20, 2019
OFFICE OF RESPONSIBILITY: Human Resources
Termination of Employment

PROGRESSIVE DISCIPLINE

MCC shall utilize progressive discipline procedures when MCC believes it is appropriate. However, MCC may move forward with involuntary termination at any time without utilizing the progressive discipline procedures if it is determined in MCC’s sole discretion that findings warrant immediate disciplinary action.

IN Voluntary TERMINATION

MCC may initiate a termination at its sole discretion in accordance with applicable policy or procedures. The parameters for termination are set out below:

AT-WILL

Employment of an at-will employee may be terminated for any reason not prohibited by law.

EMPLOYEES WITH CONTRACTS

MCC employees who hold a written employment contract may be terminated as outlined in the contract. Where the contract is silent as to termination, employment may be terminated for “Good Cause” or “Cause.” Those terms shall be defined to include (but are not limited to) the following circumstances:

- Failure to perform duties in a satisfactory manner
- Job abandonment or excessive, unapproved, absenteeism
- Fraud, misappropriation, theft, embezzlement or acts of dishonesty
- Violations of any policy or procedure of MCC, including but not limited to MCC’s drug and alcohol free workplace policies or MCC’s policies prohibiting discrimination, harassment and retaliation in the workplace
- Unauthorized possession of ammunition, firearms, explosive weapons or other weapons as defined in Missouri Revised statutes 571.010 on MCC’s property or property under MCC’s control
- Violations of federal, state or local laws or regulations in the course and scope of employment
- Intentional or willful misconduct
- Falsification of any MCC record, including but not limited to time records, information on a resume, employment application, MCC forms or any other company record
- Breach of a material term of the employment contract
- Refusal to follow reasonable directives/subordination
- Improper disclosure of confidential student information
- Behavior that is harmful to the reputation or standing of MCC, in the sole discretion of MCC

IN Voluntary TERMINATION

A supervisor recommending termination of an employee shall consult with the Director of Employee Relations and Engagement or designee prior to taking any action against the employee. The Director of Employee Relations and Engagement or designee will ensure that the dismissal is in accordance with the policies and procedures of MCC.

At-Will: Involuntary Termination requires the approval of 1) the employee’s supervisor, 2) appropriate Campus President, Vice Chancellor or adminis-
Termination of Employment

trative equivalent, 3) the Chief Human Resources Officer and 4) the Chancellor. The Chancellor holds final authority and decision making concerning dismissal of at-will employees. The termination decision is final.

Employees with Contracts: Involuntary Termination requires the approval of 1) the employee’s supervisor, 2) appropriate Campus President, Vice Chancellor or administrative equivalent, 3) the Chief Human Resources Officer and 4) the Chancellor. The Chancellor shall submit a recommendation for termination to the Board of Trustees for approval in accordance with applicable Board bylaws. The termination decision is final.

The supervisor, in conjunction with Director of Employee Relations and Engagement or his/her designee, will coordinate the termination meeting with the affected employee. This notification shall be done by the supervisor or other designated individual in the presence of the Director of Employee Relations or designee. No notification should take place without both the supervisor and the Director of Employee Relations and Engagement or his/her designee present.

At the termination meeting, the supervisor will notify the employee and provide a written notice of termination that cites the reasons for the termination. In the event the affected employee is not available for a meeting, the notice of termination must be sent by certified or registered mail to the employee’s last known address.

OFFBOARDING PROCESS

All employees ending employment with MCC must complete check out procedures with the Office of Human Resources:

- Return all MCC property, including but not limited to ID, keys, uniforms, tools, electronic equipment and electronically stored data.
- Continuation of Benefits: Specific voluntary, employee paid benefits may be continued at the terminating employee’s request. Terminated employees shall be notified in writing regarding which benefits may be continued and of the terms, conditions, and limitations of such continuance.
- Director of Employee Relations and Engagement or designee will notify appropriate departments in a timely manner to remove access.
- Exit Interview: Upon voluntary termination, when leaving employment at MCC, employees will be given the option to participate in a personal exit interview with the Director of Employee Relations and Engagement or designee.
- Final Paycheck – Employees will receive any pay they have earned up to the date of termination and will be paid for any accrued but unused vacation on their final check.

ADOPTED: June 20, 2019

OFFICE OF RESPONSIBILITY: Human Resources
Termination of Employment

<table>
<thead>
<tr>
<th>RE-EMPLOYMENT</th>
<th>Terminated employees seeking re-employment shall be subject to the hiring practices in effect at the time of reapplying. Employees who are terminated for cause may be ineligible for reemployment at MCC.</th>
</tr>
</thead>
<tbody>
<tr>
<td>NON DISCRIMINATION</td>
<td>No employee will be dismissed or receive any other loss of benefits solely or collectively because of sex/gender, race, color, age, creed, national or ethnic origin, physical or mental ability, veteran status, pregnancy status, religion, genetic information, gender identity, or sexual orientation or any other protected category under applicable local, state or federal law, including protection for those opposing discrimination or participating in any grievance process on campus or an administrative agency.</td>
</tr>
<tr>
<td>STATEMENT</td>
<td></td>
</tr>
<tr>
<td>ORDER OF PRECEDENCE</td>
<td>Should this policy conflict with an existing policy, procedure, or guideline, the provisions of this policy shall control.</td>
</tr>
<tr>
<td>POLICY REVOCATION</td>
<td>This policy may be modified or revoked at any time at the sole discretion of MCC's Board of Trustees. Nothing in this policy is intended to create a contract of employment or to otherwise alter an employee's at-will employment relationship. No representative of MCC has the authority to enter into an employment contract or to make any agreement inconsistent with an employee's &quot;at will&quot; status without authorization of MCC's Board of Trustees. Any such agreement must be in writing and signed by the employee and the Chancellor.</td>
</tr>
</tbody>
</table>
The intent of Progressive Discipline is to notify an employee that non-performance or inadequate performance of job duties or misconduct must be corrected. This process allows and empowers an employee multiple opportunities to correct their behavior prior to a retention decision being made.

Metropolitan Community College shall may utilize the progressive discipline procedures outlined in this procedure when MCC believes it is appropriate. However, MCC may move forward with involuntary termination at any time without utilizing the progressive discipline procedures if it is determined in MCC’s sole discretion that findings warrant immediate disciplinary action.

The purpose of this procedure is to outline the progressive discipline process for all employees of the Metropolitan Community College (MCC) to the extent this procedure does not conflict with any negotiated bargaining agreement.

Due Process serves as the cornerstone for MCC’s progressive discipline policy. As defined, due process is the requirement that employees be treated equitably and objectively, as characterized by the following:

- Employees must understand supervisor expectations and the consequences of failing to meet performance standards.
- Application of rules/policy must be consistent.
- Discipline must be appropriate for the offense.
- The employee is given the opportunity to respond.
- The employee is given reasonable time to improve.

Should an employee be notified by their supervisor that performance expectations or other job behaviors or conduct are not aligned with MCC’s policies, procedures or expectations, the following progressive discipline steps are to be followed by the supervisor. Based on the circumstances and severity of an occurrence, any step or steps in the progressive discipline outline may be skipped. A severe sanction, up to and including termination, may be appropriate for a first or subsequent offense.

**Informal Verbal Warning:** This step in the progressive discipline process is an oral meeting discussing the non-performance of job duties or performance deficiencies and necessary steps to improve performance.

**Formal Verbal Warning:** This step in the progressive discipline process is an oral meeting discussing the ongoing non-performance of job duties or performance deficiencies and necessary steps to improve performance. A verbal warning is intended to help the employee improve performance and correct any inappropriate conduct. The supervisor will document the date, time and content of the meeting as well as issues discussed, recommendations made, and any action plans agreed upon and submit these in written form to the employee.
Corrective Action: This step in the progressive discipline process is the final step prior to a formal written warning being issued. The Corrective Action is a formalized document that outlines the continued non-performance of the employee, with defined steps and timelines for improvement. The employee is informed that further non-performance will result in a formal written warning. The Director of Employee Relations and Engagement shall be consulted of any corrective action stage prior to implementation. The corrective action becomes part of the employee’s personnel file.

Formal Written Warning: This step in the progressive discipline process signifies a serious step in the process, where the employee is given a written statement of performance deficiencies and advised in writing that future non-performance may result in disciplinary action. During this stage of progressive discipline, the employee is placed on a probationary status where performance must improve and begin to meet the standards as set forth by the supervisor. The Director of Employee Relations and Engagement shall be consulted of any formal written warning stage prior to implementation. The formal written warning becomes part of the employee’s personnel file. The warning will include: a summary of basis for the warning; a clear statement of expectations in the future; a warning that continued disciplinary action will be taken if the performance or conduct is not resolved and signatures from both the supervisor and employee. The employee should be provided a copy of the written warning and may attach a written statement to the written warning within three (3) business days from receipt.

This step will also include a Performance Improvement Plan (PIP). The purpose of this plan is to clearly state the deficiencies in performance, the expected corrected performance, and the time line in which performance must improve.

Disciplinary Action: At this stage the supervisor, in conjunction with the Director of Employee Relations and Engagement and the affected administrator has the following disciplinary actions available to them:

- Final Written Warning: This requires a final written outlining continued performance deficiencies with the clear understanding that without improvement in performance, involuntary termination will result.
- Suspension: The employee is barred for a period of time. Suspension may be paid or unpaid so long as it is not prohibited by law.
- Temporary Demotion: To the extent that it is not prohibited by law, the employee is transferred to a position with lower responsibility and is accompanied by a corresponding pay decrease not to exceed 10% of the annualized wage rate of the employee. A temporary demotion is to last no longer than 6 months.
• Decision Making Leave Day: If the employee has continued performance deficiencies, the supervisor can grant a decision making leave day for which the employee will be compensated. Prior to the date being given, a supervisor shall provide a written summary of the employee’s deficiencies, a copy of the most recent performance evaluation, a copy of any written warnings and Performance Improvement Plans, and a copy of this policy. During the leave, the employee will decide if they wish to continue employment. If so, they must take positive steps to correct past performance deficiencies. If an employee decides to continue employment, an evaluation (probation) period with specific performance standards will be established by the supervisor after a conference with the employee for a period of no less than three months and no more than six months. A supervisor will hold periodic meetings with an employee during a reevaluation period. If an employee fails to meet performance standards at any time during a reevaluation period, the employee shall be terminated immediately pursuant to MCC’s termination policy. If an employee decides not to continue employment with MCC, the employee shall submit a written resignation, effective within ten (10) working days, to the employee’s supervisor. If any employee fails or refuses at any time during the employee warning system process to agree to resolve the employee’s performance deficiencies, the employee may be terminated immediately pursuant to MCC’s termination policy.

Termination of Employment: Termination of employment is the final step in the progressive discipline process after all other progressive discipline steps have not yielded success. However, MCC may move forward with involuntary termination at any time without utilizing the progressive discipline procedures if it is determined in MCC’s sole discretion that circumstances warrant immediate disciplinary action.

Progressive discipline is not warranted in every circumstance of non-performance, based on the severity or nature of the employee’s conduct, where the progressive discipline steps are skipped and termination is introduced immediately.

Grounds to be removed from the workplace immediately and placed on paid administrative leave include but are not limited to the following circumstances:

• Theft or unauthorized use of MCC property or theft of another employee’s property or theft of a student’s property; defacement or sabotage of MCC, employee or visitor property.
• Falsification of MCC records that includes, but is not limited to, time sheets or time cards, leave forms, expense reports, and employment records. This also included completing another employee’s time sheet without a supervisor’s permission.
• Unauthorized possession of ammunition, firearms, explosive weapons or other weapons as defined in Missouri Revised statutes 571.010 on MCC property or property under MCC’s control.
• Possession of alcohol or illegal drugs without authority, being under the influence of alcohol or illegal drugs on MCC property or property under MCC’s control, or a violation of the applicable prohibitions in applicable law and policies.
• Insubordination or intentional neglect of job duties as illustrated by, but not limited to, sleeping on the job, and failure to perform job duties that result or may result in serious injury to persons or property.
• Any criminal act, except a traffic offense, that occurs on MCC property or property under MCC’s control.
• Any act of sexual misconduct or harassment except an isolated or unintentional act as described in applicable board policy
• Misuse or disclosure of confidential employee or student information that could cause harm to said individual, or is a violation of applicable state or federal law.
• Gross negligence in the performance of job duties.

An employee who believes he or she has been or is being subjected to prohibited conduct or knows or believes another employee or student has been or is being subject to prohibited conducts is required to bring the matter to the attention of the Director of Employee Relations & Engagement or other appropriate school officials.
APPENDIX E

METROPOLITAN COMMUNITY COLLEGE

BOARD POLICY

3.40040 BP

DISMISSAL OF FACULTY

3.40040 BP

I. Preliminary Process

In the exceptional event that cause occurs to dismiss a full-time faculty member from his/her employment and there is no other satisfactory means of bringing the faculty member's performance or behavior within acceptable standards, including conduct governed by Metropolitan Community College (the college) policies and procedures or any guidelines or regulations promulgated by the college, the appropriate dean will cause the matter to be discussed with the faculty member in person. At any time during this process the faculty member will have the option to have a colleague present, consistent with the procedures established by the college. The faculty member will be informed in writing with a detailed statement of charges of the nature of the evidence upon which any charges are based and under which the administration intends to take action. The dean will also advise the faculty member of his/her rights by copy of this policy.

II. Reason for Dismissal

Adequate cause for a dismissal will be related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers and researchers. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens. Dismissal of a faculty member who has completed the probationary period or dismissal of a probationary faculty member during the term of his/her contract shall be for cause and in accordance with existing law and college policy.

The following exemplify grounds, as defined by applicable law, by which a faculty member may be dismissed; provided, however, that this list is not exclusive and other conduct may warrant charges calling for dismissal.

A. Physical or mental condition, which precludes the faculty member from instruction/association with students.

B. Conduct by which a faculty member takes improper advantage of his/her position to the detriment of a student or an employee or for personal gain.
C. Insubordination, demonstrated by a willful, chronic and/or neglectful failure to follow reasonable and lawful directive(s).

D. Violation of, or failure to obey, the published policies, regulations, and procedures of the college and/or federal and state laws applicable to the college and its employees and/or students.

E. Excessive or unreasonable absence from performance of duties.

F. Conviction of a felony or a crime involving moral turpitude.

G. Sexual harassment, as governed by board policy.

H. Incompetency, including chronic failure to meet the standards of the Board of Trustees, in relation to the learning environment.

I. Conduct which subjects students or employees to harm or wrongdoing, which materially damages the reputation and/or credibility of the college.

III. Actions by the President

A. Whenever the campus president shall determine that cause exists for a faculty member to be dismissed, the campus president shall ensure that the faculty member is provided a written statement of the grounds for the dismissal with reasonable particularity.

B. The faculty member may, if the faculty member so requests, within ten (10) working days of receipt of the charges for dismissal, have a hearing be conducted at a specified time and place to determine whether the faculty member should be removed from the faculty position for the ground(s) stated.

C. No faculty member shall be dismissed until after a timely hearing, if requested. If a hearing is not requested in a timely fashion, the chancellor shall institute the recommended sanction (dismissal) and report same to the Board of Trustees for official action at its next regular meeting.

IV. Administrative Leave

A. In order to prevent harm to members of the college or to protect college property or facilities or preserve records or the integrity of an on-going investigation, the appropriate college official may deem it necessary or advisable to place a faculty member on paid administrative leave. Examples of such circumstances might include, but are not limited to, the existence of credible evidence relating to physical harm or sexual misconduct, performance of sensitive job duties, or being under the influence of alcohol or controlled substances.
B. In each case of administrative leave the faculty member shall be provided a written statement regarding the nature of the allegations and the limitations or restrictions imposed. Paid administrative leave is not a disciplinary sanction, but is undertaken in the best interest of the college and/or faculty member.

V. Hearing

A. A faculty member may request a hearing on the recommendation of dismissal before a hearing committee. Written notice of the request for a hearing shall be filed by the faculty member with the human resources department within ten (10) working days after notification of the recommendation of dismissal. The hearing committee shall provide opportunity for testimony and evidence by both the faculty member and the campus president or the president’s designee, their witnesses, and representatives.

1. Current students and employees of the college shall be subject to subpoena if called by either the faculty member or the president and the Board of Trustees shall reasonably attempt to secure their presence. Failure to appear and/or cooperate at the request of the Board of Trustees shall subject any such student or employee to disciplinary action.

2. The faculty member and president shall be entitled to have counsel or an employee advisor present. Counsel may advise their respective clients, but shall not be entitled to participate in the proceedings.

3. The president shall have the burden of proof, which burden shall be preponderance of the evidence and not proof beyond a reasonable doubt.

B. The hearing committee shall be constituted within five (5) working days of the faculty member filing a request for a hearing and shall consist of a non-probationary faculty member selected by the faculty member who is the subject of the dismissal, a nonprobationary faculty member who is selected by the college academic senate, a nonprobationary member selected by the vice chancellor of academic affairs from a list of no less than three (3) and no more than five (5) non-probationary faculty members provided by the academic senate executive committee, and two (2) administrators, one (1) selected by the vice chancellor of administrative services and student development and the other selected by the vice chancellor of academic affairs. The hearing committee shall elect a chairperson who shall be responsible for the orderly conduct of the hearing.

C. In setting the date of the hearing, the human resources department shall coordinate with the members of the hearing committee and the faculty member. While the faculty member may request more time to prepare a defense, the hearing shall
ordinarily commence not later than twenty-one (21) working days following the faculty member filing a request for a hearing.

D. All of the hearing evidence shall be duly recorded and a transcript thereof shall be available at college expense to the faculty member and the president.

E. The hearing committee shall render a decision and prepare written findings of fact and recommended action. Said decision shall be submitted within ten (10) working days of the conclusion of the hearing to the faculty member and president.

F. The faculty member or president shall have the right to appeal the decision of the hearing committee to the chancellor. Said appeal shall be in writing, shall state the grounds therefore, and shall be filed with the chancellor within five (5) working days of the receipt of the decision. The chancellor shall review the record of the case consisting of the charge(s) against the faculty member, the transcript of the hearing, and the written decision of the hearing committee and shall render a decision.

G. If an appeal is not filed in a timely manner, the decision of the hearing committee shall be implemented by the chancellor and shall be communicated to the Board of Trustees at its next regular meeting for official action.

H. The faculty member shall have the right to appeal the decision of the chancellor to the Board of Trustees. Said appeal shall be in writing, shall state the grounds therefore, and shall be filed with the secretary to the Board of Trustees within five (5) working days of the receipt of the chancellor’s decision. The Board of Trustees shall review the record of the case consisting of the charge(s) against the faculty member, the transcript of the hearing, the written decision of the hearing committee, and the decision of the chancellor and shall render its decision, which decision shall be final.

I. Except for such simple announcements as may be required concerning the time for the hearing and final decision, public statements about the case by the faculty member and personnel of the college shall be avoided, except as may be necessary to comply with the law or a lawfully issued subpoena.

Approved: Board of Trustees
March 13, 1975

Revised: November 17, 1994
Revised: July 14, 2011
Revised: March 31, 2016
APPENDIX F

METROPOLITAN COMMUNITY COLLEGE

DISTRICT PROCEDURE

DISMISSAL OF FACULTY

3.40040 DP

I. Reasons for Dismissal

A. The conduct provided in the corresponding Policy will be specifically detailed in a Statement of Charges provided to the faculty member by the dean.

B. Such Charges will include the date, location, conduct, and other individuals involved. The purpose of this Statement of Charges is to provide the faculty member with such detail that will allow them to prepare a thorough defense.

C. At the hearing before the committee, the faculty member shall have the right to be accompanied by an attorney or employee advisor, not a relative, for support, but who may not participate in the proceedings and the right to:

1. call witnesses and cross-examine witnesses called by the administration;

2. offer evidence;

3. cross-examine witnesses;

4. subpoena up to twenty (20) witnesses; and

5. receive written Findings of Fact, Conclusions of Law, and Decision.

D. All members selected for service on the hearing committee will be identified within five (5) business days of the request for hearing.

Approved: Chancellor
July 8, 1975

Editorial Corrections: July 10, 2006
Revised: July 14, 2011