

# **KANSAS CITY ART INSTITUTE**

## **2020 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT**

### **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 Kansas City Art Institute ("Institute") with information on: the Institute'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 Institute will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

### **Policy for Preparing the Annual Report**

This report is prepared by the Director of Safety & Security in cooperation with local law enforcement authorities and includes information provided by them as well as by the Institute's campus security authorities and various other elements of the Institute. Each year an email 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 the Department of Safety and Security, [security@kcai.edu](mailto:security@kcai.edu), 816-802-3399. This report can also be accessed by going to the KCAI webpage: <http://kcai.edu/campus-life/safety-security/>.

The Institute 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**

#### **Policies Concerning the Law Enforcement Authority of Campus Security Personnel**

The Department of Safety and Security is responsible for campus safety at the Institute. Its personnel do not have arrest authority.

The Department of Safety and Security's jurisdiction covers all of the institution's property. The Department provides uniformed, unarmed protection 24 hours a day, 365 days a year. This is a roving patrol operation that can be contacted through two-way radio and phone communications. Even though the Barbara Marshall Residence Hall has access control; officers assigned to the Residence Hall monitor those persons entering the building and may request identification of students, faculty, staff and others.

#### **What do the KCAI security officers do?**

1. Patrol the campus grounds and buildings, checking for both security and safety hazards, including suspicious persons or activity.

2. Prepare written reports on dispatched or self-initiated activities, ranging from minor reports of safety hazards to reports of criminal activity.
3. Provide escorts for students within a three-block radius of the campus and parking areas 24/7.
4. Access control on buildings, checking them to make sure they are secure as well as locking and unlocking them per designated schedules or community request.
5. Enforcement of Institute Rules and Regulations for students, faculty and staff.
6. Act as a source of campus information for guests and visitors to the Institute.
7. Investigate criminal activity on campus and as requested by the administration.
8. Enforce parking rules and regulations.
9. Gather safety and security information for inclusion in this report.

While the Institute does not have any written agreements with local law enforcement agencies, it does maintain a close working relationship with local police.

All crimes occurring on campus, on non-campus property owned by the Institute or on nearby public property should be reported immediately to the Department of Safety and Security (816-931-6666) or the Director of Security (816-802-3399). The KCAI Security office is located in the first floor lobby of the Barbara Marshall Residence Hall.

#### When to Contact Security

1. Reporting crime to campus authorities is very important to your college and your fellow students. It not only helps the college and local authorities apprehend those responsible, but also helps provide an accurate picture of the amount of crime on campus so it can be determined what additional steps may need to be taken.
2. Crimes that occur on campus should be reported to your Campus Safety and Security Department as soon as possible
3. To report suspicious persons or activity or actual crimes that are occurring or have already occurred.
4. Whenever you need security service, ie.,escort, motorist assist (jump start or unlock), campus information, or any other service.

#### **Other Officials to Whom Crimes May Be Reported**

The Institute also has designated other 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 Institute's annual report of crime statistics. The additional campus security authorities to whom the Institute would prefer that crimes be reported are as follows:

- Gina Golba (Vice President and Dean of Students) at 816-802-3397
- Joe Timson (Assistant Dean of Students) at 816-802-3419

#### **Policies on Reporting a Crime or Emergency**

The Institute encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus, on other property owned by the Institute, 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. Such reports should be made as follows:

1. 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.
2. 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 the appropriate police agencies. If requested, a member of the Institute staff will assist a student in making the report to the police.
3. [Anonymous incident reports](#) can also be made. Students, staff or faculty may access a public-facing portal through the Department of Safety and Security incident reporting program and submit tips, etc.

The Institute 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.

### **Confidential Reporting**

The Institute 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.

Any victim of a crime who does not want to pursue action within the Institute disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. With the victim's permission, a report of the details of the incident can be filed without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the Institute take appropriate steps to ensure the future safety of the victim and others. With such information, the Institute can keep an accurate record of the number of incidents involving students, 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 Institute.

The Institute encourages its professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The Institute does not have pastoral counselors.

### **Timely Warning**

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Director of Security constitutes a serious or continuing threat to members of the campus community, a campus-wide "timely warning" will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community.

This warning may be communicated to students and employees via the following method(s):

| Method   | Sign-Up Instructions  |
|--|---|
| Posting on KCAI websites (internet and intranet)     | N/A   |
| Posting hard copies in public areas                  | N/A   |
| Email  | N/A   |
| Text messaging                                       | <a href="https://www.getrave.com/login/kcai">https://www.getrave.com/login/kcai</a> |
| Voice message distribution through KCAI phone system | N/A   |

Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to the Department of Safety and Security at 816-931-6666.

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

### Daily Log

The KCAI Safety and Security Department maintains a Daily Log of all crimes reported to the department. The Log lists the nature of the crime, the date and general location of the crime. Entries or updates are made within two business days, but may be withheld if the information is protected by statute, if there is a danger to the victim, or there is a need to keep the investigation confidential.

The Daily Log is open for public inspection at the Safety and Security Department's office during normal business hours. Normal business hours are Monday through Friday, 8:30 a.m. to 5:00 p.m. All records required by the Clery Act will be retained for a period of five years following the publication of the last annual campus security report to which they apply.

### Security of and Access to Campus Facilities

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members or who have special permission from their academic department chair. The Student Barbara Marshall Residence Hall is equipped with a card access control system. The Department of Safety and Security patrols parking lots and surrounding areas. Security cameras are located on entry doors throughout campus, parking lots and areas of key interest.

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:

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

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

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.

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**

Security also is a consideration in maintaining campus facilities. Maintenance personnel regularly check to ensure pathways are well lit and that egress lighting is working in hallways and stairwells.

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

The Institute 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. A description of those programs and their frequency of presentation follows:

- The primary means for providing this programming involves crime prevention programs and information at new student orientations. These programs are based on the concepts of eliminating or minimizing criminal opportunities and encouraging students, faculty and staff to be responsible for their security and the safety of others.
- The Office of Student Affairs, Student Activities and Assistant Director for Housing, and the Department of Safety and Security sponsor programs on topics such as personal safety, crime prevention, etc. Information pertaining to safety and security matters is provided to students, faculty and staff through bulletins, newsletters and during orientation programs.
- Specific examples of programming provided includes:
  - Student, faculty and staff training on: dealing with an armed intruder, campus safety and security, stress management, health and wellness, special personal safety training, and fire extinguisher training.
  - Personal safety escort program.
  - Videos and training on drug and alcohol abuse.
- The Department of Safety and Security also utilizes alert flyers and campus emails to communicate crime/fire information to the campus community.

In addition to the programming described above, KCAI also offers the following prevention tips:

- Contact KCAI Security at 816-931-6666 to request an escort to and from your vehicle whenever appropriate.
- Do not hesitate to call the police when confronted, before calling the KCAI Security number.
- Keep your residence hall room locked.
- At night, walk in groups of at least two and stay on main walkways.

- When parking, remove valuables from view and lock your vehicle.
- Engrave your valuables with your driver's license number and record serial numbers.
- Make copies of credit cards and other valuables in your wallet.
- Report all losses to KCAI Security immediately.
- Stay in control. Do not allow the abuse of alcohol or other substances to put you at risk.
- Do not leave personal property unattended.
- Be aware of your surroundings and what is going on around you.
- Do not hesitate to report suspicious individuals or activity to KCAI Security.

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

Upon written request, the Institute 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 such institution 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**

KCAI is committed to creating and maintaining an environment that is free of alcohol abuse. The Institute prohibits the possession, use, and sale of alcoholic beverages on campus or as any part of the Institute's activities, unless it is done so in accordance with applicable Institute policies and laws. The Institute also enforces the state's underage drinking laws.

The Institute enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited under both state and federal laws. Such laws will be enforced by the Department of Safety and Security. Violators of the Institute's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

### **Drug and Alcohol Abuse Prevention Program**

The Institute has a drug abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. More information about the program, including the Institute's drug and alcohol policies, can be located at: <https://kcai.edu/campus-life/safety-security/>.

### **Policy, Procedures and Programs Related to Various Sex-Related Offenses, including Sexual Assault, and Domestic Violence, Dating Violence, and Stalking**

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act ("VAWA"), the Institute prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, quid pro quo, hostile environment, sexual assault, and acts of domestic violence, dating violence, and stalking. The Institute also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to these laws and institutional policy. The Institute's

Sexual Harassment Policy is used to address complaints of this nature. This policy and the procedures for filing, investigating and resolving complaints for violations of this policy may be found at: Sexual Harassment Policy <https://kcai.edu/campus-life/safety-security/>.

20-21 academic year policy:

[https://mykcai.kcai.edu/ICS/icsfs/KCAI\\_Sexual\\_Harassment\\_Policy\\_\(Fall\\_2020\)\\_copy.pdf?target=404c4bd0-92c2-407c-bf8f-242f0f4335b5](https://mykcai.kcai.edu/ICS/icsfs/KCAI_Sexual_Harassment_Policy_(Fall_2020)_copy.pdf?target=404c4bd0-92c2-407c-bf8f-242f0f4335b5)

The following discusses the Institute’s educational programs to promote the awareness of sexual harassment, quid pro quo, hostile environment, sexual assault, and acts of domestic violence, dating violence, 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 Institute conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. In it, they are specifically advised that the Institute prohibits the offenses of quid pro quo, hostile environment, sexual harassment, sexual assault, and acts of domestic violence, dating violence, and stalking. In that regard, they are informed of the following definitions that apply within the state of Missouri:

| Crime Type<br>(Missouri Revised Statutes)                           | Definitions   |
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| Dating Violence   | The institution has determined, based on good-faith research, that Missouri law does not define the term dating violence.   |
| Domestic Violence<br>(Mo. Rev. Stat. §§ 455.010(5) and 455.010 (7)) | <p>Abuse or stalking committed by a family or household member, as such terms are defined in Mo. Rev. Stat. § 455.010. "Family" or "household member", [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.</p> <ul style="list-style-type: none"> <li>● Additionally, Missouri law defines the term “Domestic Assault” (Mo. Rev. Stat. §§ 565.072 to 565.076): <ul style="list-style-type: none"> <li>○ 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 "domestic victim" is defined under section 565.002. <ul style="list-style-type: none"> <li>▪ Mo Rev. Stat. § 565.002(6) indicates that a “domestic victim” is a household or family member as the term “family” or “household member” is defined in 455.010, including any child who is a member of the household or family.</li> </ul> </li> <li>○ A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she:</li> </ul> </li> </ul> |

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|   | <ol style="list-style-type: none"> <li>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</li> <li>2. Recklessly causes serious physical injury to such domestic victim; or</li> <li>3. Recklessly causes physical injury to such domestic victim by means of any deadly weapon.</li> </ol> <ul style="list-style-type: none"> <li>● 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 "domestic victim" is defined under section 565.002.</li> <li>● A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and: <ol style="list-style-type: none"> <li>1. The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;</li> <li>2. With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;</li> <li>3. The person purposely places such domestic victim in apprehension of immediate physical injury by any means;</li> <li>4. The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;</li> <li>5. The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or</li> <li>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.</li> </ol> </li> </ul> |
| <p>Stalking (Mo. Rev. Stat. §§ 565.225 and 565.227)</p> | <ul style="list-style-type: none"> <li>● As used below, the term "disturbs" 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.</li> <li>● 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: <ol style="list-style-type: none"> <li>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</li> <li>2. At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or</li> <li>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</li> </ol> </li> </ul>   |



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|   | <ol style="list-style-type: none"> <li>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</li> <li>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</li> <li>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.</li> </ol> <ul style="list-style-type: none"> <li>● 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.</li> </ul>  |
| Sexual Assault (Mo. Rev. Stat. § 455.010(1)(e)) | 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.   |
| Rape, Fondling, Incest, Statutory Rape          | <p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Missouri law are as follows:</p> <ul style="list-style-type: none"> <li>○ Rape (Mo. Rev. Stat. §§ 566.030 and 566.032): <ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ 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.</li> </ul> </li> <li>○ Fondling: The institution has determined, based on good-faith research, that Missouri law does not define the term fondling.</li> <li>○ Incest (Mo. Rev. Stat. § 568.020): 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: <ol style="list-style-type: none"> <li>1. Ancestor or descendant by blood or adoption; or</li> <li>2. Stepchild, while the marriage creating that relationship exists; or</li> <li>3. Brother or sister of the whole or half-blood; or</li> <li>4. Uncle, aunt, nephew or niece of the whole blood.</li> </ol> </li> <li>● Statutory Rape (Mo. Rev. Stat. §§ 566.032 and 566.034): <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ 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.</li> </ul> </li> </ul> |

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| <p>Other Crimes that could be considered Sexual Assault</p> | <p>Other crimes under Missouri law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> <li>● Sodomy (Mo. Rev. Stat. §§ 566.060 and 566.061): <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ 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.</li> </ul> </li> <li>● Statutory Sodomy (Mo. Rev. Stat. §§ 566.062 and 566.064): <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ 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.</li> </ul> </li> <li>● Child Molestation (Mo. Rev. Stat. §§ 566.067 to 566.071): <ul style="list-style-type: none"> <li>○ A person commits the offense of child molestation in the first degree 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.</li> <li>○ A person commits the offense of child molestation in the second degree if he or she: <ol style="list-style-type: none"> <li>1. Subjects a child who is less than twelve years of age to sexual contact; or</li> <li>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.</li> </ol> </li> <li>○ 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.</li> <li>○ 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.</li> </ul> </li> <li>● Sexual Misconduct Involving a Child (Mo. Rev. Stat. § 566.083): <ul style="list-style-type: none"> <li>○ A person commits the offense of sexual misconduct involving a child if such person: <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> </ol> </li> </ul> </li> </ul> |
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|  | <ol style="list-style-type: none"> <li>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</li> <li>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.</li> </ol> <ul style="list-style-type: none"> <li>● Sexual Misconduct (Mo. Rev. Stat. §§ 566.093 and 566.095): <ul style="list-style-type: none"> <li>○ A person commits the offense of sexual misconduct in the first degree if such person: <ol style="list-style-type: none"> <li>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;</li> <li>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</li> <li>3. Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.</li> </ol> </li> <li>○ A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.</li> </ul> </li> <li>● Sexual Abuse (Mo. Rev. Stat. §§ 566.100 and 566.101): <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ 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.</li> </ul> </li> </ul> |
| <p>Consent (as it relates to sexual activity) (Mo. Rev. Stat. § 556.061(14))</p> | <ul style="list-style-type: none"> <li>● Consent or lack of consent may be expressed or implied. Assent does not constitute consent if: <ol style="list-style-type: none"> <li>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</li> <li>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</li> <li>c. It is induced by force, duress or deception.</li> </ol> </li> </ul>  |

In addition to the definition of consent under Missouri law, KCAI uses the following definition of consent in its Sexual Harassment Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

- Consent refers to words or actions that a reasonable person in the perspective of the Respondent would understand as clear agreement to engage in the sexual conduct at issue. A person who is incapacitated is not capable of giving consent. A person who is below the statutory age of consent is not capable of giving consent. Consent must be given voluntarily. It cannot be procured through physical violence, threats, blackmail, or other unreasonable pressure for sexual activity. Consent to some form of sexual activity cannot be automatically

taken as consent to any other form of sexual activity. Previous relationships or prior consent do not imply consent to future sexual acts. In order to give effective consent, a person must be of legal age.

The PPAP includes instructions on how to avoid becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction. Specifically they are advised:

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

- Make your limits known before engaging in any sexual encounter or situation.
- Give clear verbal messages such as “yes” or “no” and do not leave room for interpretation.
- Remove yourself from situations with potential sexual aggressors if possible.
- Ask someone nearby for assistance.
- Be cautious about your alcohol intake, and be aware that it may lower your sexual inhibitions.
- Watch out for your friends, and ask them to watch out for you.
- Be mindful of non-verbal messages you are sending that may conflict with your verbal messages.
- Be forceful and firm, do not worry about being polite.
- Trust your feelings or instincts.
- 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

PPAP instruction also includes encouraging individuals to take safe and positive steps to prevent harm or intervene when there is a risk of sexual harassment, quid pro quo, hostile environment, sexual assault, and acts of domestic violence, dating violence, or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

- 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.

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of quid pro quo, hostile environment, sexual harassment, sexual assault, and acts of domestic violence, dating violence, 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 Program:**

The Institute 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 sexual harassment, quid pro quo, hostile environment, sexual assault, and acts of domestic violence, dating violence, 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 Institute. Methods include, but are not limited to: online presentations, distribution of written materials, periodic email blasts, and guest speakers. Programming includes providing information related to sexual harassment, quid pro quo, hostile environment, sexual assault, and acts of domestic violence, dating violence, and stalking at student orientation and faculty/staff training.

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

If you are the victim of sexual assault, domestic violence, or dating violence, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. For those who believe that they

are victims of sexual assault, domestic violence, or dating violence, the Institute recommends the following:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence of the crime—avoid bathing, using the toilet, rinsing one’s mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding where the assault occurred- preserve for law enforcement
- Preserve all forms of electronic communication that occurred before, during, or after the assault
- Contact law enforcement by calling 911.
- Get medical attention - all medical injuries are not immediately apparent. This is also necessary to collect evidence in case the individual decides to press charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination. You can obtain a forensic examination at St. Luke's Hospital, 4401 Wornall Road, Kansas City, MO 64111, 816-932-2000. Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.
- Contact a trusted person, such as a friend or family member for support.
- Talk with a professional counselor or health care provider who can help explain options, give information, and provide emotional support.
- Make a report to KCAI’s Title IX Coordinator, Gina Golba at [ggolba@kcai.edu](mailto:ggolba@kcai.edu) or 816-802-3397.
- Explore this policy and avenues for resolution under the sexual harassment, or other policies that may be applicable.

It is also important to take steps to preserve evidence in cases of stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of sexual harassment investigations.

The victim’s options regarding notification to law enforcement, which are: (a) the option to notify on-campus security and/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.

- Department of Safety and Security, 816-931-6666
- Kansas City Police Department, 1125 Locust St, Kansas City, MO 64106, 816-234-5111 (emergency 911)
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim’s ability.

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.

- 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>.
- 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>.
  - A Petition for Order of Protection should be filed for in the 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. More information is available here: <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>. A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection.
- 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: <https://www.kcpd.org/crime/victim-resources/>
- 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 Institute and in the surrounding community. Those services include:

#### Campus Resources

- Assistant Dean of Students: 816-802-3419
- Vice President and Dean of Students/Title IX Coordinator: 816-802-3397
- KCAI Counseling Services: 816-802-3376
- Safety and Security: 816-931-6666

If a student is considering a leave of absence based on the circumstances of a complaint, the student should understand that there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. KCAI's financial aid website can be found at: <http://kcai.edu/financial-aid-scholarships/>.

#### Local Resources

- Kansas City Missouri Police Department, [www.kcpd.org](http://www.kcpd.org)
- Metropolitan Organization to Counter Sexual Assault (MOCSA), [www.mocsa.org](http://www.mocsa.org)
- Kansas City Anti-Violence Project (LGBT resource), <http://www.kcavp.org/home>
- Rose Brooks Center – emergency shelter for women and children experiencing domestic violence, 816-861-6100

#### National Resources

- Not Alone: Together Against Sexual Assault, <http://changingourcampus.org/about-us/not-alone/>
- National Sexual Violence Resource Center, <http://www.nsvrc.org/>
- The United States Department of Justice, <https://www.justice.gov/ovw/sexual-assault>
- Rape, Abuse, and Incest National Network (RAINN), <http://www.rainn.org/>
- The Hotline (domestic violence resources), <http://www.thehotline.org/>
- The National Center for Victims of Crime, <http://www.victimsofcrime.org/>
- Stalking Resource Center, <http://www.victimsofcrime.org/our-programs/stalking-resource-center>

#### Hotlines

- MOCSA's 24-hour Crisis Line: 816-531-0233 or 913-642-0233
- RAINN's 24-hour Crisis Line: 1-800-656-HOPE (4673)
- Kansas City Anti-Violence Project's Hotline: 816-561-0550
- Domestic Violence 24-hour Crisis Lines: 816-461-HOPE and 816-HOTLINE



- National Domestic Violence 24-hour Crisis Line: 1-800-799-SAFE

#### Local Hospitals

- St. Luke's, 4401 Wornall Road, Kansas City, MO 64111
- University of Kansas Hospital, 3901 Rainbow Boulevard, Kansas City, KS 66160
- Truman Medical Center, 2301 Holmes Street, Kansas City, MO 64108-2640

#### Legal Aid & Visa and Immigration Assistance

- Free or low cost legal services may be available through Missouri Legal Services. You can visit the following websites for more information: <http://www.lsmo.org/>.
- Immigration Advocates Network:  
<https://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
- U.S. Citizenship and Immigration Services:  
[https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office\\_type=ASC&OfficeLocator.statecode=MO](https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=ASC&OfficeLocator.statecode=MO)

#### **Accommodation and Supportive/Protective Measures:**

The Institute can provide options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If complainants or respondents request these accommodations or protective measures, they will be implemented in a fair and equitable manner for all parties involved, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. Requests of this nature should be made to the Title IX Coordinator at 816-802-3397 ([ggolba@kcai.edu](mailto:ggolba@kcai.edu)), and the Title IX Coordinator is responsible for deciding what, if any, accommodations or supportive/protective measures will be implemented. When determining the reasonableness of such a request, the Title IX Coordinator 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 respondent share the same residence hall, dining hall, class, transportation or job location.
- Whether other measures have been taken to protect the complainant (e.g., civil protection orders).

The Institute will maintain as confidential any accommodations or supportive/protective measures provided to the extent that maintaining confidentiality would not impair the Institute'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 Title IX Coordinator 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 supportive/protective measure is provided. In the event it is necessary to disclose information about the parties involved in order to

provide an accommodation or protective order, the Institute will inform those involved of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

### **Procedures for Disciplinary Action:**

Allegations of sexual harassment, domestic violence, dating violence, sexual assault or stalking will be processed through KCAI's Sexual Harassment Policy and the related complaint resolution procedures. The procedures are utilized for Sexual Harassment that occurs within the Institute's Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the Institute community. It does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the Institute's Education Programs and Activities. Consistent with the U.S. Department of Education's implementing regulations for Title IX, procedures do not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the Institute's Education Programs and Activities, such as a study abroad program. Conduct that occurs off-campus and/or outside the geographic boundaries is governed by the Student Code of Conduct, the Faculty Handbook, Employee Handbook, and other Institute policies and standards, as applicable, including the Discrimination and Harassment (related to protected class) Policy.

The complaint resolution procedures are invoked once a report is made to the Title IX Coordinator (Gina Golba, [ggolba@kcai.edu](mailto:ggolba@kcai.edu), 816-802-3397). The formal process is outlined below, but informal resolution may also be utilized when agreeable to both parties.

Once a complaint is made (by a complainant or the Title IX Coordinator), the Title IX Coordinator will commence the investigatory process by conducting a preliminary investigation to determine if the conduct falls within the scope of the policy and if there is reasonable cause to charge an individual with an alleged policy violation. Within five (5) days of the Title IX Coordinator receiving or making a formal complaint, the Title IX Coordinator will transmit a written notice to the complainant and respondent that notifies them of details of the Sexual Harassment Policy, details of the allegation, conduct allegedly constituting Sexual Harassment, a statement that the respondent is presumed not responsible until the conclusion of the adjudication and appeal, the right of each to an advisor, and notification of the prohibition of retaliation and false statements.

After the written notice of Formal Complaint is transmitted to the parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the Institute strives to complete each investigation within thirty (30) to forty-five (45) days of the transmittal of the written notice as specified in the policy.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses, and to present evidence. At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each party and their advisor, evidence obtained up to that point that is directly related to the allegations raised in the Formal Complaint. Thereafter, the parties will have ten (10) days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

Following the timeframe for the parties to provide any written response has expired, the investigator will complete a written investigation report. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator and to each party and their advisor.

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each party a notice advising the party of the two different adjudication processes; hearing process and administrative adjudication. The hearing process is the default process for adjudicating all formal complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as a form of informal resolution. Each party will have three (3) days from transmittal of the notice to return the signed written consent form to the Title IX Coordinator. If either party does not timely return the signed written consent, that party will be deemed not to have consented to administrative adjudication and the Formal Complaint will be adjudicated pursuant to the hearing process.

In the event of a hearing process, the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the Institute's Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) days from the date of transmittal of the written notice. After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the Institute's Hearing Procedures. Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the Institute strives to issue the hearing officer's written determination within fourteen (14) days of the conclusion of the hearing.

In lieu of the hearing process, the parties may consent to have a Formal Complaint resolved by administrative adjudication as a form of informal resolution. Administrative adjudication is voluntary and must be consented to in writing by both parties and approved by the Title IX Coordinator. If administrative adjudication is selected, the Title IX Coordinator will appoint an administrative officer. The administrative officer will promptly send written notice to the parties notifying the parties of the administrative officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; and setting a date and time for each party to meet with the administrative officer separately. The administrative officer's meetings with the parties will not be held any earlier than ten (10) days from the date of transmittal of the written notice. The administrative officer will meet separately with each party. Transmittal of the administrative officer's written determination concludes the administrative adjudication, subject to any right of appeal. The Institute strives to issue the administrative officer's written determination within twenty-one (21) days of the transmittal of the initiating written notice.

Both parties have an equal opportunity to appeal the determination by filing a written appeal within seven (7) days of the date they receive notice of dismissal or determination appealed from or, if the other party appeals, within three (3) days of the other party appealing, whichever is later. The appeal must be submitted in writing to the Title IX Coordinator who will refer it to an appeal officer. Although the length of each appeal will vary depending on the totality of the circumstances, the Institute strives to issue the appeal officer's written decision within (21) days of an appeal being filed. This decision is final.

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

During the course of the process described in the previous section, both the complainant and the respondent of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of time frames for good cause, with written notice to the parties of the delay.
    - Conducted in a matter that:
      - Is consistent with the institution's policies and transparent to the complainant and respondent.
      - Includes timely notice of meetings at which the complainant and respondent, or both, may be 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 disciplinary meetings and hearings.
    - Conducted by officials who do not have a conflict of interest or bias for or against the complainant or respondent.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to sexual harassment, domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the parties and promotes accountability.
  - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that Institute May Impose for Domestic Violence, Dating Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the institution's disciplinary proceeding that sexual harassment, domestic violence, dating violence, sexual assault, or stalking has been committed, the institution may

impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the Institute at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Diverse Talent and Inclusion. Following a suspension, the individual will be required to meet with the Vice President and Dean of Students (student) or Director of Diverse Talent and Inclusion (employee) to discuss re-entry and expectations going forward.

In addition, the Institute can make available to the parties a range of protective measures. They include: limiting access to a residence hall, no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

### **Publicly Available Recordkeeping:**

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

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the Institute that the student has been a victim of sexual harassment, domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the Institute 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 Institute of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Director of Security at 816-802-3399. State registry of sex offender information may be accessed at the following link: <http://www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html>.

### **Emergency Response and Evacuation Procedures**

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

Students, staff and visitors are encouraged to notify the Department of Safety and Security at 816-931-6666 of any situation that poses such a threat.

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

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

The Director of Security 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.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Director of Security will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

| Method   | Sign-Up Instructions  |
|--|---|
| Text messaging                                       | <a href="https://www.getrave.com/login/kcai">https://www.getrave.com/login/kcai</a> |
| Email  | N/A   |
| Posting of hard copies in public areas               | N/A   |
| Posting on KCAI websites (internet and intranet)     | N/A   |
| Voice message distribution through KCAI phone system | N/A   |

At the direction of the Director of Security, the Director of Marketing and Communications will notify local media outlets in order that the larger community outside the campus will be aware of the emergency.

The Institute 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 Institute’s emergency response plan.

The Director of Security maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the Institute will distribute to its students and

employees information to remind them of the Institute’s emergency response and evacuation procedures.

### **Missing Person Procedures**

If a member of the KCAI community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Department of Safety and Security at 816-931-6666. Anyone receiving a missing student report will immediately notify campus security (or local law enforcement, if necessary) so that an investigation can be initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the Institute only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the Institute will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the person is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

A student who wishes to designate a confidential contact will be given the option to do so while completing required forms during the enrollment process. At any time, students may also register such a contact with the Vice President and Dean of Students as.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the Institute will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the Institute will also notify that student’s parent or legal guardian within 24 hours of the determination that the student is missing.

### **Crime Statistics**

The statistical summary of crimes reported to KCAI over the past three calendar years follows:

| Crime                             | On Campus |      |      | On Campus Housing |      |      | Non Campus* |      |      | Public Property |      |      |
|-----------------------------------|-----------|------|------|-------------------|------|------|-------------|------|------|-----------------|------|------|
|                                   | 2020      | 2019 | 2018 | 2020              | 2019 | 2018 | 2020        | 2019 | 2018 | 2020            | 2019 | 2018 |
| Murder/Non-Negligent Manslaughter | 0         | 0    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |
| Manslaughter by Negligence        | 0         | 0    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |
| Rape                              | 0         | 0    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |
| Fondling                          | 0         | 0    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |
| Statutory Rape                    | 0         | 0    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |
| Incest                            | 0         | 0    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |
| Aggravated Assault                | 0         | 0    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |
| Burglary                          | 1         | 3    | 0    | 0                 | 0    | 0    | 0           | 0    | 0    | 0               | 0    | 0    |

|  |   |   |   |   |   |   |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Robbery                                      | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Motor Vehicle Theft                          | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson  | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation                | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation                | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation                    | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation     | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence                            | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence                              | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking                                     | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

\*KCAI's only "non-campus" property is the KCAI Crossroads Gallery located at 1819 Grand, Kansas City, MO 64108.

**Hate crimes:**

**2020:** No hate crimes reported.

**2019:** No hate crimes reported.

**2018:** No hate crimes reported.

**Unfounded crimes:**

**2020:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**2019:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**2018:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**KCPD Crime Statistics:**

The Kansas City Police Department (KCPD) provided information that was utilized by KCAI to create the crime statistics chart listed below. The neighborhood boundaries for these statistics are Main Street to Oak Street and 4200 Street to 4600 Street. While the KCAI campus is within this area, the statistics provided by KCPD also cover other areas unaffiliated with KCAI. As such, the Institute is providing this chart separately. Note that there could be some duplication in crime statistics provided by KCPD and the numbers in the chart above.



| Crime                             | 2020 | 2019 | 2018 |
|-----------------------------------|------|------|------|
| Murder/Non-Negligent Manslaughter | 0    | 0    | 0    |
| Manslaughter by Negligence        | 0    | 0    | 0    |
| Rape                              | 0    | 1    | 0    |
| Fondling                          | 0    | 0    | 0    |
| Statutory Rape                    | 0    | 0    | 0    |
| Incest                            | 0    | 0    | 0    |
| Aggravated Assault                | 28   | 0    | 3    |
| Burglary                          | 9    | 7    | 0    |
| Motor Vehicle Theft               | 21   | 16   | 0    |
| Robbery                           | 3    | 0    | 0    |
| Arson                             | 1    | 0    | 0    |
| Arrest - Liquor Law Violation     | 0    | 0    | 0    |
| Arrest - Drug Abuse Violation     | 5    | 0    | 0    |
| Arrest - Weapon Violation         | 3    | 0    | 0    |
| Domestic Violence                 | 0    | 0    | 0    |
| Dating Violence                   | 0    | 0    | 0    |
| Stalking                          | 0    | 0    | 0    |

\*No hate crime statistics were provided by KCPD in 2018, 2019 or 2020

## Annual Fire Safety Report

### Housing Facilities and Fire Safety Systems

The Institute maintains on-campus housing for its students. The following chart includes the name and address of the housing facilities and the number of fire drills conducted during the previous calendar year.

| Facility                                 | Fire Alarm Monitoring Done on Site | Partial Sprinkler System | Full Sprinkler System | Smoke Detection | Fire Extinguisher Devices | Evacuation Plans & Placards | Number of evacuation (fire) drills |
|--|------------------------------------|--------------------------|-----------------------|-----------------|---------------------------|-----------------------------|------------------------------------|
| Student Living Center, 4419 Warwick Blvd | X                                  |                          | X                     | X               | X                         | X                           | 2                                  |

### **Policies on Portable Appliances, Smoking and Open Flames**

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: coffee maker, microwave and small refrigerator. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

The Institute reserves the right to make periodic inspections of campus housing to ensure fire safety systems are operational and that the policy on prohibited items are being complied with. Prohibited items, if found, will be confiscated and donated or discarded without reimbursement.

### **Fire Evacuation Procedures**

In the event of a fire, the Institute expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

### **Fire Education and Training Programs**

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the Institute’s fire safety policies. Information distributed includes maps of each facility’s evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a “buddy” assigned to assist him or her.

### **Reporting Fires**

The Institute is required to disclose each year statistical data on all fires that occurred in on-campus student housing facilities. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. However, there may be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department is not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the following: Director of Security at 816-802-3399. When notifying one of these individuals as much information as possible about the location, date, time and cause of the fire should be provided.

## **Plans for Future Improvements**

The Institute periodically reviews its fire safety protections and procedures. At this time, it has no plans for future improvements.

## **Fire Statistics**

### **2020**

4 fires were reported in 2020 ( Non-Housing and exterior locations).

### **2019**

No fires were logged in 2019.

### **2018**

No fires were logged in 2018.