

**VIOLENCE AGAINST WOMEN ACT**  
**FREQUENTLY ASKED QUESTIONS**  
**REGARDING**  
**DOMESTIC VIOLENCE, DATING VIOLENCE,**  
**SEXUAL ASSAULT AND STALKING**

Missouri State University prohibits domestic violence, dating violence, sexual assault and stalking. This document addresses some frequently asked questions about domestic violence, dating violence, sexual assault and stalking.

**How does Missouri law define domestic violence, dating violence, sexual assault and stalking?**

Missouri law does not define domestic violence or dating violence. However, Missouri law defines assault as occurring when a person purposely, knowingly, or recklessly causes physical injury to another person. Assault also occurs in certain situations where a person negligently causes physical injury to another person, creates a risk of death or serious physical injury, causes another to apprehend immediate physical injury, or causes offensive physical contact with another person. Missouri law defines domestic assault (sometimes referred to as domestic violence) as occurring when an assault occurs between members of the same family or household. While not defined by Missouri law, dating violence is a term used to describe assaults between individuals who are or have been in a romantic or intimate relationship.

Missouri law defines sexual abuse (sometimes referred to as sexual assault) as occurring when a person subjects another person to sexual contact without that person's consent or by the use of forcible compulsion or when that person is incapacitated, incapable of consent, or lacks the capacity to consent.

Missouri law defines stalking as occurring when a person purposely harasses another person or follows another person with the intent to harass. A person harasses another when he or she engages in a course of conduct directed at a person that serves no legitimate purpose and that would cause a reasonable person to be frightened, intimidated, or distressed.

**How does Missouri law define consent in reference to sexual activity?**

Consent (or lack of consent) may be express or implied under Missouri law. Assent (i.e., an expression of approval or agreement) does not constitute consent if:

- It is given by a person who lacks mental capacity; or
- It is given by a person who is unable to make a reasonable judgment about the sexual activity because of age, mental disease or defect, intoxication, consumption of drugs, or some other reason; or
- It is induced by force, duress or deception.

**What safe and positive options are available for bystanders to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking?**

Missouri State University encourages all members of the University community to take safe and positive actions to intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking. There is no single “right” way to intervene, and what is appropriate depends on the situation and the individuals involved. Available intervention strategies include:

- Asking the people involved to stop what they are doing.
- Stepping in and separating the people involved in a non-combative manner.
- Using a distraction to focus one or more of the peoples’ attention on someone or something else.
- Asking another bystander (or a number of other bystanders) to intervene with you.
- Notifying one or more of the following offices on campus who can assist you:
  - Safety and Transportation, 636 E. Elm St., (417) 836-5509
  - Office for Institutional Equity and Compliance, Park Central Office Building Suite 111, (417) 836-4252
  - Office of Human Resources, Carrington Hall 118, (417)836-5102
- Notifying a University office or employee (e.g., supervisor, Office of Human Resources, Office for Institutional Equity and Compliance, etc..) who can assist you.
- Calling 911. On the West Plains campus:
  - Dean of Student Services, Lybyer Technology Center T207, (417)255-7255
  - Human Resources Specialist, Cass Hall, (417) 255-7265
  - Affirmative Action Liaison, West Plains Civic Center, (417)255-7966
  - Call 911

**What are warning signs of abusive behavior, and how can potential attacks be avoided?**

Warning signs of abusive behavior include threats of violence, jealousy, controlling behavior, quick romantic involvement, isolation, blaming others for feelings, and hypersensitivity.

Potential attacks can be avoided by avoiding unsafe situations. The following are safety tips that can be used to avoid potential attacks:

- Be aware of your surroundings.
- Avoid isolated areas.
- Do not let yourself be alone with someone you do not trust or know well.
- Make sure your cell phone is with you and charged.
- Use the buddy system when going out or walking at night.
- Do not let others get drinks for you. Always know what is in your drink. Never leave your drink unattended.

- Be cautious of those who pressure you to drink more than you want.
- Do not give in to guilt, pressure, threats, or embarrassment.
- Take a self-defense class (the Foster Recreation Center offers a class that is free for students and employees).
- Utilize the University Safe Walk Program provided by Safety if you are uncomfortable walking alone – Call (417)836-5509
- On the West Plains campus:
  - Read the Emergency Procedures posters located in each room in every University building.
  - Call (417) 257-9078 for escort services between classrooms and parking lots, for assistance with vehicle trouble, or similar needs.

**What sanctions and protective measures may Missouri State University impose in situations involving rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking?**

The University can issue no contact directives (instructing the accused not to contact the victim) in appropriate circumstances. The University can also issue bans from campus (instructing the accused not to enter the campus) in appropriate circumstances.

If a student commits one of these offenses, the University may impose a range of consequences on the student. The University's Code of Student Rights and Responsibilities recommends a minimum consequence of dismissal for a forcible sexual offense and suspension for a nonforcible sexual offense or nonconsensual sexual contact. In some situations, the University can impose an interim suspension denying a student access to all or part of the campus and facilities before final consequences are imposed.

If a member of the University's faculty or staff commits one of these offenses, the University may impose a range of consequences up to and including termination.

**What procedures should victims follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred?**

Victims should tell someone they know and trust, then:

- Seek medical assistance if needed. Victims of a sexual offense or sexual assault should immediately go to a hospital and tell emergency personnel that a rape has occurred.
- Report what happened to law enforcement as soon as possible.
- Contact one or more of the University's offices to find out how the University can assist and provide resources.

It is important that you preserve evidence as it may be necessary to prove a criminal case or for obtaining an order of protection. It is important that you contact law enforcement

as soon as possible so they can assist you in preserving evidence. Victims of a sexual offense or sexual assault should not bathe, shower, or wash their clothes before going to the hospital.

It is up to the victim to decide whether to notify law enforcement, and the victim may decline to notify law enforcement if he or she so chooses. The offices identified below are available to assist you in notifying law enforcement if you choose to do so. Alternatively, you may contact law enforcement on your own as follows:

- For on-campus law enforcement, contact Safety and Transportation / SPD Substation, 636 E. Elm St., (417) 836-5509.
- For off-campus law enforcement, contact the Springfield Police Department, 321 E. Chestnut Expressway, (417) 864-1810.
- For emergencies, contact 911.
- On the West Plains campus:
  - For on-campus law enforcement, contact Dean of Student Services, Lybyer Technology Center T207, (417) 255-7255.
  - For off-campus law enforcement, contact the West Plains Police Department, 1912 Holiday Lane, (417) 256-2244.
  - For emergencies, contact 911.

You may contact other University offices or services:

- Office for Institutional Equity and Compliance, Park Central Office Building Suite 111, (417) 836-4252.
- Office of Human Resources, Carrington Hall 118, (417)836-5102 Counseling and Testing Center, Carrington Hall Room 311, (417) 836-5116.
- On the West Plains campus
  - Coordinator of Student Life and Development, Putnam Student Center, (417) 255-7233.
  - Human Resources Specialist, Cass Hall, (417) 255-7265.
  - Affirmative Action Liaison, West Plains Civic Center, (417) 255-7966.

In Missouri, victims may pursue an order of protection from the court prohibiting the accused person from communicating with the victim, going to the victim's residence, and taking certain other actions. To pursue an order of protection, victims should contact law enforcement using the information set forth above.

### **What University procedures apply for disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking?**

Missouri State University has four applicable procedures.

- Regarding conduct by faculty, the processes set forth in the Faculty Handbook apply. The Faculty Handbook can be found at [http://www.missouristate.edu/policy/G3\\_03\\_FacultyHandbook.htm](http://www.missouristate.edu/policy/G3_03_FacultyHandbook.htm).

- Regarding conduct by staff, the processes set forth in the Employee Handbook apply. The Employee Handbook can be found at <http://www.missouristate.edu/human/staffhandbook/>.
- Regarding conduct by students, the conduct processes set forth in the Code of Student Rights and Responsibilities apply. The Code of Student Rights and Responsibilities can be found at [http://www.missouristate.edu/policy/G5\\_01\\_StudentRightsandResponsibilities.htm](http://www.missouristate.edu/policy/G5_01_StudentRightsandResponsibilities.htm).
- Regarding all conduct involving discrimination, harassment, and retaliation, the Office of Institutional Equity and Compliance's Complaint Procedures apply. These Complaint Procedures can be found at [http://www.missouristate.edu/policy/Op1\\_02\\_2\\_ComplaintProcedures.htm](http://www.missouristate.edu/policy/Op1_02_2_ComplaintProcedures.htm).

**On the West Plains campus:**

- Regarding conduct by faculty, the processes set forth in the Faculty Handbook apply. The Faculty Handbook can be found at <https://experts.missouristate.edu/display/WPFH/West+Plains+Faculty+Handbook+Home>
- Regarding conduct by staff, the processes set forth in the Employee Handbook apply. The Employee Handbook can be found at <http://www.missouristate.edu/human/staffhandbook/>.
- Regarding conduct by students, the conduct processes set forth in the Code of Student Rights and Responsibilities apply. The Code of Student Rights and Responsibilities can be found at <http://wp.missouristate.edu/studentlife/code.htm>
- Regarding all conduct involving discrimination, harassment, and retaliation, the Office of Institutional Equity and Compliance's Complaint Procedures apply. These Complaint Procedures can be found at [http://www.missouristate.edu/policy/Op1\\_02\\_2\\_ComplaintProcedures.htm](http://www.missouristate.edu/policy/Op1_02_2_ComplaintProcedures.htm).

These procedures provide a prompt, fair, and impartial investigation and resolution. These procedures are conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.

The accuser and the accused shall be simultaneously informed, in writing, of:

- The outcome of any disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking.
- The procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding.
- Any change to the results that occurs prior to the time that such results become final.
- When the results become final.

**Will Missouri State University protect the confidentiality of victims?**

The Counseling and Testing Center (Carrington Hall Room 311, (417) 836-5116), Center City Counseling Clinic (Park Central Office Building, (417) 836-3215) and Taylor Health and Wellness Center ((417) 836-4000) maintain confidentiality with victims in accordance with applicable professional standards. (Listed facilities are not on the West Plains campus.)

Other offices on campus cannot provide absolute confidentiality. However, it is the policy of Missouri State University to protect the confidentiality of victims to the extent it is reasonably practicable. Specifically, the identity of the victim and information relating to the situation will be provided only to those individuals who have a legitimate need to know, or as reasonably necessary for the purpose of investigating or resolving the situation. The University will not utilize identifying information about the victim in records about the situation any more than is reasonably necessary, and the University will redact the victim's identifying information before disclosing such records publicly to the extent permissible by law.

**What on-campus and community counseling, health, mental health, victim advocacy, legal assistance, and other services are available for victims?**

**Health Care:**

**Cox Health (North) Emergency Room**

1423 N Jefferson Ave.

Springfield, Mo, 65802

(417) 269-0060

[www.coxhealth.com/body.cfm?id=3047](http://www.coxhealth.com/body.cfm?id=3047)

**Cox Health (South) Emergency Room**

3801 S National Ave.

Springfield, Mo, 65807

[www.coxhealth.com/body.cfm?id=3047](http://www.coxhealth.com/body.cfm?id=3047)

**Cox Health Urgent Care**

1000 E. Primrose

Springfield, Mo, 65807

(417) 269-9812

[www.coxhealth.com/body.cfm?id=1492](http://www.coxhealth.com/body.cfm?id=1492)

**Mercy Hospital Emergency Room**

1235 E Cherokee St.

Springfield, Mo, 65804

(417) 820-2115

[www.mercy.net/practice/mercy-emergency-trauma-center-springfield](http://www.mercy.net/practice/mercy-emergency-trauma-center-springfield)

**Mercy Hospital Urgent Care**

3231 S. National Ave.

Springfield, Mo, 65807

(417) 888-5666

[www.mercy.net/service/urgent-care](http://www.mercy.net/service/urgent-care)

**Taylor Health and Wellness Center**

Missouri State University Campus

(417) 836-4000

<http://health.missouristate.edu/>

**Counseling:**

**Burrell Behavioral Health** – Counseling services in conjunction with Cox Hospital

1300 Bradford Parkway

Springfield, Mo, 65804

(417) 761-5000

Crisis Hotline: (417) 761-5555

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

**Center City Counseling Clinic** – Low cost counseling services in conjunction with

Missouri State University's Department of Counseling, Leadership, and Special Education

Missouri State University Campus

Park Central Office Building

(417) 836-3215

<http://education.missouristate.edu/CCCC/>

**The Counseling and Testing Center** – Free to all Missouri State students  
Missouri State University Campus  
Carrington Hall 311  
(417) 836-5116  
<http://counselingandtesting.missouristate.edu/>

**Police:**

**Missouri State University Safety and Transportation** – Offers Safe Walk services to all on campus buildings for students not wishing to walk alone at night on campus  
636 E. Elm  
Springfield, Mo, 65897  
(417) 836-8870  
[www.missouristate.edu/safetran](http://www.missouristate.edu/safetran)

**Springfield Police – MSU Substation**

636 E. Elm  
Springfield, Mo, 65897  
(417) 836-5509 or 911  
[www.missouristate.edu/safetran/7338.htm](http://www.missouristate.edu/safetran/7338.htm)

**Victim Services:**

**Harmony House** - Operates temporary housing facilities for victims of domestic and relationship violence that need safe shelter. Harmony House can provide assistants with clothing and personal items in the event that a victim of a violent crime is displaced from their home.  
519 Cherry St.  
Springfield, Mo, 65806  
(417) 837-7700  
[www.myharmonyhouse.org/](http://www.myharmonyhouse.org/)

**The Victim Center** – Offers a wide range of services to support victims of violent or sexual crimes. Services range from: counseling/ therapy, victim advocacy including **emergency Ex Parte orders of protection**, and referral to other community resources including legal assistance.  
819 N. Boonville Ave.  
Springfield, Mo 65802  
(417) 836-7273  
[www.thevictimcenter.org/](http://www.thevictimcenter.org/)

**On the West Plains campus:**

**Healthcare:**

**Ozarks Medical Center**

1100 Kentucky Avenue  
West Plains, Mo, 65775  
(417) 256-9111

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

**Counseling:**

**Ozarks Medical Center Behavioral Health Care**

1100 Kentucky Avenue  
West Plains, Mo 65775  
(800) 356-5395

[www.ozarksmedicalcenter.com/behavioral.asp](http://www.ozarksmedicalcenter.com/behavioral.asp)

**Police:**

**West Plains City Police**

1912 Holiday Lane  
West Plains, Mo 65775  
(417) 256-2244

<http://westplainspolice.com/>

**Victim Services:**

**Christos House**

West Plains, Mo 65775  
(417) 469-1190

<http://www.christoshouse.com/>

**What options and assistance is available to victims for changing academic, living, transportation, and working situations?**

- Change in work situation such as rooms, floor, or building
- Ban from specific areas of campus or the entire campus
- No- Contact Directive, which prohibits both parties from any contact with each other under penalty of University Conduct charges
- Work reassignment