

St. Luke's College-Morningside University

2025 ANNUAL SECURITY 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 St. Luke's College-Morningside University ("College") with information on the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

This report was prepared by the Morningside University Director of Safety and Security along with Security from UnityPoint Health-St. Luke's, in cooperation with local law enforcement authorities, and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year, an e-mail notification is sent to all enrolled students and employees that provides the website link to access this report. The College also notifies prospective students and employees of the report's availability. Hard copies of the report may also be obtained at no cost by contacting the Morningside University Director of Safety and Security or the Senior Administrative Coordinator, 2nd Floor, Student Success. The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place, reflect best practices in the field, and are constantly tested and re-evaluated for effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The UnityPoint Health - St. Luke's Security Department is responsible for campus safety at the College and works closely with the Morningside University Safety and Security Department.

UnityPoint Health – St. Luke's Security Department provides security, crime prevention, and premises access on the College's campus 24 hours a day, seven days a week. The Security Department's jurisdiction covers the grounds of UnityPoint-St. Luke's, St. Luke's parking facilities, and St. Luke's College campus. Security Department officers have the authority to ask persons for identification and to determine whether individuals have lawful business on UnityPoint-St. Luke's property. They may also issue parking citations. The Sioux City Police Department (SCPD) makes criminal arrests on St. Luke's property because Security Department officers do not have arrest authority, as they are not commissioned law enforcement officers. The Security Department will, however, assist SCPD as needed.

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

Campus Security Authorities

The College has designated certain officials to serve as campus security authorities. You can report criminal activity to these officials. They will, in turn, ensure that crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities, to whom the College would prefer that crimes be reported, are listed below.

- UnityPoint Health - St. Luke's Security Department: 712-279-3911
- Manager, Safety and Security: 712-279-3615
- Morningside University Director of Safety and Security: 712-274-5500
- Senior Administrative Coordinator: 712-274-5700

Reporting a Crime or Emergency

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged when the victim of a crime elects to, or is unable to, make such a report.

- Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling 3911 while on campus or 911 if off campus. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
- Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. After reporting, the individual making the report will be encouraged to report it to the appropriate police agencies. If requested, a member of College staff will assist a student in making the report to the police.
- Include as much information as possible, including exact location, nature of injuries, description of possible criminals, and a brief description of what happened.
- Anonymous reports can be made by calling the College's main office at 712-274-5700 or calling 3911 with details of the emergency without disclosing personal identifiers such as name, phone number, etc.

Confidential Reporting

The College will protect the confidentiality of victims. Only those who need to know the identity to investigate the crime, assist the victim, or discipline the perpetrator will know the victim's identity.

Pursuant to the College's Sexual Harassment (Title IX) Policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the College without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing, and alert the

community of any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College encourages its pastoral and professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

Security of and Access to Campus Facilities

The College building is secured during the evenings and weekends. St. Luke's College building is generally open to the public between 6:00 a.m. and 4:30 p.m., Monday–Friday, excluding holidays and posted closures. Building hours may vary with class schedules and special events. During non-business hours, access to all facilities is by ID or by admittance via the Security Department or a faculty/staff member(s). Security officers perform random “walk-throughs” in the College building each night. Officers also patrol vehicles in parking lots and surrounding areas.

Students and employees are asked to be alert and not to circumvent practices and procedures that are meant to preserve their safety and that of others:

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

Keys and controlled access to the offices, laboratories, and classrooms on campus will be issued to employees and students 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. Violation of these policies may lead to disciplinary action, up to and including termination and the filing of charges with law enforcement authorities.

Employee and student identification badges may be used to verify the identity of persons suspected to be in campus facilities without permission.

General services provided by the Security Department are walking and vehicle patrols, response to criminal and non-criminal activity, escorts, jump-starting cars, and unlocking vehicles. Security Officers make routine patrols of parking areas and campus buildings, checking exterior doors, windows, stairwells, fire lanes, etc.

Security Considerations in the Maintenance of Facilities

Maintenance personnel regularly check that pathways are well lit and that egress lighting works in hallways and stairwells. They check fire extinguishers, sprinklers, and exit lighting.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

- Members of the Morningside Safety and Security Department are available to talk to any student or employee groups. These talks are designed to educate community members about security issues and techniques for self-defense and crime prevention on campus.
- Periodic e-mail blasts are sent out to students and employees with crime prevention and other safety tips.
- Student Services provides information at the beginning of each academic term for students and new employees regarding the College's security procedures and practices. This information is delivered through face-to-face orientation, online learning through Cornerstone, videos, the Student Handbook, posters, self-defense training, and e-mail blasts. Among other things, it advises students and employees on the importance of reporting criminal activity, whom to report crimes to, responsibility for their own safety and the safety of others, and practices for timely warnings and emergency notifications.
- Students and employees are reminded to keep contact information up to date to receive warnings through the Morningside University Emergency Notification System.

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

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because, under the Violence Against Women Act, both the accused and accuser in these cases are given the results without the need to make a written request.

ALCOHOL AND SUBSTANCE ABUSE INFORMATION PREVENTION PROGRAMS

The University has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students. The program provides services related to drug and alcohol use and abuse, including the dissemination of informational materials, educational programs, counseling services, referrals, and University disciplinary action.

Morningside University Safety and Security, Residence Life, Student Health, and Personal Counseling Services coordinate these programs overall. These programs include:

Alcohol and Drug Education: Safety and Security, Student Health, and Personal Counseling Services run programs that address concerns throughout the year.

The Educational Programs include emails, posters displayed across campus and in the residence halls, videos, the use of "drunk goggles," and presentations by off-campus resources. Resident Assistants (RAs) are required to do programming on how alcohol affects the body, reactions, and the body if consumed in large quantities. This information is also sent to all faculty and staff on campus in accordance with our Drug-Free Campus policy.

Counseling Services and Referral Services: Morningside's personal counselors will meet with students to address issues related to alcohol and drugs. They may refer students to off-campus resources, such as Rosecrance Jackson Recovery Centers, for more in-depth treatment. If individuals believe they have a friend or colleague who needs assistance, they are encouraged to contact Campus Safety and Security, Residence Life, Human Resources, Student Health, or other campus resources.

University Disciplinary Action: In most cases, disciplinary action will be taken, including fines and, in severe cases, removal of the student(s) from the University, including classes and the residence halls. The student has the right and ability to appeal the actions outlined in the [Student Handbook](#).

Federal Drug Laws (updated 08.05.2024)

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

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

Federal Drug Trafficking Penalties (21 U.S.C. § 841): Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "Rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more

than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university **(21 U.S.C. § 860)** face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

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

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at [www.campusdrugprevention.gov/sites/default/files/2022-07/Federal Trafficking Penalties Chart 6-23-22.pdf](http://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal%20Trafficking%20Penalties%20Chart%206-23-22.pdf).

Drug and Alcohol State Laws

Category	Summary (Iowa Code)
Possession of Marijuana	Marijuana is a Schedule I controlled substance. Iowa Code § 124.204(4)(m). Iowa exempts hemp from Schedule I which has a maximum delta-9 tetrahydrocannabinol concentration of three-tenths of one percent or less on a dry weight basis as well as any hemp product with a maximum tetrahydrocannabinol concentration of three-tenths of one percent or less on a dry weight basis. § 124.204(7); <i>see</i> Iowa Code, ch. 204. Limited usage of medical marijuana is permitted for patients with certain specified “debilitating medical conditions” in accordance with Iowa’s Medical Cannabidiol Act. §§ 124E.2, 124E.4, 124E.12, 124E.16. Generally, a medical cannabidiol dispensary will not dispense more than a combined total of 4.5 grams of total tetrahydrocannabinol to a patient and the patient’s primary caregiver in a ninety-day period. § 124E.9(14). However, there are exceptions to the 4.5-gram limit when 4.5 grams is insufficient or when the patient is terminally ill. § 124E.9(15). Recreational possession or use of marijuana is prohibited. § 124.401(5). A first-time violation of the prohibition on recreational possession or use is punishable by imprisonment for not more than 6 months (with a 48-hour mandatory minimum), a fine of not more than \$1,000, or both. <i>Id.</i> A second violation is punishable by a fine of \$430 to \$2,560 and imprisonment for up to one year (with a 48-hour mandatory minimum). §§ 124.401(5)(b), 903.1(1)(b). It is also illegal to manufacture, deliver, or possess with intent to manufacture or deliver marijuana. § 124.401(1). A violation of this provision with 50 kilograms or less of marijuana is a Class D felony, punishable by a fine of \$1,025 to \$10,245 and imprisonment for up to five years. §§ 124.401(1)(d), 902.9.

Controlled Substances	Iowa has a range of statutes governing controlled substances and their possession and distribution. §§ 124.101–124.418. It is unlawful to knowingly or intentionally possess a controlled substance without a prescription. § 124.401(5)(a). Doing so is a serious misdemeanor for a first offense. <i>Id.</i> A serious misdemeanor is punishable by a fine of \$430 to \$2,560 and possible imprisonment not to exceed one year (with a 48-hour mandatory minimum in this case). § 903.1. A second offense is an aggravated misdemeanor. § 124.401(5)(a). An aggravated misdemeanor is punishable by a fine of \$850 to \$8,540 and possible imprisonment for up to two years (with a 48-hour mandatory minimum in this case). § 903.1. Possession of a controlled substance near schools or certain other public properties may also result in an additional penalty of one hundred hours of community service. § 124.401B. It is unlawful to manufacture, deliver, or possess with the intent to manufacture or deliver a controlled substance, and the penalties depend on the type and amount of the substance involved. § 124.401(1). For instance, a violation with respect to over 500 grams of cocaine is punishable by imprisonment for up to 50 years and a fine of up to \$1 million. § 124.401(1)(a)(2)(b). Additionally, a violation with respect to more than five but less than 100 grams of heroin results in up to 25 years imprisonment and a fine of between \$5,000 and \$100,000. §§ 124.401(1)(b)(1), 902.9. A violation with respect to five grams or less of methamphetamine, 100 grams or less of cocaine, or five grams or less of heroin is punishable by up to 10 years imprisonment and a fine of \$1,000
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Category	Summary (Iowa Code)
	to \$50,000. § 124.401(1)(c). Certain aggravating circumstances can lead to longer terms of imprisonment. § 124.401(1). It is unlawful for any person to knowingly or intentionally manufacture, deliver, sell, or possess drug paraphernalia. § 124.414(2). A violation constitutes a simple misdemeanor, which is punishable by a fine of \$105 to \$855, imprisonment for up to 30 days, or both. §§ 124.414(3), 903.1. It is also illegal for any person to sponsor, promote, or aid, or assist in the sponsoring or promoting of a meeting, gathering, or assemblage with the knowledge or intent that a controlled substance will be distributed, used, or possessed there. If the substance is marijuana, this is a serious misdemeanor, and if it is any other substance, this is a Class D felony. § 124.407.

Alcohol and Minors	Generally, it is unlawful for a person under the age of 21 to purchase, attempt to purchase, possess, or consume alcoholic beverages. § 123.47(3). A violation for a person 18 to 20 years of age results in a simple misdemeanor punishable in this case by a scheduled fine of \$260. §§ 123.47(4)(a)(1), 805.8C(7). A second offense is punishable by a fine of \$500 and either a substance abuse evaluation or a suspension of driving privileges for up to one year. § 123.47(4)(a)(2). A person who is of legal age, other than a licensee or permittee, who sells, gives, or otherwise supplies any alcoholic beverage to a person who is under legal age commits a serious misdemeanor punishable by a fine of \$500 to \$2,560 and potential imprisonment for up to one year. §§ 123.47(5), 903.1. A person under legal age shall not misrepresent the person's age for the purpose of purchasing or attempting to purchase any alcoholic beverage from any retail alcohol licensee. § 123.49(3). A violation constitutes a simple misdemeanor. § 123.50(1). Similarly, a person who is under the age of twenty-one and uses a fictitious or fraudulently altered driver's license or nonoperator's identification card to purchase, attempt to purchase, possess, or consume alcohol will be punished by a scheduled fine of \$260. §§ 321.216B, 123.47(3), 805.8A(4). Additionally, it is a simple misdemeanor to be intoxicated in a public place or to consume alcoholic liquor, wine, or beer upon public streets or highways. § 123.46(2).
Driving Under the Influence (DUI)	A person is guilty of an Operating While Intoxicated (OWI) if s/he operates a vehicle with a blood alcohol concentration of 0.08 percent or more. § 321J.2(1). A first offense results in a serious misdemeanor charge, which carries between 48 hours to one year in jail and a fine of \$1,250. § 321J.2(3). A second offense is an aggravated misdemeanor, punishable by imprisonment of not fewer than seven days and not more than two years, a fine of not less than \$1,875 and not more than \$6,250, driver's license revocation for one year, and substance abuse treatment and training. § 321J.2(2)(b), (4).

Drug and Alcohol Abuse Prevention Program

In compliance with the Drug Free Schools and Communities Act (DFSCA), the College has a drug and alcohol abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. For more information, see below.

- Drug Free campus policy: <https://www.stlukescollege.edu/current-students/student-services/health-wellness>

- [Drug and Alcohol-Free Workplace Resources \(sharepoint.com\)](#)
- Biennial review report:

To request a copy of the report please contact the Executive Dean of Academics and Student Services at (712) 279-3377 or danelle.johannsen@stlukescollege.edu

HAZING POLICY

St. Luke's College-Morningside University prohibits any form of "hazing" in its programs, activities, and by student organizations. This policy outlines the University's procedures for handling reports of hazing, the potential consequences of engaging in hazing, information on the University's hazing prevention and awareness programs, and the University's reporting and publication requirements.

Policy Definitions

For the purposes of this Policy:

"Student organization" means any organization in which two or more of the members are enrolled students, whether or not the student organization is established or recognized by Morningside. This includes clubs, societies, associations, athletics teams, fraternities, sororities, bands, or student government.

"Hazing"[1] means any intentional, knowing, or reckless act by a person, or in concert with others, against another, *regardless of their willingness to participate*, that:

- Is committed in the course of initiation into, affiliation with, or the maintenance of membership in, a student organization; and
- Causes or creates an unreasonable risk of physical or psychological injury, including any activity which places another person in reasonable fear of bodily harm through the use of threatening words or conduct and any activity that includes or requires another person to perform a criminal violation of state or federal law.

This includes whipping, beating, striking, electronic shocking, or placing a harmful substance on someone's body. It includes causing, coercing, or otherwise inducing sleep deprivation; exposure to the elements; confinement in a small space; extreme exercise; consuming food, liquid (including alcohol), drugs, or other substances; or the performance of sexual acts.

[1] Iowa also has a criminal law on "hazing," Iowa Code 708.10. This law defines hazing as an intentional or reckless act or acts involving forced activity which endangers the physical health or safety of a student for the purpose of initiation or admission into, or affiliation with, any organization operating in connection with the university, regardless of the student's willingness to participate.

Reporting Hazing and Investigations

All forms of hazing must be reported to the Dean of Students, Director of Safety and Security, Title IX Coordinator, or other University administrator. If any campus official or employee, such as a coach, sponsor, adviser, or residence life staff member, receives a report or becomes aware of an alleged hazing incident, they should report it to one of the aforementioned University administrators.

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All allegations of hazing will be taken seriously and investigated. Allegations against students and/or student organizations will be handled under the Student Conduct and Misconduct Response and Resolution Procedures. Any allegations against faculty or staff will be investigated and handled under applicable employee policies and procedures.

Consequences for founded incidents of hazing can include discipline up to and including suspension or expulsion for students, serious sanctions for student organizations, and termination of employees.

Allegations of hazing may also be reported to the Sioux City Police Department for a criminal investigation.

Clery Act Statistical Reporting and Transparency Report

In accordance with the Clery Act, statistical information on hazing incidents within the University’s Clery geography is included in the Annual Security Report, which is distributed to the campus community each year on or before October 1st.

Consistent with applicable law, Morningside will also collect information on hazing incidents involving student organizations and publish a Campus Hazing Transparency Report on its website if there are violations to report. If there are violations, the University will update the Transparency Report at least twice a year with the following information:

- A statement notifying the public of the annual availability of the University’s hazing statistics in the Annual Security Report;
- Information about this Policy and Iowa’s hazing law; and
- For each period of time since the last update, the following information about each finding of responsibility for a hazing violation against a student organization:
 - The name of the student organization;
 - A general description of the hazing violation that resulted in a finding of responsibility, including whether the violation involved the abuse or illegal use of alcohol or drugs;
 - The findings of the institution, and any sanctions placed on the student organization by the institution, as applicable;
 - The dates on which the hazing was alleged to have occurred, when the investigation was initiated and ended, and when the student organization was notified of the violation.

Neither the statistical information in the Annual Security Report nor the Campus Hazing Transparency Report will include any student’s personally identifiable information, as defined by the Family Educational Rights and Privacy Act (“FERPA”). Past Transparency

Reports will be maintained by Morningside for at least five ("5") calendar years from the date of publication.

Prevention and Awareness Programs

It is the policy of Morningside University to develop and offer prevention and awareness programs related to hazing. These programs will be research-informed and campus-wide, and designed to reach students, faculty, and staff with information about:

- This Policy, including how to report incidents of hazing and Morningside's processes used to investigate incidents of hazing;
- Iowa's hazing law; and
- Primary prevention strategies intended to stop hazing before hazing occurs, which may include skill building for bystander intervention, information about ethical leadership, and the promotion of strategies for building group cohesion without hazing.

To meet these requirements, faculty, staff, and students will complete annual training through Catharsis, an online training platform. This same training platform will be used to provide training for new employees and transfer students throughout the year.

SEXUAL ABUSE - SEXUAL ASSAULT POLICY

Morningside University is committed to the safety and well-being of all campus members and guests. It is committed to providing a living and learning environment, free of all forms of abuse, violence, harassment, and coercive conduct, including sexual misconduct. In an effort to promote the dignity and well-being of members of the campus community, the University is committed to addressing allegations of sexual abuse and/or sexual assault. The University will also provide educational programs to promote an awareness of rape, acquaintance rape, and other sex offenses. The University has developed this policy, which is consistent with the Student Right-To-Know and Campus Security Act, Public Law 101-542 (Clery Act), and the State of Iowa Code 709

Morningside University will not tolerate sexual misconduct in any form. Sexual misconduct may include (but is not limited to) acquaintance or date rape, non-consensual sexual intercourse (or attempts to commit the same), non-consensual sexual contact (or attempts to commit the same), or sexual exploitation. Members of the Morningside University community are strongly encouraged to report all incidents of sexual misconduct. Reports of sexual misconduct received by the University will be taken seriously and will be investigated.

Acts of sexual misconduct may also have certain criminal and civil law repercussions. University personnel are available to assist victims in contacting law enforcement and emergency medical providers if the student so chooses.

When St. Luke's College-Morningside University determines that a case of sexual abuse and/or sexual assault might have taken place, the University will fulfill its legal obligation to report the same to the appropriate law enforcement or other legal authority for proper disposition.

This policy does not address acts of sexual harassment, also considered sexual

misconduct, which is dealt with in a separate policy, also found in this report and in the [Student Handbook](#).

Sexual Misconduct Offenses Include, But Are Not Limited To:

Non-consensual sexual intercourse (or attempts to commit the same): Intercourse is narrowly defined. Non-consensual sexual intercourse is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a man or woman upon a man or woman, without effective consent. This includes vaginal penetration by a penis, object, tongue, or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact).

Non-consensual sexual contact (or attempts to commit the same): Non-consensual sexual contact is any sexual touching, however slight, with any object, by a man or woman upon a man or woman without effective consent. This includes any contact with the breasts, buttocks, groin, or genitals, or touching another person with any of these body parts, or making another person touch you or themselves with any of these body parts. Non-consensual sexual contact may also include unwanted disrobing or exposure.

Sexual Exploitation: Sexual exploitation occurs when an individual takes non-consensual, unjust sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to, prostituting another student, non-consensual video or audiotaping of sexual activity, going beyond the boundaries of consent (such as your friends secretly watching you having consensual sex), voyeurism, and/or knowingly transmitting an STD or HIV to another student.

Definitions:

Pursuant to Iowa Code 709, the following is the statutory definition of sexual abuse:

709.1. Sexual Abuse Defined.

Any sex act between persons is sexual abuse by either of the participants when the act is performed with the other participant in any of the following circumstances:

- A. The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats or violence toward any person, or if the act is done while the other is under the influence of a drug-inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
- B. Such other participant is suffering from a mental defect or incapacity which precludes giving consent or lacks the mental capacity to know the right and wrong of conduct in sexual abuse.
- C. Such other participant is a child.

NOTE: The term sex act or sexual activity means any sexual contact between two or more persons, by penetration of the penis into the vagina or anus, by contact between the mouth and genitalia or anus of another person, or by the use of artificial sexual organs, or substitutes therefore in contact with the genitalia or anus.

NOTE: A child is a person aged fourteen or younger.

709.5. Resistance to Sexual Abuse.

Under the provisions of this chapter, it shall not be necessary to establish physical resistance by a participant to establish that an act of sexual abuse was committed by force or against the will of the participant. However, the circumstances surrounding the commission of the act may be considered in determining whether or not the act was done by force or against the will of the other.

709.11. Assault with Intent to Commit Sexual Abuse.

Any person who commits an assault, as defined in Section 708.1, with the intent to commit sexual abuse is guilty of a Class "C" felony if the person thereby causes serious injury to any person and is guilty of a Class "B" felony if the person thereby causes any person a bodily injury other than a serious injury. The person is guilty of an aggravated misdemeanor if no injury results.

In addition to these terms as defined by the State of Iowa laws and regulations, Morningside University has identified these additional definitions as they pertain to Sexual Misconduct:

Effective Consent

Effective consent is informed, freely, and actively given in mutually understandable words or actions that indicate a willingness to participate in mutually agreed-upon sexual activity. Consent is not effective if it results from the use of physical force, threats, intimidation, or coercion. Silence is not consent. Previous sexual or other relationships may not be taken as an indication of consent.

Complainant (the Accuser)

The person/persons filing the complaint with the University under the Domestic and Dating Abuse and Violence policy.

Respondent (the Accused)

The person/persons name is listed as the perpetrator in the complaint, who is alleged to have committed an act in violation of this policy.

If you have experienced or are experiencing sexual misconduct, please consider the following:

- A. **Get to a safe place and seek out supportive people you can trust to assist you.** Contact a friend, resident assistant (R.A.), apartment manager (A.M.), head resident (H.R.), area coordinator (A.C.), residence life professional staff, campus Safety and Security, campus nurse, University staff or faculty, or someone you feel safe with.
- B. **Get medical attention.** If you are injured, you should consider going to the hospital of your choice as soon as it is safe and possible. Seeking medical attention will enable a trained medical professional to assess and treat any injuries you may have sustained, as well as address any concerns about your physical health.
 - a. UnityPoint Health-St. Luke's, 2720 Stone Park Blvd. Sioux City, IA
 - b. UnityPoint Health-Downtown, 801 5th Street, Sioux City, IA
- C. **Preserve all evidence.** Do not change your clothes, shower, bathe, or douche. If possible, refrain from using the toilet. Save all clothing, linens or other items that

the assailant may have touched so they may be given to the police for evidence. All physical evidence, including seminal fluids, hair, blood types, and scrapings of flesh from the victim's fingernails, is used in court.

D. Sexual Assault is a crime, and you are strongly encouraged to report it.

Reporting sexual abuse/sexual assault DOES NOT commit you to filing a complaint with the University or criminal charges with the Sioux City Police Department. You can make that decision later.

Reporting the Incident

Students have the following four options to report any instance of Sexual Misconduct. You have the right to choose to do any or all of these options, or to do nothing. The choice is yours:

1. Report the incident of abuse/violence, but choose not to file a complaint with the University or criminal charges:

- a. A report is a written or typed account of what happened that is taken by the Dean of Students/Title IX Coordinator, or anyone listed as an On-Campus Resource for reporting Sexual Misconduct. This report is for documentation purposes only and will be kept on record with the University.
- b. If a student wishes NOT to pursue the case through the University conduct system, the student will be able to determine that when he/she provides his/her report.
- c. If the student is unsure, he/she wish to file a report, they are encouraged to file a report so that information about the incident is documented while it is easily remembered.
- d. Having a sexual misconduct experience documented by a University staff member does not obligate you to report the incident to the Sioux City Police Department. Similarly, reporting directly to the Sioux City Police Department does not obligate you to file a complaint with Morningside University. These are separate processes.

2. File a formal complaint with the University:

- a. This report is designated as a formal complaint by the complainant, and the University will investigate the incident as appropriate. A written or typed account of what occurred must be turned into the Dean of Students/Title IX Coordinator or anyone listed as an On-campus Resource for Reporting Sexual Misconduct.
- b. A student will be able to choose not to pursue the case at any time throughout the process.
- c. The University will investigate the incident, which may include speaking to the respondent (the accused), witnesses, and gathering other information. The University will then make a recommendation or decision based upon the information presented. The investigation may take several days or weeks, depending on the circumstances.
- d. Conduct processes, as outlined in the [Student Handbook](#), will be followed throughout the process of the complaint.

3. Pursue criminal charges

- a. A student who wishes to file criminal charges will need to file an official report of the assault with the Sioux City Police Department. Responding

officers may contact the proper authorities if the assault occurred outside their jurisdiction.

- b. On-Campus Resources for reporting Sexual Misconduct, the Office of Residence Life and Campus Safety and Security can assist you in contacting the Sioux City Police Department.
- c. Filing a report with the Sioux City Police Department does not obligate a student to follow through with legal action or action through the University.

4. Pursue both University and criminal charges

- a. The process outlined in Option #2 and Option #3 occurs at the same time.
- b. University proceedings, criminal investigations, and adjudication of the incident occur independently.

Incidents of sexual abuse/sexual assault may be reported either by the victim or by another person who shall serve as a liaison with the appropriate University personnel. The information given regarding incidents of sexual misconduct will be kept confidential to the fullest extent permitted by law. It will be handled with the student's privacy and discretion in mind.

Get Help and support. Counseling can guide your healing in a confidential setting. The University's Personal Counselor can also provide referrals to supportive organizations and other off-campus resources. Personal Counseling may be contacted at 712-274-5606.

The University recognizes that persons who are victims of sexual abuse/sexual assault have a significant personal need for advocacy and support. The University's Dean of Students/Title IX Coordinator maintains a record of advocacy and support services available, i.e., SafePlace (712-258-7233) and other agencies that may assist in this regard. The campus and the community offer services to help the victim of Domestic and Dating Abuse and Violence, including transportation to the hospital, advocates in the legal process, and working towards psychological recovery from assault.

Confidentiality

If you have been affected by an incident involving sexual misconduct, you may wish to seek confidential counseling and support. You could speak with any of the following **confidentially**. They will listen, explain your options, and keep the information you provide private. They will not share confidential information with University personnel or others unless required to do so by law. All of the following resources are free of charge.

Talking to any of the following resources (even those on campus) DOES NOT constitute reporting the incident.

Student Health Nurse	712-274-5178
Olsen Student Center Lower Level	

Personal Counselor	712-274-5606
Student Services, Olsen Student Center Lower Level	

SafePlace	712-258-7233
National Coalition Against Domestic Violence	1-800-799-SAFE (1-800-799-7233)
Members of local clergy, pastors, etc.	

NOTE: Morningside University complies with federal laws requiring the annual reporting of crime statistics in accordance with the Clery Act and the Violence Against Women Act (VAWA)/Campus SaVE Act. Morningside University must disclose non-personally identifiable information regarding incidents of sexual misconduct.

On Campus “Mandatory Reporting” Resources

Students should be aware that almost all faculty and staff members, as well as most offices, are considered “mandatory reporting resources.” This means that they are required by law to file an official report with the University if they discuss sexual misconduct. Because the University takes allegations and reports of sexual misconduct very seriously, we expect faculty and staff to report all allegations. The following individuals and offices must follow up on allegations of sexual misconduct. These individuals and offices will conduct their investigations with respect and in consideration of the privacy of those allegedly involved in the incident.

On-Campus “Mandatory Reporting” Resources

Director of Safety and Security Center	712-274-5500, HJF Learning Center
Assistant Director of Safety and Security	712-274-5505, HJF Learning Center
Dean of Students/Title IX Coordinator	712-274-5034, 1 st Floor, Lewis Hall
Director of Student Health	712-274-5178, Olsen Student Center
Director of Residence Life	712-274-5335, Olsen Student Center
Area Coordinator	712-274-5339, Olsen Student Center
Area Coordinator, Student Activities Center	712-274-5337, Olsen Student Center
Vice President for Academic and Student Affairs	712-274-5103, 1 st Floor, Lewis Hall

Off-Campus Resources for Reporting

Sioux City Police Department	911 or 712-279-6960
SafePlace	712-258-7233

Disciplinary Actions

Violations of the sexual misconduct policy will result in disciplinary action for any perpetrator found to violate the policy under University disciplinary procedures. The disciplinary action may include counseling to understand the impact of this behavior on others, and may result in action, including suspension from the University. Any student perpetrator whom the University finds to have violated the sexual misconduct policy may be suspended indefinitely from the institution.

Both the complainant and the respondent are entitled to the same opportunity to have

others present during a conduct committee hearing as outlined in the Students' Rights, Freedoms, and Responsibilities Statement.

Both the complainant and respondent shall be informed of the outcomes of any campus disciplinary proceeding brought by alleging sexual misconduct.

The Room Transfer Policy in the [Student Handbook](#) states that the University has the right to change a student's room assignment for medical, disciplinary, or health reasons. As stated in the Students' Rights, Freedoms, and Responsibilities Statement, a student has the right to be present on campus and attend classes except for reasons relating to the student's physical well-being or for reasons relating to the safety of students, faculty, or staff, or University property.

All St. Luke's College-Morningside University students have the right to feel safe in their residence hall rooms, as it is their home. If a student feels unsafe in their residence hall room, they should contact the Office of Residence Life to discuss available options. Options may include a room transfer within their same residence hall, temporary housing arrangements, or moving to a different residence hall entirely. For more information, contact the Office of Residence Life at 712-274-5161. Offices as On-Campus Resources can assist you in contacting Residence Life to explore housing options if you do not feel comfortable doing so.

Morningside University students also have the right to feel safe attending their classes, enabling them to be academically successful. If you would like to discuss possible options for alternative academic arrangements, please contact the Associate Dean for Academic Affairs at 712-274-5388.

Rights of the Complainant

- To be free from any suggestions or feeling obligated that the complainant MUST report the crimes.
- To be able to choose the level of involvement in the University Disciplinary proceedings against the respondent, including the right to an advocate.
- To have any allegations of sexual misconduct treated seriously and without judgment.
- To be treated with dignity.
- To be free from any suggestions that the complainant is responsible for the commission of crimes against her/him.
- To be free from any pressure personnel to:
 - Refrain from reporting policy violations
 - Report policy violations if the complainant does not wish to do so.
 - Report policy violations as lesser offenses.

Rights of the Respondent

- To be provided with a full explanation of the charges.
- To be presumed innocent unless proven otherwise.
- To be provided with an explanation of the possible range of sanctions or punishments.
- To cross-examine witnesses and to testify on his/her own behalf.
- To remain silent during hearing proceedings.

- To present witnesses and documentary evidence, and an explanation or argument on his/her behalf.

False Reporting

St. Luke's College-Morningside University will not tolerate intentional false reporting of sexual misconduct. It is a violation of University policy to make an intentionally false report of sexual misconduct, and it may also violate state criminal statutes and civil defamation laws.

Statement Regarding Non-Retaliation

The University is committed to protecting the rights of both the complainant and respondent in situations involving sexual misconduct. Retaliation against members of the University community who make good faith reports regarding potential University-related violations of laws, regulations, or University policies is prohibited, and violators may be subjected to disciplinary action up to and including dismissal or expulsion from the University.

HARASSMENT AND DISCRIMINATION

Morningside University is committed to fostering a healthy, living, learning, and working environment and to upholding the dignity and integrity for all members of the campus community. The University does not discriminate on the basis of sex, race, age, color, creed, national or ethnic origin, sexual orientation, gender identity, or disability. The University does not tolerate any form of verbal, written, or physical harassment or discrimination. Harassment and discrimination inhibit the student educational experience and are not in accordance with the University's values of ethical leadership and civic responsibility.

Harassment is defined as any unwanted or unwelcome physical, verbal, or written conduct or behavior that unreasonably impedes a member of the campus community's performance, both in and out of the classroom, or by creating an environment of hostility, intimidation, or offensive behavior. Harassment may include, but is not limited to, verbal, written, or physical threats, condescending attitudes, bullying, stereotyping, intimidation, pranks, jokes, stalking, vandalism, and other forms of disrespect and intolerance that disrupt the living and learning environment of a student and weaken the overall campus community.

Harassment may be present when:

- A. Such conduct as purpose or effect of unreasonably interfering with an individual's academic work performance or of creating an intimidating, hostile, or offensive situation or environment; or
- B. Submission to or rejection of such conduct by an individual is used on the basis for academic or employment decisions affecting that individual; or
- C. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment.

Additionally, St. Luke's College-Morningside University acknowledges the impact that technology, electronic media, and social media have on our campus. Using electronic mail, text messaging, social networking sites, and other forms of technology to harass, annoy, abuse, or torment others, threaten violence, or incite or produce lawless action is

subject to the University's policy on Computer Ethics and Network Acceptable Use (found in the [Student Handbook](#)), as well as the Harassment, Sexual Harassment, and Hate Crimes policies, and may be handled through the University's student conduct process.

The University takes reports of harassment and discrimination seriously. Students who believe they have been subjected to forms of harassment are encouraged to report such incidents to the Dean of Students/Title IX Coordinator. Faculty and staff are encouraged to report such incidents to the Director of Human Resources. When a formal complaint is filed, the University reserves the right to conduct an investigation and impose sanctions or corrective measures as deemed appropriate and in accordance with University policies. All reports and investigations of harassment will be done as discreetly as possible; however, full confidentiality or anonymity may not be attainable. Retaliation against individuals who report an incident in good faith will not be tolerated and may result in additional University disciplinary actions as deemed appropriate.

The University prohibits harassment of or by members of the University community, as well as guests and visitors to campus. Sexual harassment violates both University policy and, when a student is the victim, Title IX of the Educational Amendments of 1972; or when an employee is the victim, Title VII of the Civil Rights Act of 1964, as amended.

Formal Complaint Procedures

Any person who believes that he or she has been subjected to harassment may file a formal complaint. The campus representative is available to assist with composing such a complaint. Guidelines governing the formal complaint stage are as follows:

1. The complainant will file a signed statement indicating the name(s) of the accused, the nature and date(s) of the incident(s), and a statement indicating that this is a formal complaint.
2. The written complaint will be forwarded to the campus representative for initiating the judicial process.
3. The campus representative will promptly notify the respondent of the complaint and will conduct a full, impartial, and timely investigation into the alleged incident. Both parties shall be allowed to have an advisor of their choosing at any hearing. To investigate thoroughly, the campus representative may confer with any personnel they feel are appropriate. The campus will apply a preponderance of the evidence standard to the evidence. All written records will be retained in a locked, secure area to protect the rights of all concerned parties and will be treated with the highest level of confidentiality.

Resources

Students, faculty, staff, and administrators are encouraged to discuss concerns related to sexual harassment with the resources listed below:

Campus Resources

Campus Representatives:

Director of Human Resources, 1st Floor, Lewis Hall, 712-274-5114
Dean of Students/Title IX Coordinator, 1st floor, Lewis Hall, 712-274-5034
Vice President for Academic and Student Affairs, 1st floor, Lewis Hall, 712-274-5103
Personal Counseling Services – lower level, Olsen Student Center, 712-274-5606
Student Health Services - lower level, Olsen Student Center, 712-274-5178
Campus Safety and Security - main floor, Olsen Student Center, 712-274-5234
Residence Life - lower level, Olsen Student Center, 712-274-5161
Campus Ministry - first floor, Olsen Student, 712-274-5148

Off-Campus Resources

Centers Against Abuse and Sexual Assault: 1-877-362-4612
UnityPoint-St. Luke's-Downtown- 712-279-2010
UnityPoint Health-St. Lukes-Sioux City- 712-279-3500
Sioux City Police Department - 712-279-6960
Iowa Legal Aid: 712-277-8686

Disciplinary Actions

Violations of the harassment policy will result in disciplinary action for any perpetrator who is found guilty of the offense under University disciplinary procedures. The disciplinary action may include counseling to understand the impact of this behavior on others and may result in action, including suspension. Any student perpetrator whom the University finds to be guilty of harassment may be suspended indefinitely from the institution.

Both the complainant and the respondent are entitled to the same opportunity to have others present during a conduct committee hearing as outlined in the Students' Rights, Freedoms, and Responsibilities Statement.

Both the complainant and respondent shall be informed of the outcomes of any campus disciplinary proceeding brought by alleging harassment.

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- To have any allegations of harassment treated seriously and without judgment.
- To be treated with dignity.
- To be free from any suggestions the complainant is responsible for the commission of crimes against her/him.
- To be free from any pressure personnel to:
 - Refrain from reporting policy violations
 - Report policy violations in the complainant does not wish to do so.
 - Report policy violations as lesser offenses.

Rights of the Respondent

- To be provided with a full explanation of the charges.
- To be presumed innocent unless proven otherwise.
- To be provided with an explanation of the possible range of sanctions or punishments.
- To cross-examine witnesses and to testify on his/her own behalf.
- To remain silent during hearing proceedings.
- To present witnesses and documentary evidence, and an explanation or argument on his/her behalf.

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Morningside University will not tolerate intentional false reporting of harassment. It is a violation of University policy to make an intentionally false report of harassment, and it may also violate state criminal statutes and civil defamation laws.

Statement Regarding Non-Retaliation

The University is committed to protecting the rights of both the complainant and respondent in situations involving sexual misconduct. Retaliation against members of the University community who make good-faith reports regarding potential University-related violations of laws, regulations, or University policies is prohibited. Violators may be subjected to disciplinary action, up to and including dismissal or expulsion from the University.

Domestic Violence/Abuse, Dating Violence/Abuse, and Stalking Policy

Morningside University is committed to the safety and well-being of all members of the campus community. It is committed to providing a living and learning environment, free of all forms of abuse, violence, harassment, and coercive conduct, including domestic abuse, dating violence, and intimate partner violence. In an effort to promote the dignity and well-being of members of the campus community, the University is committed to addressing allegations of domestic abuse, dating violence, and the like.

The University provides educational programs to promote the overall awareness of domestic and dating violence and abuse, and maintains a list of resources both on and off campus. The University has developed this policy, which is consistent with the Domestic Violence Against Women Act and the Iowa Code, Section 708.

Morningside University will not tolerate acts of domestic and dating violence. Incidents of domestic and dating violence and abuse may include (but are not limited to) physical assault and aggressive behavior such as hitting, punching, or choking; sexual violence or forcible, non-consensual sex acts between intimate partners (or attempts to commit the same); and emotional abuse. Members of the Morningside University community are strongly encouraged to report all incidents of domestic and dating violence and abuse. Reports of domestic and dating violence and abuse received by the University will be taken seriously and will be investigated.

Domestic and Dating Violence/Abuse may also have certain criminal and civil law repercussions. University personnel are available to assist victims in contacting law enforcement and emergency medical providers if the student so chooses.

Definition of Terms:

Morningside University has adopted several definitions based on statutory laws of the State of Iowa, the United States Department of Justice, and through established best practices.

Pursuant to Iowa Code 708 and Chapter 236, the following is the statutory definition of domestic abuse in the state of Iowa.

Domestic Violence

A felony or misdemeanor crime of violence committed:

- A. By a current or former spouse or intimate partner of the victim
- B. By a person with whom the victim shares a child in common
- C. By a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner
- D. By a person similarly situated to a spouse or the victim under domestic or family violence laws of the jurisdiction in which the violence occurred.
- E. By any other person against an adult or youth victim who is protected from the person's acts under domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Domestic violence is a pattern of abusive behavior in any relationship that one partner uses to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. This may include:

Physical abuse: Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc., are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.

Sexual abuse: Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.

Economic abuse is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.

Psychological abuse: Elements of psychological abuse include, but are not limited to, causing fear by intimidation, threatening physical harm to self, partner, children, or partner's family or friends, destruction of pets or property, and forcing isolation from family, friends, or school and/or work.

Domestic Abuse under Iowa Chapter 236:

"Domestic abuse" means committing assault as defined in section 708.1 under any of the following circumstances:

- a. The assault is between family or household members who reside together at the time of the assault.
- b. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
- c. The assault is between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
- d. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
- e. (1) The assault is between persons who are in an intimate relationship or have been in an intimate relationship and have had contact within the past year of the assault. In determining whether the person is or has been in an intimate relationship, the court may consider:
 - The duration of the relationship
 - The frequency of interaction
 - Whether the relationship has been terminated
 - The nature of the relationship is characterized by either party's expectation of sexual romantic involvement.(2) A person may be involved in an intimate relationship with more than one person at a time.

Assault under Iowa Code 708.1:

An assault, as defined in this section, is a general intent crime. A person commits an assault when, without justification, the person does any of the following:

1. Any act which is intended to cause pain or injury to, or which is designed to result in physical contact that will be insulting or offensive to another, coupled with the apparent ability to execute the act.
2. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act.

3. Intentionally points any firearm toward another or displays in a threatening manner any dangerous weapon toward another. Provided that where the person doing any of the above enumerated acts, and such other person, are voluntary participants in a sport, social, or other activity, not in itself criminal, and such act is a reasonably foreseeable incident of such sport or activity. It does create an unreasonable risk of serious injury or breach of the peace; the act shall not be an assault.

Provided, that where the person doing any of above enumerated acts is employed by a school district or accredited nonpublic school, or is an area education agency staff member who provides services to a school or school district, and intervenes in a fight or physical struggle, or other disruptive situation, that takes place in the presence of the employee or staff member performing employment duties in a school building, on school grounds, or at an official school function regardless of the location, the act shall not be an assault, whether the fight or physical struggle or other disruptive situation is between students or other individuals, if the degree and the force of the intervention is reasonably necessary to restore order and to protect the safety of those assembled.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

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

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to--

- (A) Fear for the person's safety or the safety of others; or
- (B) Suffer substantial emotional distress.

For the purposes of this definition--

- (A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person's property.
- (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

Additional terms as defined by Morningside University:

Complainant (the Accuser)

The person/persons filing the complaint with the University under the Domestic and Dating Abuse and Violence policy.

Respondent (the Accused)

The person/persons name is listed as the perpetrator in the complaint, who is alleged to have committed an act in violation of this policy.

Response

If you have experienced or are experiencing domestic and dating violence or abuse, please consider the following:

- A. Get to a safe place and seek out supportive people you can trust to assist you.** Contact a friend, resident assistant (R.A.), apartment manager (A.M.), head resident (H.R.), area coordinator (A.C.), residence life professional staff, campus Safety and Security, campus nurse, University staff or faculty, or someone you feel safe with.
- B. Create a safety plan.** The campus offices and resources listed above can help you identify strategies and other measures to enhance your personal safety and security. Safety plans may take into account your living situation, attending classes, and other regular campus activities, and may help reduce any anxiety, fear, or intimidation after an accident. A safety plan can be obtained through Residence Life, Student Services, or Campus Safety and Security.
- C. Get medical attention.** If you are injured, you should consider going to the hospital of your choice as soon as it is safe and possible. Seeking medical attention will enable trained medical professionals to assess and treat any injuries you may have sustained, as well as address any concerns about your physical health.
 - a. UnityPoint Health-St. Luke's, 2720 Stone Park Blvd. Sioux City, IA
 - b. UnityPoint St. Luke's-Downtown-Sioux City, 801 5th Street, Sioux City, IA
- D. Write down (document) what happened.** Make personal notes about the incident from your perspective, including when it happened, how the events unfolded, etc. This information may be helpful if you choose to report the incident to the University or the Sioux City Police Department. Personal notes may also help you remember what happened at a later time. If you have evidence (voicemails, texts, emails, social media, etc.), keep it so it can be added to your case if necessary.
- E. Seek Help and Support.** Domestic and Dating Violence/Abuse can be a traumatic experience. Students are encouraged to seek assistance from a therapist or counselor to help process the events.
- F. Domestic and Dating Violence and Abuse is a crime, and you are strongly encouraged to report it.** Reporting sexual abuse/sexual assault DOES NOT commit you to filing a complaint with the University or criminal charges with the Sioux City Police Department. You can make that decision later.

Get help and support. Counseling can guide your healing in a confidential setting. The University's Personal Counselor can also provide referrals to supportive organizations and other off-campus resources. Personal Counseling may be contacted at 712-274-5606.

The University recognizes that persons who are victims of Domestic and Dating Abuse and Violence have important personal needs for advocacy and support. The University's Dean of Students/Title IX Coordinator maintains a record of advocacy and support services available, i.e., SafePlace (712-258-7233), and other agencies that may assist in this regard. The campus and the community offer services to help the victim of Domestic and Dating Abuse and Violence, including transportation to the hospital, as advocates in the legal process, and in working towards psychological recovery from assault.

Campus Resources

Director of Human Resources, 1st Floor, Lewis Hall, 712-274-5114
Dean of Students/Title IX Coordinator, 1st floor, Lewis Hall, 712-274-5034
Vice President for Academic and Student Affairs, 1st floor, Lewis Hall, 712-274-5103
Personal Counseling Services – lower level, Olsen Student Center, 712-274-5606
Student Health Services - lower level, Olsen Student Center, 712-274-5178
Campus Safety and Security - main floor, Olsen Student Center, 712-274-5234
Residence Life - lower level, Olsen Student Center, 712-274-5161
Campus Ministry - first floor, Olsen Student Center, 712-274-5148

Off-Campus Resources

SafePlace- 712-258-7233
UnityPoint St. Luke's-Downtown-Sioux City, 801 5th Street, Sioux City, IA
UnityPoint Health-St.Luke 's-Sioux City- 712-279-3500
Sioux City Police Department - 712-279-6960
Iowa Legal Aid: 712-277-8686

Reporting the Incident

Students have the following options to report any instances of Domestic and Dating Violence and Abuse. You have the right to choose to do any or all of these options, or to do nothing. The choice is yours:

1. Report the incident of abuse/violence, but choose not to file a complaint with the University or criminal charges:

- c. A report is a written or typed account of what happened that is taken by the Dean of Students/Title IX Coordinator or anyone listed as an On-Campus Resource for reporting Domestic and Dating Abuse and Violence. This report is for documentation purposes only and will be kept on record with the University
- d. If a student wishes NOT to pursue the case through the University conduct system, the student will be able to determine that when he/she provides his/her report.
- e. If the student is unsure, he/she wish to file a report, they are encouraged to file a report so that information about the incident is documented while it is easily remembered.
- f. Having a Domestic and Dating Abuse and Violence experience documented by a University staff member does not obligate you to report the incident to the Sioux City Police Department. Similarly, reporting

directly to the Sioux City Police Department does not obligate you to file a complaint with Morningside University. These are separate processes.

2. File a formal complaint with the University:

- a. This report is designated as a formal complaint by the complainant, and the University will investigate the incident as appropriate. A written or typed account of what happened is taken by the Dean of Students/Title IX Coordinator or anyone listed as an On-campus Resource for Reporting Domestic and Dating Abuse and Violence.
- b. A student will be able to choose not to pursue the case at any time throughout the process.
- c. The University will investigate the incident, which may include speaking to the respondent (the accused), witnesses, and gathering other information. The University will then make a recommendation or decision based upon the information presented. The investigation may take several days or weeks, depending on the circumstances.
- d. Conduct processes, as outlined in the [Student Handbook](#), will be followed throughout the process of the complaint, including allowing both parties to have a representative at any hearing and using a preponderance of evidence standard.

3. Pursue criminal charges

- a. A student who wishes to file criminal charges will need to file an official report of the assault with the Sioux City Police Department. Responding officers could contact the proper authorities if the assault took place outside their respective jurisdiction.
- b. On-Campus Resources for reporting Domestic and Dating Abuse and Violence, the Office of Residence Life, and Campus Safety and Security can assist you in contacting the Sioux City Police Department.
- c. Filing a report with the Sioux City Police Department does not obligate a student to follow through with legal action or action through the University.

4. Pursue both University and criminal charges

- a. The process outlined in Option #2 and Option #3 occurs at the same time.
- b. University proceedings and criminal investigations and adjudication of the incident occur independently.

Incidents of Domestic and Dating Abuse and Violence may be reported either by the victim or by another person who shall serve as a liaison with the appropriate University personnel. The information given regarding incidents of Domestic and Dating Abuse and Violence will be kept confidential to the fullest extent permitted by law and be handled with the student's privacy and discretion in mind.

Confidentiality

If you have been affected by an incident involving Domestic and Dating Abuse and Violence, you may wish to seek confidential counseling and support. You could speak with any of the following **confidentially**. They will listen, explain options, and keep the information you share private. They will not share confidential information with University personnel or others unless required to do so by law. All of the following resources are free of charge. **Talking to any of the following resources (even those on campus) DOES NOT constitute reporting the incident.**

Student Health Nurse Olsen Student Center Lower Level	712-274-5178
Personal Counselor Student Services, Olsen Student Center	712-274-5606
SafePlace	712-258-7233
National Coalition Against Domestic Violence	1-800-799-SAFE (1-800-799-7233)
Members of local clergy, pastors, etc.	

NOTE: Morningside University complies with federal laws requiring the annual reporting of crime statistics in accordance with the Clery Act and the Violence Against Women Act (VAWA)/Campus SaVE Act. Morningside University must disclose non-personally identifiable information regarding incidents of Domestic and Dating Abuse and Violence.

On-Campus “Mandatory Reporting” Resources

Director of Safety and Security	712-274-5500, HJF Learning Center
Assistant Director of Safety and Security	712-274-5505, HJF Learning Center
Dean of Students/Title IX Coordinator	712-274-5034, 1st Floor, Lewis Hall
Director of Student Health	712-274-5178, Olsen Student Center
Director of Residence Life	712-274-5335, Olsen Student Center
Area Coordinator	712-274-5339, Olsen Student Center
Area Coordinator, Student Activities	712-274-5337, Olsen Student Center
Personal Counselor	712-274-5606, Olsen Student Center
Vice President for Academic and Student Affairs	712-274-5103, 1 st Floor, Lewis Hall

Off Campus Resources for Reporting

Sioux City Police Department	911 or 712-279-6960
SafePlace	712-258-7233

Disciplinary Actions

Violations of the Domestic Abuse and Violence Policy will result in disciplinary action for any perpetrator who is found guilty of the offense under University disciplinary procedures. The disciplinary action may include counseling to understand the impact of this behavior on others and may result in action, including suspension from the University. Any student perpetrator who the University finds to be guilty of Domestic and Dating Abuse and Violence may be suspended indefinitely from the institution.

Both the complainant and the respondent are entitled to the same opportunity to have others present during a conduct committee hearing as outlined in the Students’ Rights, Freedoms, and Responsibilities Statement.

Both the complainant and respondent shall be informed of the outcomes of any campus disciplinary proceeding brought by alleging Domestic and Dating Abuse and Violence.

The Room Transfer Policy in the [Student Handbook](#) states that the University has the right to change a student's room assignment for medical, disciplinary, or health reasons. As stated in the Students' Rights, Freedoms, and Responsibilities Statement, a student has the right to be present on campus and attend classes except for reasons relating to the student's physical well-being or for reasons relating to the safety of students, faculty, or staff, or University property.

All Morningside University students have the right to feel safe in their residence hall rooms, as it is their home. If a student feels unsafe in their residence hall room, they should contact the Office of Residence Life to discuss available options. Options may include a room transfer within their same residence hall, temporary housing arrangements, or moving to a different residence hall entirely. For more information, please get in touch with the Office of Residence Life at 712-274-5161. Offices as On-Campus Resources can assist you in contacting Residence Life to explore housing options if you do not feel comfortable doing so.

Morningside University students also have the right to feel safe attending their classes, enabling them to be academically successful. If you would like to discuss possible options for alternative academic arrangements, please contact the Associate Dean for Academic Affairs at 712-274-5388.

Rights of the Complainant

- To be free from any suggestions or feeling obligated that the complainant MUST report the crimes.
- To be able to choose the level of involvement in the University Disciplinary proceedings against the respondent, including the right to an advocate.
- To have any allegations of Domestic and Dating Abuse and Violence treated seriously and without judgment.
- To be treated with dignity.
- To be free from any suggestions that the complainant is responsible for the commission of crimes against her/him.
- To be free from any pressure personnel to:
 - Refrain from reporting policy violations
 - Report policy violations if the complainant does not wish to do so.
 - Report policy violations as lesser offenses.

Rights of the Respondent

- To be provided with a full explanation of the charges.
- To be presumed innocent until proven otherwise.
- To be provided with an explanation of the possible range of sanctions or punishments.
- To cross-examine witnesses and to testify on his/her own behalf.
- To remain silent during hearing proceedings.
- To present witnesses and documentary evidence, and an explanation or argument on his/her behalf.

False Reporting

Morningside University will not tolerate intentional false reporting of Domestic and

Dating Abuse and Violence. It is a violation of University policy to make an intentionally false report of Domestic and Dating Abuse and Violence, and it may also violate state criminal statutes and civil defamation laws.

Statement Regarding Non-Retaliation

The University is committed to protecting the rights of both the complainant and respondent in situations involving Domestic and Dating Abuse and Violence. Retaliation against members of the University community who make good-faith reports regarding potential University-related violations of laws, regulations, or University policies is prohibited. Violators may be subjected to disciplinary action, up to and including dismissal or expulsion from the University.

Investigation Process for cases of Dating Violence, Domestic Violence, Sexual Assault, and Stalking

1. Student or Employee files a complaint with one of the aforementioned individuals.
2. Initial investigation will confirm the validity of the claims
3. Two trained investigators will be assigned to the case by the Dean of Students/Title IX Coordinator.
4. Investigators will meet with parties involved and witnesses to gather facts.
5. Investigators will allow each party to look over the findings to ensure accuracy of information before sending it to the Dean of Students/Title IX Coordinator. Parties will have 10 days to review the information.
6. Investigators will render a recommendation to the Dean of Students/Title IX Coordinator and a Deputy Coordinator.
7. The Dean of Students/Title IX Coordinator and Deputy Coordinator will review evidence and either agree with the recommendation or render their own finding from the evidence.
8. The Dean Students/Title IX Coordinator will then send the findings and penalties to those parties involved.
9. Parties have 10 days for appeal.

Orders of Protection, Restraining Orders, and Campus No Contact Orders

Morningside University will work with local, state, and tribal authorities to enforce all orders of protection, restraining orders, and other similar lawful orders issued by criminal, civil, and tribal courts. This will include escorting individuals off campus or contacting local law enforcement for assistance in removing individuals from campus property and/or buildings as needed. It is the right of the victim to have a safe place to live and attend school free from the threat of previous perpetrators.

To obtain a campus no-contact order, individuals may contact Campus Safety and Security, the Director of Residence Life, or the Dean of Students/Title IX Coordinator. Each department will work with the individual to assist them in establishing a no-contact order when appropriate.

Notification of Final Results

Morningside University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the

alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Policy on the Reporting of Suspected Child Abuse

I. PURPOSE

The purpose of this policy is to guide staff, faculty, and students of the Morningside University community regarding the mandatory requirements in Iowa law that govern the reporting of suspected cases of child abuse, and to affirm the commitment of the University to the protection of the safety and welfare of children who come into contact with the Morningside University community.

II. DEFINITIONS

A. "Abuse" means:

1. The physical or mental injury of a child by a person who has permanent or temporary care or custody or responsibility for supervision of a child; or
2. Sexual abuse of a child, whether physical injuries are sustained or not, is defined as any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child.

B. "Child" means any individual under the age of 18 years.

III. REPORTING REQUIREMENTS

A. Reporting Requirements for any University employee who, in the scope of the employee's employment responsibilities, examines, attends, counsels, or treats a child.

1. Any University employee who has reason to believe that a child has been physically or sexually abused shall report this suspicion as follows:
 - A. A verbal report shall be made as immediately as is practicable, within 48 hours of the event that caused the employee to believe that a child has been subject to abuse:
 - B. To the Director of Safety and Security, or the Campus Conduct Hotline.
 - C. Nothing shall limit an employee from reporting directly to law enforcement.
2. An incident report shall also be provided to the Vice President for Business and Finance within 48 hours of the event that caused the employee to believe that a child has been subject to abuse.
 - a. The report shall include the following information, to the extent that the employee knows it:
 1. The name, age, and home address of the child.
 2. The name and home address of the parent or other person responsible for the care of the child.
 3. The child's whereabouts.
 4. The nature and extent of the suspected abuse, including any information regarding possible previous instances of abuse; and
 5. Any other information that may help to identify the person responsible for the abuse or determine the cause.

B. Questions Regarding the Reporting Requirements.

Questions regarding the applicability of these requirements to a particular individual or situation may be directed to the Vice President for Business and Finance.

IV. POLICY IMPLICATIONS AND CONSEQUENCES

A. Failure to Report.

Any employee who fails to report suspected child abuse in violation of this policy may be subject to discipline for misconduct, up to and including termination of the employee's employment.

B. Confidentiality.

The confidentiality of a report of suspected child abuse, including the identity of an individual who makes a report under this policy, the individual suspected of abuse, and the child who may have been abused, will be protected consistent with relevant federal and state laws.

C. Retaliation

No employee will suffer retaliation for reporting alleged instances of child abuse. Any person found to have made an unsubstantiated complaint with intentional dishonesty or malice will also be subject to appropriate corrective action.

V. RESPONSIBILITIES OF THE INSTITUTION

A. Information Dissemination.

Employees, students, and other members of the campus community shall be informed of this policy through the [Employee](#) or [Student Handbook](#), and any other appropriate means of communication.

B. Training.

Employees and students who have regular contact with children will receive periodic training in the requirements of this policy.

C. Cooperation with Other Agencies.

The University will cooperate fully and appropriately with any investigation of suspected child abuse by a local department of social services or law enforcement agency. If the individual suspected of child abuse is an employee, student, or contractor of the University, the University will coordinate its own investigation or other activities in response to a report with the appropriate local agency.

SEX OFFENDER REGISTRATION

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, the Campus Safety and Security Department is providing a link to the Iowa Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where to obtain information from a state law enforcement agency about registered sex offenders. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in the State at which the person is employed, carries on a vocation, or is a student. In the State of Iowa, sex offenders must register through the Iowa Sex Offenders Registry, which the Department of Public Safety maintains.

The Iowa Sex Offenders Registry: <http://www.iowasexoffender.com/>

HATE CRIMES POLICY

Hate Crimes are defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability, the crime is classified as a hate crime. Hate Crime, as defined in Iowa Code 729.A.2 means one of the following public offenses (assault, criminal mischief, trespass, arson) when committed against a person or person's property because of the person's race, color, religion, national origin, political affiliation, sex, sexual orientation, gender identity, age, disability, or a person's association with a person of any of the above determinants.

Assault is defined in Iowa Code 708.1 is any act committed without justification intended to cause pain or injury; insulting or offensive physical contact; intention to place another in fear; threats involving firearms or dangerous weapons.

Criminal Mischief, as defined in Iowa Code 761.1, is any intentional damage, defacing, alteration, or destruction of tangible property.

Trespass, as defined in Iowa Code 716.7, is entering property without permission of the owner with the intent to commit a public offense; remaining after being requested to abstain or vacate; or removing, altering, or damaging items.

Arson, as defined in Iowa Code 712.1, is causing fire or explosion; placing burning or combustible incendiary or explosive materials or devices in or near property with intent to destroy or damage such property or with knowledge that property will be damaged, whether damage results or not.

Policy:

The University may discipline any student in non-academic matters if he or she is found to have committed the following misconduct on University premises or functions sponsored by or participated in by the University:

- A. Any behavior that is directed at a specific person or group of persons, and which creates an environment wherein the behavior is inherently likely to provoke a violent action, whether or not it actually does so.
- B. Behavior by any student, in class or out of class, which, for any reason, whether it stems from time, place, or type of behavior, disrupts the class work of others, involves substantial disorder, invades the rights of others, or otherwise disrupts the regular and essential operation of the University.
- C. Participation in a campus demonstration: See Freedom of Inquiry and Expression in the [Student Handbook](#).
- D. Behavior of any kind that involves an expressed or implied threat to interfere with an individual's personal safety, academic efforts, employment, or participation in University-sponsored extracurricular activities. The sanction or sanctions imposed by the University upon a student may be enhanced when the student has:

1. Violated the lawful regulations in the Student Code,
2. Intentionally selected the person or persons against whom the underlying violation was committed or selected property which was damaged or otherwise affected by the student code because of race, religion, color, disability, sexual orientation, national origin, or ancestry of that group of persons or the owner(s) or occupant(s) of that property. Whether the intent required (as specified in the paragraph above) is present shall be determined by consideration of all relevant circumstances.

Reporting the Incident

Students have the following options to report any instances of hate crimes. You have the right to choose to do any or all of these options, or to do nothing. The choice is yours:

1. Report the incident of abuse/violence, but choose not to file a complaint with the University or criminal charges:

- g. A report is a written or typed account of what happened that is taken by the Dean of Students/Title IX Coordinator, or anyone listed as an On-Campus Resource for reporting hate crimes. This report is for documentation purposes only and will be kept on record with the University
- h. If a student chooses NOT to pursue the case through the University conduct system, the student will be able to determine that when he/she provides his/her report.
- i. If the student is unsure, he/she wish to file a report, they are encouraged to file a report so that information about the incident is documented while it is easily remembered.
- j. Having a hate crime documented by a University staff member does not oblige you to report the incident to the Sioux City Police Department. Similarly, reporting directly to the Sioux City Police Department does not obligate you to file a complaint with Morningside University. These are separate processes.

2. File a formal complaint with the University:

- a. This report is designated as a formal complaint by the complainant, and the University will investigate the incident as appropriate. A written or typed account of what happened is taken by the Dean of Students/Title IX Coordinator or anyone listed as an On-campus Resource for Reporting Hate Crime Policy violations.
- b. A student will be able to choose not to pursue the case at any time throughout the process.
- c. The University will investigate the incident, which may include speaking to the respondent (the accused), witnesses, and gathering other information. The University will then make a recommendation or a decision based upon the information presented. The investigation may take several days or weeks, depending on the circumstances.
- d. Conduct processes, as outlined in the [Student Handbook](#), will be followed throughout the process of the complaint.

3. Pursue criminal charges

- a. A student who wishes to file criminal charges will need to file an official report of the assault with the Sioux City Police Department. Responding officers could contact the proper authorities if the assault took place outside their respective jurisdiction.
- b. On-Campus Resources for reporting hate crime violations, the Office of Residence Life, and Campus Safety and Security can assist you in contacting the Sioux City Police Department.
- c. Filing a report with the Sioux City Police Department does not obligate a student to follow through with legal action or action through the University.

4. Pursue both University and criminal charges

- a. The process outlined in Option #2 and Option #3 occurs at the same time.
- b. University proceedings, criminal investigations, and adjudication of the incident occur independently.

Incidents of hate crimes may be reported either by the victim or by another person who shall serve as a liaison with the appropriate University personnel. The information given regarding incidents of hate crimes will be kept confidential to the fullest extent permitted by law. It will be handled with the student's privacy and discretion in mind.

Disciplinary Actions

Violations of the Hate Crime Policy will result in disciplinary action for any perpetrator who is found guilty of the offense under university disciplinary procedures. The disciplinary action may include counseling to understand the impact of this behavior on others and may result in action, including suspension from the University. Any student perpetrator that the University finds guilty of hate crimes may be suspended indefinitely from the institution.

Both the complainant and the respondent are entitled to the same opportunity to have others present during a conduct committee hearing as outlined in the Students' Rights, Freedoms, and Responsibilities Statement.

Both the complainant and respondent shall be informed of the outcomes of any campus disciplinary proceeding brought against them for alleged hate crimes.

The Room Transfer Policy in the [Student Handbook](#) states that the University has the right to change a student's room assignment for medical, disciplinary, or health reasons. As stated in the Students' Rights, Freedoms, and Responsibilities Statement, a student has the right to be present on campus and attend classes except for reasons relating to the student's physical well-being or for reasons relating to the safety of students, faculty, or staff, or University property.

All Morningside University students have the right to feel safe in their residence hall rooms, as it is their home. If a student feels unsafe in their residence hall room, they should contact the Office of Residence Life to discuss available options. Options may include a room transfer within their same residence hall, temporary housing arrangements, or moving to a different residence hall entirely. For more information, please contact the Office of Residence Life at 712-274-5161. Offices as On-Campus

Resources can assist you in contacting Residence Life to explore housing options if you do not feel comfortable doing so.

Morningside University students also have the right to feel safe attending their classes, enabling them to be academically successful. If you would like to discuss possible options for alternate academic arrangements, please contact the Associate Dean for Academic Affairs at 712-274-5388.

Rights of the Complainant

- To be free from any suggestions or feeling obligated that the complainant **MUST** report the crimes.
- To be able to choose the level of involvement in the University Disciplinary proceedings against the respondent, including the right to an advocate.
- To have any allegations of hate crimes treated seriously and without judgment.
- To be treated with dignity.
- To be free from any suggestions that the complainant is responsible for the commission of crimes against her/him.
- To be free from any pressure personnel to:
 - Refrain from reporting policy violations.
 - Report policy violations if the complainant does not wish to do so.
 - Report policy violations as lesser offenses.

Rights of the Respondent

- To be provided with a full explanation of the charges.
- To be presumed innocent unless proven otherwise.
- To be provided with an explanation of the possible range of sanctions or punishments.
- To cross-examine witnesses and to testify on his/her own behalf.
- To remain silent during hearing proceedings.
- To present witnesses and documentary evidence, and an explanation or argument on his/her behalf.

False Reporting

Morningside University will not tolerate intentional false reporting of hate crimes. Intentionally making a false report of hate crimes violates university policy and may also violate state criminal statutes and civil defamation laws.

Statement Regarding Non-Retaliation

The University is committed to protecting the rights of both the complainant and respondent in situations involving hate crimes. Retaliation against members of the University community who make good-faith reports regarding potential University-related violations of laws, regulations, or University policies is prohibited. Violators may be subjected to disciplinary action, up to and including dismissal or expulsion from the University.

EMPLOYEE INVESTIGATIONS

Employees of the college will follow the same investigation process as students.

Employees should report incidents of sexual misconduct, harassment, stalking, domestic

abuse, dating violence, and sexual assault to the following:

- Director of Safety and Security
- Human Resources Director
- Dean of Students/Title IX Coordinator
- Vice President for Academic and Student Affairs

Rights of the Complainant

- To be free from any suggestions or feeling obligated that the complainant MUST report the crimes.
- To be able to choose the level of involvement in the University Disciplinary proceedings against the respondent, including the right to an advocate.
- To have any allegations of hate crimes treated seriously and without judgment.
- To be treated with dignity.
- To be free from any suggestions that the complainant is responsible for the commission of crimes against her/him.
- To be free from any pressure personnel to:
 - Refrain from reporting policy violations
 - Report policy violations in the complainant does not wish to do so.
 - Report policy violations as lesser offenses.

Rights of the Respondent

- To be provided with a full explanation of the charges.
- To be presumed innocent unless proven otherwise.
- To be provided with an explanation of the possible range of sanctions or punishments.
- To cross-examine witnesses and to testify on his/her own behalf.
- To remain silent during hearing proceedings.
- To present witnesses and documentary evidence, and an explanation or argument on his/her behalf.

Disciplinary Actions

Violations by employees may result in the application of sanctions, including possible required participation in an approved drug abuse assistance or rehabilitation program, and disciplinary action, including educational sessions, probation, suspension, up to termination of employment under applicable State and/or University regulations, University policies, statutes, and employment contracts. The severity of disciplinary action for violations of any policy shall be determined on a case-by-case basis.

Resources for Victims of Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Harassment

Students, faculty, and staff are encouraged to use the various resources, both on and off campus, when needed. There are resources available for counseling, health examinations, mental health support, victim advocacy, legal assistance, visa and immigration services, and financial aid questions for students.

Campus Resources

Campus Representatives:

Director of Human Resources, 1st Floor, Lewis Hall, 712-274-5114
Dean of Students/Title IX Coordinator, 1st Floor, Lewis Hall, 712-274-5034
Vice President for Academic and Student Affairs, 1st Floor, Lewis Hall, 712-274-5103
Personal Counseling Services – lower level, Olsen Student Center, 712-274-5606
Student Health Services - lower level, Olsen Student Center, 712-274-5178
Campus Safety and Security - main floor, Olsen Student Center, 712-274-5234
Residence Life - lower level, Olsen Student Center, 712-274-5161
Campus Ministry - first floor, Olsen Student Center, 712-274-5148
Student Financial Planning: 712-274-5159

Off-Campus Resources

SafePlace- 712-258-7233
UnityPoint Health-Downtown - 712-279-2010
UnityPoint Health- Sioux City- 712-279-3500
Sioux City Police Department - 712-279-6960
Mary J. Treglia Community House (immigration/visa assistance): 712-258-5137

Education Programs: Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Bystander Intervention

Educational programming is conducted throughout the year in the residence halls and on campus, with the assistance of Campus Safety and Security, Residence Life, Student Activities, and various other campus and local organizations. All programs are open to the entire campus, including students, faculty, and staff. Information is also posted throughout campus via posters, sent out via email, and posted on the Myside intranet website.

On-campus activities include events, presenters, emails, and posters around the campus. Programs and events are held across campus at various times. Commuters learn about this through emails sent campus-wide throughout the year.

Information on how to report crimes is shared throughout the year, including instructions for reporting sexual offenses and other crimes. Safety and Security works closely with Campus Security Authorities, Residence Life, and other campus departments to ensure proper reporting is conducted.

Student Life sends out information to all incoming students about sexual assault and bystander intervention techniques.

SECURITY ALERTS

Morningside University makes timely reports to the campus community regarding crimes reported to Campus Safety and Security and/or the Sioux City Police Department that are considered a threat to other students and employees. In the event of a major emergency or severe weather, alerts are posted via the Morningside Electronic Notification System, which will send a text message to all students' cell phones and an email to their university email accounts. They may also be posted in the residence halls, the Olsen Student Center, and in the campus newspaper, the *Collegian Reporter*. In some instances, the alerts will be broadcast via KMSC Fusion 92.9, the campus radio

station. In the event of a major emergency, updates will be posted on the University website, and messages will be sent via the *Electronic Notification System*. If the campus is closed due to weather, the Academic Affairs Office will also send a message using the Electronic Notification System. Crime and Security alerts will be issued via an email sent to all students, faculty, and staff, alerting them to crimes that may pose a risk to the campus for both short- and long-term periods. Security Alerts are advisories that remind the campus community of crime trends, not necessarily in response to a specific incident.

TIMELY WARNINGS

If a situation arises, either on or off campus, that, in the judgment of the Director of Campus Safety and Security or his designee, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued without delay to the campus community, and the proper law enforcement authorities will be contacted, if appropriate.

Timely warnings will include the following:

- Date/time of the incident,
- Location
- Nature of the crime
- Information that promotes safety, such as crime prevention and safety tips
- Information that will assist individuals in protecting themselves

Situations in which a timely warning would be issued:

- Recurring sexual assaults
- Armed robbery on or near campus
- Attempted robbery on or near campus
- Any situation that could pose a serious or ongoing threat to the campus community

The following people/offices can issue (write and issue) timely warnings:

- Director of Safety and Security
- Assistant Director of Safety and Security
- Dean of Students/Title IX Coordinator
- Director of Residence Life
- Vice President for University Engagement

Timely warnings will be issued via the Morningside Emergency Notification System (ENS) and email. Timely warnings will not include the names of any victims. Anyone with information that warrants a timely warning should report it to Campus Safety and Security by phone at 712-274-5234 or in person at the Safety and Security Office located in the Hickman-Johnson-Furrow Learning Center.

Morningside College is not required to issue a timely warning regarding crimes reported to a campus counselor or the campus chaplain.

EMERGENCY NOTIFICATIONS

In the event of a significant emergency or dangerous situation posing an immediate threat to the health or safety of the campus and community, an emergency notification will be sent to the campus community via the Emergency Notification System. The message will contain information about the threat and instructions on how to protect yourself from it.

Upon confirmation of the threat, an emergency notification will be sent to the campus immediately, 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 judgement of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Morningside University uses an Opt-Out System for the Emergency Notification System. All students, faculty, and staff are automatically enrolled in the system when they supply a cellphone number to the University. All students, faculty, and staff will receive an email notification whenever an alert is sent out, even if they have opted out of cellphone notifications.

Situations that an emergency notification could include, but not limited to:

- Armed assailant
- Hostage/barricade situation
- Riots
- Severe weather (tornadoes, etc.)
- Fire/explosion
- Suspicious death
- Gas leak
- Outbreaks of serious illnesses
- Suspicious package
- Hazardous materials spill

Process of issuing an Emergency Notification:

1. Confirm there is a significant emergency or dangerous situation.
2. Determine the appropriate segment or segments of the campus to receive the notification.
 - a. Entire campus
 - b. Partial segment of the campus
3. Determine the content the notification will include.
 - a. Weather-related.
 - b. Campus threat (armed assailant)
 - c. Health-related (illness outbreak)
 - d. Hazardous materials spill
4. Initiate the Emergency Notification System (text and email)

The following people/offices can issue (write and issue) emergency notifications:

- UnityPoint Health-St. Luke's Security
- Director of Safety and Security
- Assistant Director of Safety and Security

- Dean of Students/Title IX Coordinator
- Director of Residence Life
- Vice President for University Engagement

As the situation unfolds, we will send follow-up notifications to keep the campus informed of any changes. A timely warning may be issued as well if the situation changes in the case of an armed individual shooting another individual.

EMERGENCY PROCEDURES

Morningside University maintains an emergency response plan to guide it through a sensitive or dangerous situation. Examples are, but are not limited to, fires, explosions, natural disasters, and violent crime events. When such an event is verified, the University community will be notified via the Emergency Notification System, and immediate action will be taken to isolate the affected area, evacuate those in the area, and stabilize the area pending the arrival of emergency response organizations. An emergency will be declared, and the University Emergency Operations Center (EOC) will be established to resolve the situation and support any non-campus organizations that may be called in to assist. When the EOC has determined that the emergency has ended and it is safe to return to campus or resume regular activities, a notice will be sent to the entire campus community. Depending on the duration of the emergency, information will be sent out to the campus alerting them to the status of the situation and the possible closure of campus for a period.

Process of alerting the campus and the surrounding area

1. Once a report is received, the Director of Safety and Security or his designee will check its validity if possible.
2. If possible, the Director of Safety and Security or his designee will confer with the Vice President for Academic and Student Affairs on the report.
3. If not possible, an alert will be sent out to the campus that a report has been received without any delay. If only a portion of the campus is affected, that affected segment will be notified.
4. Once the appropriate message is formed, the notification will be sent out to the campus.
5. Depending on the situation, the alert will include information on what to do, such as evacuating a specific area, sheltering in place, and so on. This will be determined at the time of the report, and the appropriate notification will be sent out.
6. Information will be sent to the local media if it is deemed necessary to ensure the safety of those around campus.

TESTING OF EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Evacuation drills are coordinated by Campus Safety and Security and Residence Life in all the residence halls and apartments four times a year. Students will learn the locations of the emergency exits in the buildings. They will receive guidance on which directions to take when exiting each facility during a short-term building evacuation. Campus Safety and Security, along with Residence Life, does not notify residents in advance about evacuation drills to simulate a real-life situation and ensure they respond accordingly. Designated long-term locations are planned based on the residence hall's location and available sites. Campus Safety and Security, in collaboration with

Residence Life, will determine if a long-term location is needed at the time of the incident and plan accordingly.

Email notifications are sent regarding evacuation procedures for academic buildings. Faculty and staff are encouraged to communicate with their students and respective offices regarding where they will meet in the event of an evacuation, as well as what to expect.

The entire campus is notified of emergency procedures every semester via email and during hall meetings. All tornado shelters on campus are clearly marked, and their locations are communicated campus-wide so people can prepare in an emergency. The campus is notified of what to do during all types of emergencies, and this information is also readily available online on the Campus Safety and Security website.

ST. LUKE'S COLLEGE-MORNINGSIDE UNIVERSITY CRIME STATISTICS

Annual Disclosure of Crime Statistics

The Morningside University Campus Safety and Security Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crimes Statistics Act (Clery Act) (20 USC § 1092). This report is prepared in cooperation with the Sioux City Police Department, Residence Life, Campus Security Authorities (CSA), off-campus law enforcement authorities, and Student Life. Each of these areas provides updated information on crime statistics and their educational efforts and programs, in compliance with the Act.

Campus crime, arrest, and referral statistics include those reported to the Campus Safety and Security Office, as well as designated campus officials (including, but not limited to, directors, deans, department heads, resident life staff, advisors to students/student organizations, and athletic coaches), and local law enforcement agencies. Student Services and counseling staff inform their clients of the procedures for reporting crimes to Campus Safety and Security on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously collect crime statistics that are disclosed confidentially.

Each year, we email all enrolled students, faculty, and staff to provide access to this report. Copies of this report can also be obtained at the Campus Safety and Security Office, located in the Olsen Student Center, or by calling 712-274-5234. All prospective employees may obtain a copy from Human Resources, located in the Business Office on the first floor of Lewis Hall, or by calling 712-274-5114.

The following criminal occurrences were reported to Campus Safety and Security. The statistics are presented in accordance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092). These definitions come from the FBI's Uniform Crime Reporting Program, as modified by the Hate Crime Statistics Act. These statistics are drawn from Campus Safety and Security files, residence life records, and campus Safety and Security authorities (coaches, faculty, staff, etc.), as defined by the Clery Act.

Crime Statistics

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

Crime	On Campus			Non Campus			Public Property		
	2025	2024	2023	2025	2024	2023	2025	2024	2023
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	1	1	0	0	0	0	0
Burglary	0	0	5	0	0	1	0	1	0
Robbery	0	0	0	0	0	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	0	1	1	2	0	0	0	0
Arrest - Drug Abuse Violation	0	0	0	5	41	13	0	1	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

* St. Luke's College-Morningside University does not have on-campus student housing facilities. Students may utilize housing on the main campus.

Definitions

Criminal Homicide

- **Murder and non-negligent Manslaughter** are defined as the willful (non-negligent) killing of one human being by another.
- **Negligent manslaughter** is defined as the killing of another person through gross negligence.

Rape is the unlawful sexual activity and usually sexual intercourse carried out forcibly or under threat of injury against the will of an individual or with a person who is beneath a certain age or incapable of valid consent.

Fondling is to feel for sexual pleasure, especially against one's will.

Incest is the crime of having sexual intercourse with a parent, child, sibling, or grandchild.

Statutory Rape law is violated when a person has consensual sexual intercourse with an individual under age 16. A close-in-age exemption allows teens aged 14 and 15 to consent to partners less than 4 years older.

Robbery is the taking or attempting to take anything of value from the care, custody, or

control of a person or persons by force or threat of force or violence, and/or by putting the victim in fear.

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or significant physical harm.

Burglary is the unlawful entry into a structure with the intent to commit a felony or theft. (Each bedroom in a student housing is considered a separate dwelling.)

Motor vehicle theft is the theft or attempted theft of a motor vehicle.

Arson is any willful or malicious burning or attempts to burn, with or without intent to defraud, a dwelling, house, a public building, motor vehicle, or property of another person.

Simple Assault is the unlawful physical attack by one person upon another where neither the offender displays a weapon, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation is to unlawfully place another person in a reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Vandalism of Property is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or person having custody or control of it.

Weapons: Carrying, possessing, etc., is defined as violating laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses regulatory weapons offenses.

Drug abuse violations are defined as the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, transportation, or importation of any controlled drug or narcotic. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Domestic Violence is any felony or misdemeanor crime committed by a current or former spouse of the victim; a person the victim has a child with; an individual who lives or has lived, with the victim as a spouse, or a person similarly situated to a spouse; and any other person committing an act "against an adult or youth victim who is protected from that person's acts under domestic or family violence laws of the jurisdiction."

Dating Violence means violence committed by a person who is, or has been, in a relationship of a social, romantic, or intimate nature with a victim.

Stalking is defined as engaging in conduct directed at an individual that would cause

any reasonable person to fear for their safety or that of others, or that inflicts emotional distress.

Anyone may request to see the statistics at any time. A hard copy may be presented at a person's request. Prospective students and their parents may ask to see or receive a hard copy during their campus visits. All students and employees have access to these records by visiting the Campus Safety and Security Office, located in the Hickman-Johnson-Furrow Learning Center.

Data from law enforcement agencies:

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the College's Clery Geography.