



Pittsburg State University  
Student Life

2022 Annual Security and Fire Safety Report

# **2022 Annual Security and Fire Safety Report**

**2019, 2020, 2021  
Crime Statistics**

**Published October 1<sup>st</sup>, 2022**

## 2022 Annual Security and Fire Safety Report

**Contents**

OVERVIEW .....	4
LAW ENFORCEMENT AUTHORITY OF UNIVERSITY POLICE .....	5
University Police and other law enforcement agencies .....	5
University Police jurisdiction and off-campus properties .....	6
DAILY CRIME/FIRE LOGS .....	6
REPORTING CRIMINAL ACTIONS OR OTHER EMERGENCIES .....	6
Reporting a criminal offense on campus .....	6
Reporting a criminal offense occurring off-campus .....	7
Reporting mental health concerns .....	8
Reporting threatening or dangerous behavior .....	8
Enforcement of orders or similar lawful orders issued by a court .....	9
EMERGENCY RESPONSE .....	9
Policy .....	9
Procedure .....	9
TIMELY WARNING NOTIFICATION .....	10
Procedure .....	10
MISSING PERSON POLICY AND PROCEDURE .....	10
Policy .....	10
Procedure .....	11
CAMPUS SAFETY AND FACILITY SECURITY .....	11
Access to university facilities .....	11
Security considerations for campus facilities .....	11
Campus security procedures and practices .....	12
Information dissemination .....	13
Crime prevention .....	13
ALCOHOL POLICY .....	13
Alcoholic Beverage Policy .....	13
Regulations .....	13
On campus .....	14
Policy .....	15
DRUG EDUCATION PROGRAMS .....	16
On-Campus Programs for Students .....	16
Community Substance Abuse Resource Guide - Students & Employees .....	16
SEXUAL HARASSMENT AND RELATIONSHIP VIOLENCE .....	17
Definition of Terms .....	17
REPORTING SEXUAL ASSAULT/SEXUAL HARASSMENT .....	19
What to do if you are a survivor .....	20
Preserving evidence for criminal offense or a protection order .....	20
Services and assistance on campus and in the community .....	21

2022 Annual Security and Fire Safety Report

University Discipline Procedures for Sexual Harassment Cases involving faculty and staff.....22

University Discipline Procedures for Sexual Harassment Cases involving students .....22

Disclosure of discipline outcome of Sexual Harassment Cases.....23

Appeals.....24

Programs to prevent domestic violence, dating violence, sexual assault, and stalking as well as  
bystander behavior and intervention associated with these offenses.....24

DATING/DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING AWARENESS PREVENTION AND  
AWARENESS PROGRAMS.....25

    Campus Security Authorities.....26

    Confidentiality of Clery related reports .....27

SEX OFFENDER REGISTRATION .....28

2021 ANNUAL FIRE SAFETY REPORT .....29

FIRE DRILLS AND PROHIBITED ITEMS.....30

    Prohibited Appliances in Student Housing Facilities.....30

    Smoking .....30

    Candles, Incense, and Other Open Flames.....30

    Procedures for student housing evacuation in the case of a fire.....30

FIRE SAFETY EDUCATION AND TRAINING PROGRAMS .....31

REPORTING A FIRE .....31

FUTURE IMPROVEMENTS IN FIRE SAFETY .....31

FIRE STATISTICS .....32

CRIME STATISTICS .....33

DEFINITIONS .....35

    Sexual Assault and Sexual Violence Definitions.....35

    Crime Definitions .....37

JURISDICTION.....40

## 2022 Annual Security and Fire Safety Report

### **2021 Annual Security Report**

#### **OVERVIEW**

The University Police prepares the Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The full text of this report can be located at the University Police web site at <http://www.pittstate.edu/office/police/>. This report is prepared in cooperation with the local law enforcement agencies with jurisdiction encompassing the main campus, those with jurisdiction over alternate sites, the University Police, the Department of University Housing, and the Division of Student Life. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Pittsburg State University Police, designated campus officials (including but not limited to directors, deans, department heads, designated university housing staff, the officials of student life, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. The Act requires colleges and universities to report the three previous years' statistics for:

1. Certain criminal offenses (murder, non-negligent manslaughter, manslaughter by negligence; rape; forcible fondling; incest; statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; arson; dating violence; domestic violence; and, stalking);
2. Hate crimes (any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property, and of other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim); and,
3. Arrests and referrals for disciplinary action for drug, alcohol, and weapons violations.

Compliance with the Clery Act also requires colleges and universities to:

1. Publish an Annual Security Report (ASR)
2. Maintain a daily crime log available to the public
3. Issue timely warnings about crimes which may pose a serious or ongoing threat to the campus community
4. Devise an emergency response, notification and testing policy
5. Compile, report and publish annual fire safety report
6. Establish policies and procedures to handle reports of missing students

Kansas law requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners (such as those at Student Health Services) when they provide medical services to a person they know or reasonably suspects is suffering from wounds inflicted by a firearm or is a result of assaultive or abusive conduct. University Counseling staff inform their clients of the procedures to report crime to the University Police on a voluntary or confidential basis, should they feel it is in the best interest of the client.

## 2022 Annual Security and Fire Safety Report

Each year, an e-mail notification is made to all enrolled students that provides the web site to access this report. Faculty and staff receive similar notification. Copies of the report may also be obtained at the University Police Department located at Shirk Annex (lower level) or by calling (620) 235-4624. All prospective employees may obtain a copy from Human Resources in Russ Hall 204 or by calling (620) 235-4191, and the web site address will be included in confirmation correspondence sent to employment applications.

### **LAW ENFORCEMENT AUTHORITY OF UNIVERSITY POLICE**

PSU police officers are commissioned by authority of the State of Kansas under K.S.A. 76-726 and have the same law enforcement powers and responsibilities as the local police or sheriff in your home community. The officers are trained at the Kansas Law Enforcement Training Center and additionally are required to complete 40 hours of annual retraining to maintain state certification.

The Pittsburg State University Police Department provides several service-oriented functions to the University community consisting of nearly 8,000 students, faculty and staff. The University Police provides 24-hour-a-day patrol protection to the campus, PSU Foundation property, parking lots, residence halls, as well as the fraternities and sororities.

Officers are responsible for a full range of public safety services, including all crime reports, investigations, medical emergencies, fire emergencies, traffic accidents, enforcement of laws regulating underage drinking, the use of controlled substances, weapons, and all other incidents requiring police assistance.

University Police prepare and submit Standard Offense reports to the Kansas Bureau of Investigation in which all law enforcement departments in the state have access. As a courtesy, University Police shares information on arrests and serious crimes with the [City of Pittsburg Police](#). The serial numbers of all vehicles and office equipment stolen from campus are reported nationwide through the National Crime Information Center (NCIC).

Pittsburg State University Police have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus within their geographical jurisdiction, or at the lawful request of another agency. If a University student commits minor offenses involving University rules and regulations, the campus police may also refer the individual for disciplinary action by the university. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at either municipal court for the City of Pittsburg or District Court for Crawford County, KS.

#### *University Police and other law enforcement agencies*

University Police have concurrent jurisdiction on campus with city, county, state, and federal law enforcement agencies. Outside agencies perform duties on university property only at the request of the University Police.

University Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the City of Pittsburg Police and the Crawford County Sheriff's Office. University Police is also a part of the Crawford County 911 Emergency System.

## 2022 Annual Security and Fire Safety Report

By mutual agreement with state and federal agencies, University Police maintain a NLETS terminal (National Law Enforcement Telecommunications System). Through this system police personnel can access the National Crime Information Computer system as well as the Kansas Information Enforcement System. These computer databases are used for accessing criminal history data, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

### University Police jurisdiction and off-campus properties

The City of Pittsburg officially recognizes the University Police jurisdictional boundaries as those established as part of the University overlay district. For more specific information on the established boundaries, please contact University Police and Parking Services, (620) 235-4624. A copy of the University overlay can be found on page 40.

The University Police and the City of Pittsburg Police have also agreed to a policy whereby both departments will respond to calls for police service at specific off-campus properties. The properties in question are those owned or controlled by student organizations with off-campus housing facilities.

## DAILY CRIME/FIRE LOGS

University Police maintains a Daily Crime and Fire Log. The log provides information on any crime and/or fire that occurred on campus, in a non-campus building or property, on public property, or within the established jurisdiction of the campus, was reported to the department, and where an official police report was taken. This log includes: the nature, date and time (for both when the incident occurred and when it was reported), general location of each incident, the disposition of the complaint, if known, and the estimated loss amounts. The log does not include names or specific locations, such as residence hall room numbers. The log is maintained in hard-copy and located in Dispatch at the University Police and Parking Services 1501 S. Joplin Street, where it can be viewed during normal business hours (8 a.m. to 4:30 p.m.).

## REPORTING CRIMINAL ACTIONS OR OTHER EMERGENCIES

### **In the event of an emergency, dial 911**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the University Police in a timely manner. If the reporting party requests confidentiality or asks that the complaint not be pursued, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a reporting party insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the University's ability to respond may be limited.

### Reporting a criminal offense on campus

Any criminal offenses which violate federal, state, or local laws are encouraged to be reported to any of the following entities:

## 2022 Annual Security and Fire Safety Report

- University Police - 1501 S. Joplin Street (620) 235-4624  
<http://www.pittstate.edu/office/police/>
- Pittsburg Police Department – 201 N. Pine St. (620) 231-1700 <http://www.pittks.org/index.aspx?nid=17>
- Crawford County Sheriff – 225 N. Enterprise, Girard, KS 66743 (620) 724-8274  
<http://crsoks.org/>

In the event of a non-emergency criminal incidents, you may also contact the following between 8am and 4:30pm:

- Office of Student Life - 221 Russ Hall (620) 235-4231  
<https://studentlife.pittstate.edu/index.html>

### *Reporting a criminal offense occurring off-campus*

Any criminal offenses which violate federal, state, or local laws are encouraged to be reported to any of the following entities:

- Pittsburg Police Department – 201 N. Pine St. (620) 231-1700 <http://www.pittks.org/index.aspx?nid=17>
- Crawford County Sheriff - 225 N. Enterprise, Girard, KS 66743 (620) 724-8274  
<http://crsoks.org/>
- University Police - 1501 S. Joplin Street (620) 235-4624  
<http://www.pittstate.edu/office/police/>

Dispatchers are available at these respective telephone numbers 24 hours a day to answer a call. In response to a call, the appropriate law enforcement agency will take the required action, dispatching an officer or asking the victim to report to the appropriate jurisdiction dispatch office to file an incident report.

Members of the campus community may choose to contact the City of Pittsburg Police at (620) 231-1700 or dial 911 (emergencies only). University Police and the City of Pittsburg Police departments have a mutual aid and working agreement. Each department augments the other within their jurisdictions during mutual investigations, arrest, and prosecutions. University Police personnel attend periodic meetings with local law enforcement and emergency management agencies to exchange ideas and problems that may be of concern for the University community.

If assistance is required from the City of Pittsburg Police or Fire departments, or Crawford County Emergency Management Services, University Police will contact the appropriate unit. If an act of rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking should occur, staff on the scene, including University Police, will offer the victim information on a wide variety of services.

University Police incident reports may be forwarded to the Office of Student Life for review and potential action. University Police will investigate a report when it is deemed appropriate. Additional information obtained via the investigation may also be forwarded to the Office of Student Life. The University may investigate criminal reports committed by or against a student, regardless if the alleged incident occurred on or off campus. The investigation may be pursued through the criminal justice system and/or the University discipline proceedings. The University discipline process is independent of criminal or external processes.

## 2022 Annual Security and Fire Safety Report

Should the criminal or external processes be dismissed, or reduced, the University has the ability to continue to pursue disciplinary action.

If you are the victim of a crime and do not want to pursue action within the University discipline process or the criminal justice system, you may still want to consider making an incident report. With your permission, the Director of University Police (or designee) or the Associate Vice President for Student Life can file an incident report on the details of the incident without pursuing action. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

### Reporting mental health concerns

University Counseling Services supports the academic mission of the university by providing psychological counseling and outreach services to PSU students that facilitate personal growth, student learning, and successful academic progress.

Mental health concerns are encouraged to be reported to the following entities:

- University Counseling – 1801 S. Broadway (620) 235-4452  
<https://www.pittstate.edu/office/university-counseling/index.html>
- Crawford County Mental Health Center – 911 E. Centennial (620) 231-5130  
<http://www.crawfordmentalhealth.org/>

### Reporting threatening or dangerous behavior

Suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the residence halls should be reported to the police department immediately. The University has emergency phones placed around campus and throughout buildings on campus. The phones will dial University Police and an officer will be immediately dispatched to that location. In addition, you may report threatening and dangerous behavior to the following areas:

- University Police - 1501 S. Joplin Street (620) 235-4624  
<http://www.pittstate.edu/office/police/>
- Pittsburg Police Department – 201 N. Pine St. (620) 231-1700 <http://www.pittks.org/index.aspx?nid=17>

In the event of non-emergency threatening or dangerous behavior, you may also contact the following between 8am and 4:30pm:

- Office of Student Life - 221 Russ Hall (620) 235-4231  
<https://studentlife.pittstate.edu/index.html>  
<https://studentlife.pittstate.edu/get-help/index.html>

The annual security report contains information about on-campus and off campus resources. This information is made available to Pittsburg State University community members with specific information about the resources that are available in the event that they become the victim of a crime. The information



## 2022 Annual Security and Fire Safety Report

about these resources is not provided to infer that those resources are “reporting entities” for Pittsburg State University.

### Enforcement of orders or similar lawful orders issued by a court

Any member of the campus community who has been the victim of crime resulting in issuance of an order of protection, no contact, restraining, or any similar type order issued by the courts (criminal, civil, or tribal) must notify University Police Department (1501 S. Joplin Street, 620 235-4624) and provide the Director of University Police and Parking Services (36 Shirk Hall Annex) with a copy of such order.

## EMERGENCY RESPONSE

The University’s Critical Incident/Crisis Response Management Operations Plan includes information about Incident Teams, University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; emergency operations center plans; notification procedures; notification; crisis communication; and local contingency and continuity planning requirements. The University participates in emergency response exercises, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

### Policy

University Police officers and supervisors, university administrators, and physical plant staff and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. Emergency notifications are sent when there is confirmation of significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of the campus community and in situations requiring immediate action. The first responders to the scene are usually the University Police, the City of Pittsburg Police, the Pittsburg Fire Department, and the Crawford County Emergency Medical Services, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other jurisdictions and other local or federal agencies could also be involved in responding to the incident.

### Procedure

General information about the emergency evacuation or shelter in place procedures for Pittsburg State University are posted in each facility and are available on the Pittsburg State University web site safety page at <http://www.pittstate.edu/info/safety>. A public version of the Critical Incident/Crisis Response Management Operations Plan and related emergency policies are available at <https://www.pittstate.edu/president/policies/index.html>.

All members of the university community are notified on an annual basis that they are instructed to notify the University Police Department or the Office of Student Life of any situation or incident on campus that involves a significant emergency or dangerous situation which may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus.

## 2022 Annual Security and Fire Safety Report

The University Police has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation which may cause a significant emergency or dangerous situation. In addition, the University Police has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, federal law requires the institution immediately notify the campus community or the appropriate segments of the community which may be affected by the situation.

### **TIMELY WARNING NOTIFICATION**

University Police and PSU have policies and procedures in place to immediately notify the campus community, upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus (unless notification will compromise efforts to contain the emergency).

#### *Procedure*

In the event a situation arises, either on or off campus, which, in the judgment of the Vice President for Student Life or Director of University Police, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. Such warning will be provided to the campus community in a manner that is timely and withholds the names of victims as confidential. Notification systems utilized may include RAVE text messaging, an automated group phone dialing message system, Alertus desktop notification to computers connected to the university intranet system via active directory, a bulk E-Mail system, and the university web site home page. University Police with assistance from University Marketing and Communication also maintains, updates and provides information via Facebook and Twitter social networking sites.

Depending on the particular circumstances of the crime, at the direction of University Police, the Office of University Marketing and Communications may post notice on the university web site home page ([www.pittstate.edu](http://www.pittstate.edu)). Anyone with information warranting a timely warning should report the circumstances to the University Police office, by phone at (620) 235-4624 or in person at the University Police dispatch center within Shirk Annex (lower level).

The University’s emergency response and evacuation plans will be tested at least annually. Documentation of the testing to include a description of the exercise, the date, time, and whether it was announced or unannounced, will be maintained in accordance with the University emergency policy and procedures.

### **MISSING PERSON POLICY AND PROCEDURE**

#### *Policy*

Under federal law, each student living in university owned housing (residence halls) is provided the option to identify and confidentially register an individual to be contacted within 24 hours of a determination by University Police that the student is a missing person. Students have the ability to name such person when completing their housing and dining contract for the academic year. Students who want to make changes to

## 2022 Annual Security and Fire Safety Report

their missing person information can contact the University Housing office, 209 Horace Mann. (For students under 18 years of age, the university is required by law to contact the custodial parent).

### Procedure

Persons believed to be missing from the University community or students believed by University Housing staff to be missing, will be reported to University Police within 24 hours of the determination that they may be missing. If University Police are notified and determine the person who is subject of a missing person report has been missing, the confidential contact will be notified. Non-emancipated students under the age of 18 will have their parents contacted in the event that they are determined to be missing regardless of whom they might list as a confidential contact. University staff will contact University Police in the event of any report of a missing person from within the University Community and then will be instructed to contact their supervisory chain of command immediately.

## CAMPUS SAFETY AND FACILITY SECURITY

### Access to university facilities

Pittsburg State University Police control access to university facilities. After-hours access to academic buildings is allowed only to personnel authorized to have access. All departments are encouraged to develop and use a building pass procedure to authorize after hour access to facilities by students. The University Housing Office maintains a 24-hour lock-up policy for all residence halls. Officers make periodic building checks of residential housing facilities after 10 p.m. The University Police Department works closely with the University Physical Plant to maintain appropriate security of key inventory.

During business hours, the University (excluding residence halls) will be accessible to all students, parents, employees, contractors, visitors and university guests. During non-business hours or during periods of extended closing, access to all university facilities is by key, if issued, or by admittance via the University Police or University Housing staff.

Residence halls are secured 24 hours a day. Over extended breaks, the doors of all halls will be secured around the clock and will be equipped with a lock separate from the regular key issued to resident students. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Student Recreation Center, the Axe Library, and the Overman Student Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. Surveillance cameras are in place in key areas of the campus and within certain facilities. Images captured by these cameras are stored digitally and monitored by University Police dispatch personnel.

### Security considerations for campus facilities

The Physical Plant maintains the university buildings and grounds with a concern for safety and security. Staff inspect campus facilities regularly, promptly make repairs affecting safety and security, and respond to reports of potential safety and security hazards, such as broken windows and locks. The University Police

## 2022 Annual Security and Fire Safety Report

assists Physical Plant personnel by reporting potential safety and security hazards. Students, as well as faculty and staff, may also call the Physical Plant at (620) 235-4779 to report any safety or security hazards.

Areas that are revealed as problematic have security surveys conducted of them. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Administrators from Academic Affairs, Administration and Finance, Student Life, Physical Plant, University Housing, University Police, and other concerned areas review these results.

### Campus security procedures and practices

The university is a community that consists of nearly 8,000 students, faculty, staff, visitors, and guests who interact on a daily basis. As in virtually all communities, public safety, crime and the loss of property are of continual concern.

The University Police Department has primary responsibility for the safety and security of the university community. This task is one that they cannot accomplish alone. Crime prevention and security awareness are self-serving responsibilities. University Police need the assistance and cooperation of every student, faculty and staff member. As a member of the University community, you have a special relationship with the institution. As a property owner, you have a monetary interest to protect. We encourage you to join us to help stop crime.

The University Police Department responds to calls by dispatching an officer to meet with the caller. If necessary, the Pittsburg Police Department, Crawford County Emergency Medical Services, or the Pittsburg Fire Department may be contacted by the University Police Officer. The UPD uses Kansas Standard Offense Report to record criminal activity, tabulate and report crimes to the Kansas Bureau of Investigation, and compile the crime statistics necessary for the Annual Security Report. University Police does not routinely monitor off-campus activity, but is available to assist local agencies. The Office for Student Life maintains contact with Greek life and off-campus organizations. The University Police Department may provide law enforcement services to off-campus residences at the request of the Pittsburg Police Department. Pittsburg Police will notify the University of incidents, at their discretion.

The Pittsburg State University Police Department is available to present programs on how to be responsible for your security, as well as the security of others. Programs are presented upon request. Additionally, these programs are presented for residence hall staff pre-service and in-service training as well as to Freshman Experience sections.

These general areas are the topics covered:

1. What To Do If You Are The Victim Of A Crime
2. Personal Safety - on and off campus
3. How To Secure Your Property
4. Fire Alarms - evacuation and safety
5. Timely Notification of Appropriate Staff
6. Active Shooter Training – Alert, Lockdown, Inform, Counter, Evacuate (ALICE)

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

## 2022 Annual Security and Fire Safety Report

### Information dissemination

When time is of the essence, information may be released to the university community using RAVE alerts sent through text messaging and email, an outdoor voice notification system, an automated group phone dialing message system, a desktop notification to computers connected to the university intranet system via active directory, a bulk E-Mail system, and the university web site home page. University Police also maintains, updates and provides information via Facebook and Twitter social networking sites.

### Crime prevention

The Pittsburg State University Police Department sponsors programs on crime prevention. Additionally, scheduled and unscheduled security surveys are conducted with the goal of providing recommendations for improvement in lighting needs, landscaping and procedural changes.

The main goal is to prevent crime before it happens using the following general areas:

1. Auto Safety - theft prevention and security
2. Bicycle Security - safety and security measures
3. Key Control - room and building security
4. Operation Identification - property engraving/recording
5. Crime Awareness Programs - prevent becoming a victim

The Department actively participates in student programs on alcohol awareness, sexual assault awareness and campus safety. University Police Officers serve on university committees in these areas.

Crime Prevention Programs on personal safety and theft prevention are also sponsored by various campus organizations throughout the year. University personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations, community organizations, in addition to programs for University Housing Resident Assistants and residence hall students providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

## **ALCOHOL POLICY**

### Alcoholic Beverage Policy

Pittsburg State University seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety and welfare of all members of its community. In keeping with these objectives, the University has established policies and guidelines conforming to the laws of Kansas and the policies of the Kansas Board of Regents regulating the possession, sale and consumption of alcoholic beverages on the University campus.

### Regulations

The sale, service, possession, and consumption of alcoholic and cereal malt beverages are regulated by federal and state laws and regulations and by local ordinances. All Kansas laws and city ordinances

## 2022 Annual Security and Fire Safety Report

regarding the possession and consumption of cereal malt and other alcoholic beverages will be observed within the University.

A partial summary of Kansas Statutory regulations:

- **Drinking Age:**  
-No one under 21 years of age can possess or consume alcoholic or cereal malt beverages.
- **Underage Drinking:**  
-Purchases or possession of alcohol by anyone under 21 can be punished with a fine of not more than \$500 and 40 hours of community service or attend and satisfactorily complete a suitable educational or training program dealing with the effects of alcohol or drugs. In addition, a person under 21 convicted of possessing or consuming alcoholic beverages can have their driver's license revoked for up to one year.
- **Providing Alcohol or ID's to Persons Underage:**  
-Lending or permitting the use of any driver's license to a person under the legal age for purchase or consumption of alcohol can be punished with a \$1,000 fine and/or up to six months in jail.
- **Providing alcoholic liquor to people underage can be punished with a minimum fine of \$200 and a maximum of \$1,000 and/or up to six months in jail. Additional Kansas and local statutes include:**
- **Prohibition of possession and consumption of cereal malt beverage in any vehicle unless in original unopened container, locked trunk, or exclusive possession of a passenger in a van. Privileges and/or suspension of license may be adjudicated.**
- **Prohibition of consumption or possession of opened cereal malt beverage container on any public street, avenue, alley or sidewalk. Violations are punishable by fine or imprisonment.**

Laws regarding the possession, sale, consumption, or furnishing of alcohol is controlled by the Kansas Department of Alcohol and Beverage Control (ABC). Such laws are strictly enforced by the University Police. Underage possession and/or consumption of alcoholic beverages is not permitted on property owned or controlled by the University. Intentionally or knowingly selling, or intentionally or knowingly "furnishing" alcoholic beverages to persons under the age of 21, or to persons obviously intoxicated, is not permitted on property owned or controlled by the University.

### On campus

The Pittsburg State University campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment. It is a violation of the Pittsburg State University Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

## **ALCOHOL EDUCATION PROGRAMS**

Consistent with its educational mission, the University also assists its members in finding alternatives to alcoholic beverages for promoting social interaction and stress reduction and provides services and resources for community members who experience alcohol-related difficulties.

## 2022 Annual Security and Fire Safety Report

A complete text of "Pittsburg State University Policy on Prevention of Alcohol Abuse and Drug Use" is available at <https://www.pittstate.edu/president/policies/policy-on-prevention-of-alcohol-abuse-and-drug-use.html> or at the following campus locations: Office of Human Resources, Office of Student Life, and University Police.

Students and employees of Pittsburg State University should be aware and informed that alcohol counseling, treatment or re-entry programs are available to students or employees. Acute alcohol counseling services are available for students at the University Counseling Center. This office is an excellent source of information about other appropriate resources for counseling and treatment and can provide further information about health problems and treatment related to alcohol problems. Faculty and staff members may contact the State Employee Assistance Program, a 24-hour toll free assistance line (1-888-275-1205 option 7) for a referral. If referred through the Employee Assistance Program, the first counseling session is paid by the State. Pittsburg State University also presents educational programs on substance abuse on a periodic basis to inform employees and students of the dangers of substance abuse.

### Everfi – Students (Primary Prevention)

- A Title IX and Campus SaVE Act compliant education program that combines sexual assault, alcohol and substance abuse prevention in a comprehensive online training program
- The research-based curriculum of Everfi effectively reaches students using focus-group tested storytelling and interactions to maximize user engagement and information retention
- Cost: Free
- Contact Jason Kegler, 620-235-4945 or email at [ckegler@pittstate.edu](mailto:ckegler@pittstate.edu)

## DRUG POLICY

### Policy

It is the policy of Pittsburg State University that its workplace shall be free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act, Chapter 13, Title 21 of the United States Code) by the officers and employees of the University, including faculty, other unclassified staff, classified staff, and student employees. Any officer or employee of the University, found to be illegally using, possessing or distributing controlled substances at the workplace of the University, regardless of the site of the workplace, shall be subject to disciplinary action in accordance with applicable policies of the State of Kansas, the Board of Regents, and Pittsburg State University. Officers and employees are reminded that illegal use, possession, or distribution of controlled substances may also subject individuals to criminal prosecution.

The term *controlled substances* as used in this policy means those substances included in Schedule I and II, as defined by section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under Chapter 13 of that Title. The term does not include the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

1. The manufacture, distribution, sales, use, offer for sale, or possession of drugs, narcotics, other controlled substances or drug paraphernalia in accordance with state statutes is prohibited on campus.

## 2022 Annual Security and Fire Safety Report

2. Pittsburg State University policies pursuant to the requirements of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools & Community Act Amendments of 1989 are found in the section following this Code of Student Rights and Responsibilities

### DRUG EDUCATION PROGRAMS

A complete text of "Pittsburg State University Policy on Prevention of Alcohol Abuse and Drug Use" is available at <https://www.pittstate.edu/president/policies/policy-on-prevention-of-alcohol-abuse-and-drug-use.html> or at the following campus locations: Office of Human Resources, Office of Student Life, and University Police.

Students and employees of Pittsburg State University should be aware and informed that drug counseling, treatment, or re-entry programs are available to students or employees. Drug counseling services are available for students at the University Counseling Center. This office is an excellent source of information about other appropriate resources for counseling and treatment and can provide further information about health problems and treatment related to drug problems. Faculty and staff members may contact the State Employee Assistance Program, a 24-hour toll free assistance line (1-888-275-1205 option 7) for a referral. If referred through the Employee Assistance Program, the first counseling session is paid by the State. Pittsburg State University also presents educational programs on substance abuse on a periodic basis to inform employees and students of the dangers of substance abuse.

#### On-Campus Programs for Students

##### Student Health Services:

- Medical consultation
- Physical exams
- Referral services

##### University Counseling Services:

- Assessment, evaluation, individual, couple and group counseling
- Referrals for inpatient or outpatient treatment

##### Student Prevention & Wellness:

- Alcohol / Drug Education – Presentations, Referral for inpatient or outpatient treatment
- Peer Health Education providing programming on drug and alcohol use/abuse; rape; acquaintance rape; domestic violence; dating violence; sexual assault, stalking; sexually transmitted disease; AIDS; contraception
- Co-dependents Anonymous meeting
- Brochures/pamphlets/videos
- Educational Programming: National Collegiate Alcohol Awareness Week, National Collegiate Health and Wellness Week, Safe Spring Break, etc.,

#### Community Substance Abuse Resource Guide - Students & Employees

##### Regional Alcohol & Drug Assessment Center

1105 Hugh Street, Frontenac, Kansas (620) 235-1600

- Free Alcohol/Drug Assessment & Referral to PSU students.

Community Mental Health Center of Crawford County



## 2022 Annual Security and Fire Safety Report

911 East Centennial, Pittsburg, Kansas (620) 231-5141

- Evaluation / Assessment / Referral to inpatient or outpatient treatment
- Individual Counseling
- Aftercare
- 24-Hour Helpline - (620) 232-SAVE
- Reintegration services for women

Elm Acres Recovery Services

1002 E. Madison, Pittsburg, Kansas (620) 231-6129

- Adolescent Outpatient and Inpatient Alcohol & Drug Treatment Age 13-18

Addiction Treatment Center of Southeast Kansas

810 W. Cedar Drive, Girard, Kansas (620) 724-8806

- 30 to 45-day adult inpatient treatment facility with a total of 24 beds.

### SEXUAL HARASSMENT AND RELATIONSHIP VIOLENCE

**Pittsburg State University prohibits all forms of sexual harassment and relationship violence to include rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking.**

Victims of sexual misconduct or relationship violence may choose for the investigation to be pursued through the criminal justice system and/or the university discipline process. University personnel will assist in the report process if requested by the victim. A representative from the University Police, the Office of Student Life, and/or the Office of Human Resources will guide the victim through the available options and support the victim in his or her decision. While the university will investigate the complaint and may pursue appropriate discipline action with or without the victim's consent, discussing a matter of sexual assault with a university official does not compel the victim to participate actively in pursuing disciplinary charges. As a victim, the individual has the option to decline to notify law enforcement or campus authorities.

#### *Definition of Terms*

**Sexual Misconduct:** Any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. Sexual misconduct can occur between persons of the same or different sex and is represented by a continuum of conduct from forcible rape and sexual assault to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. It includes any physical contact of a sexual nature that is committed either by force, coercion, intimidation, or manipulation or through the use of a person's mental or physical incapacity, including incapacitation caused by the use of drugs or alcohol.

**Consent:** A freely and affirmatively communicated willingness to participate in sexual activity, expressed either by words or clear, unambiguous actions. It is the responsibility of the initiator of the sexual activity to ensure he or she has the other person's consent to engage in sexual activity. Consent must be present throughout the sexual activity by all parties involved. At any time, a participant can communicate that he or she no longer consents to continuing the activity.

Consent may never be—

## 2022 Annual Security and Fire Safety Report

- obtained through the use of force, coercion, intimidation, or manipulation or if the victim is mentally or physically disabled or incapacitated, including through the use of drugs or alcohol, or,
- assumed because of the existence of a dating relationship between the persons involved or due to the existence of a current or previous sexual relationship between the persons.

**Dating Violence:** Violence that occurs between individuals who are in a dating relationship. For the purposes of this definition, “dating relationship” means a social relationship of a romantic nature. In addition to any other factors the university may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.

**Sexual Assault:** Includes any physical contact of a sexual nature that is committed either by force, coercion, intimidation, or manipulation or through the use of a person’s mental or physical incapacity, including incapacitation caused by the use of drugs or alcohol.

*The following definitions, adapted from Kansas Statutes, are used by university personnel when conducting an investigation of sexual misconduct.*

**Domestic Violence (K.S.A. 21-5111):** The act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member.

For the purposes of this definition:

- A. "Dating relationship" means a social relationship of a romantic nature. Factors used to establish a “dating relationship” include:
  1. Nature of the relationship,
  2. length of time the relationship existed,
  3. frequency of interaction between the parties and,
  4. time since termination of the relationship
- B. "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. Family or household member also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

In addition, pursuant to K.S.A. 21-5414, “domestic battery” and “aggravated domestic battery” include:

- A. Domestic battery is:
  1. Knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or

## 2022 Annual Security and Fire Safety Report

2. knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner.

B. Aggravated domestic battery is:

1. Knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner; or
2. knowingly impeding the normal breathing or circulation of the blood by blocking the nose or mouth of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner.

### **Rape (K.S.A. 21-5503):**

1. Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances:
  - a. When the victim is overcome by force or fear; or
  - b. when the victim is unconscious or physically powerless;
2. Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender;
3. sexual intercourse with a child who is under 14 years of age;
4. sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or
5. sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure within the scope of the offender's authority.

**Acquaintance Rape:** Rape, which occurs by someone the victim knows.

**Stalking (K.S.A. 21-5427):** Recklessly engaging in a course of conduct targeted at a specific person, which would cause a reasonable person in the circumstances to fear for their safety, or the safety of their family. Engaging in conduct toward a specific person with knowledge that the conduct will place the person in fear for their safety or the safety of a member of their immediate family. Additionally, stalking can occur after being served with, or otherwise provided notice of, any protective order which prohibits contact (personal or electronic) with the person(s) who are named in the protective order.

## **REPORTING SEXUAL ASSAULT/SEXUAL HARASSMENT**

Rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking are serious crimes whether the act of violence is by a stranger or someone known to the victim. The university strongly encourages and supports victims to report the crime immediately to the University Police or City Police. As an alternative, the victim may report the crime to the Associate Vice President for Student Life, or a resident assistant, assistant residence hall director or area coordinator. University personnel will assist in the report

## 2022 Annual Security and Fire Safety Report

process if requested by the victim. As a victim, the individual has the option to decline to notify law enforcement or campus authorities. University procedures are designed to protect the student who has been hurt by these behaviors and to stop the offensive behavior. The due process rights of alleged offenders are protected, as well as the rights of the victim.

### What to do if you are a survivor

Go to a safe location as soon as possible. If you can find a friend to accompany you, that would be even safer. From the safe location call:

#### **Pittsburg State University Police, (620) 235-4624**

or City of Pittsburg Police Department, (620) 231-1700

or Crawford County Sheriff's Department, (620) 724-8274

or Safehouse Shelter, (620) 231-8692

or Ascension Via Christi Hospital, (620) 231-6100

or PSU's Title IX Coordinator, (620) 235-4188

or PSU Student Life, (620) 235-4231

or PSU Coordinator of Advocacy Services and Wellness Education, (620) 235-4831

or PSU Student Health Services, (620) 235-4452

or resident assistant, assistant hall director or area coordinator (residents of halls)

or the Crisis Hotline at 1-800-794-9148. This hotline will be available 24 hours a day, 7 days a week.

Alternatively, you may go directly to the University Police Department, 1501 S. Joplin (open 24 hours a day, 7 days a week) or to the Ascension Via Christi Medical Center Emergency Room, 1 Mount Carmel Place

### Preserving evidence for criminal offense or a protection order

Time is of the essence. Victims should **NOT** change clothes, shower, bathe, or douche. If possible, do not go to the toilet. Save all clothing, linens, or other items that may have been touched by the assailant for the police officers who will be responsible for evidence. Do not wash clothing, linens or other items that may have been touched by the assailant. All physical evidence, including seminal fluids, hair, blood types and scrapings of flesh from the victim's fingernails will be used in prosecution of the crime.

You may request that the police investigation be conducted by a police officer of your gender (i.e. a female police officer for a female student, a male police officer for a male student) if available. As a victim of rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking, your name will not be released to the news media.

Be prepared to go to the Ascension Via Christi Medical Center Emergency Room, 1 Mount Carmel Place, and request a medical examination by the Emergency Room physician using the Sexual Assault Kit required for evidence in cases of sexual assault. This is done free of charge to the victim. You should get to the hospital as soon as it is safe and possible. The University Police or City of Pittsburg Police or Crawford County Sheriff's Deputy will be able to arrange transportation to the hospital as soon as an assault that has taken place is reported.

## 2022 Annual Security and Fire Safety Report

A formal complaint for legal action against the assailant should be made to the County Attorney through the police (no fee will be charged). For criminal prosecution a victim has two years to file a report from the day of the crime but it should be done as quickly as possible.

In order to be eligible for compensation under the Kansas Crime Victims Compensation, the crime must be reported to the law enforcement agency where the crime was committed within 72 hours of the event unless the Crime Victims Compensation Board finds there was good cause for the failure to report. The victim must be completely cooperative with the law enforcement agency. The victim must file a claim with the Crime Victims Compensation Board within one year of the occurrence of the crime.

### Services and assistance on campus and in the community

When a victim contacts the University Police, the person is given the option of having a Sexual Assault Advocate from the Safehouse Crisis Center present during any investigation interview or evidence collection procedure. The victim of rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking may choose for the investigation to be pursued through the criminal justice system and/or the university discipline process. University personnel will assist in the report process if requested by the victim. A representative from the University Police and/or the Office of Student Life will guide the victim through the available options and support the victim in his or her decision. As a victim, the individual has the option to decline to notify law enforcement or campus authorities.

Various counseling, victim advocacy, and support options are available from the University through the University Counseling Center, the Office of Prevention and Wellness, the Office of Student Life, and/or the Office of Human Resources (Title IX Coordinator). Counseling, victim advocacy, and support services in the community can be obtained through the Safehouse Crisis Center. Additionally, services are available to students through Community Mental Health of Crawford County or through Ascension Via Christi Behavioral Health Services.

In an effort to protect those directly involved in an alleged incident of sexual harassment, supportive measures may be implemented where reasonably available. These measures may include, but are not limited to:

- A. Mutual no-contact order,
- B. Change in on-campus housing or on-campus work locations,
- C. Modifications of work or course schedules,
- D. Altering deadlines or other course-related adjustments,
- E. Campus escorts, and/or
- F. Leaves of absence.

The University acknowledges that certain circumstances may require special conditions. As stated in the Specifically Defined Sanctions of the Student Conduct Code, special conditions can be given to a student, or student organization, examples include limitations placed on behavior, revocation of privileges, or an active obligation to complete a specified action, such as campus/community service, participate in education programs, etc.

Victims of rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking have the option for and will receive assistance from the university in changing academic, living, transportation and

## 2022 Annual Security and Fire Safety Report

working situations, if such accommodations are reasonably available regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

### University Discipline Procedures for Sexual Harassment Cases involving faculty and staff

- When an administrator or a member of the PSU community is initially contacted by a person(s) about sexual harassment, the administrator/ PSU member should immediately contact Lori Scott Dreiling, Director of Human Resources.
- The Director will immediately/as soon as possible meet with the possible grievant to explain due process and confidentiality and to take the preliminary statement.
- The Director will, as soon as possible, schedule a meeting with the grievant(s) and the investigating panel (3 persons, 2 line-of-command administrators and the Director).
- The Director will inform the respondent about the allegations, due process, confidentiality, and prohibition about retaliation. The Director will schedule a meeting with the respondent and the investigating panel.
- The investigating panel will together hear all testimony, review material and, when needed, request witnesses. The investigating panel will make a finding(s). When necessary, the finding(s) will be discussed with the appropriate vice president and president.
- The Director will inform the grievant of the finding(s) and the recommendation(s) for resolution. The grievant may accept or not accept the recommendation(s). If the grievant accepts the findings, the matter will be concluded. If the grievant does not accept the recommendations(s), the grievant may proceed to step D of the Discrimination Grievance Procedure Process for Students and/or University Support Staff and/or Unclassified Employees.
- If the Grievant accepts the findings, the Director will inform the respondent of the finding(s) and the recommendation(s) for resolution. Depending upon the recommendation(s), the Director will inform the respondent of his/her rights.

### University Discipline Procedures for Sexual Harassment Cases involving students

University disciplinary proceedings, as well as special guidelines for cases involving sexual harassment, rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking are detailed in Article 20 of the *Code of Student Rights and Responsibilities*, available at <https://www.pittstate.edu/studentlife/code-of-student-rights-and-responsibilities.html>.

The *Code of Students Rights and Responsibilities* provides, in part, that such proceedings will

- provide for a prompt, fair, and impartial investigation and resolution of the allegations;
- be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
- will provide timely access to review information which will be used during the hearing;
- provide the accuser and the accused equal opportunity to have others present during an institutional disciplinary proceeding including the opportunity to be accompanied to any related meeting or proceedings by an advisor of their choosing (not as a representative or presenter of information, but as an advisor);

## 2022 Annual Security and Fire Safety Report

- inform in writing both the accuser and the accused simultaneously of the outcome of any institutional disciplinary proceeding that arises from an allegation, the procedures for the accused and the victim to appeal the results of the proceedings, any change to the results that occurs prior to the time that such results become final, and the date when such results become final.

**Standard of Proof:** For any Pittsburg State University discipline proceedings (including those arising from allegations of rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking) the **“preponderance of evidence” standard of proof will be utilized. A preponderance of evidence standard evaluates whether it is more likely than not, based on the evidence available, that a violation occurred.**

**Possible Sanctions:** The purposes of imposing sanctions are twofold: to protect the University community from behaviors that are detrimental to the educational process of the community; and to assist students and student organizations in identifying acceptable parameters of their activities and consequences of future behaviors. The severity of the sanctions imposed is intended to correspond with the severity or frequency of violation, as well as the willingness of the accused to recommit to good citizenship through behaviors that fall within the conduct regulations of the University. The following disciplinary sanctions may be imposed upon students, or student organizations, found responsible of a violation either singly and/or in combination:

1. Expulsion
2. Suspension
3. Residence Hall
4. Disciplinary Probation
5. Disciplinary Warning
6. Restitution
7. Suspension of the Privileges of a Registered Student Organization
8. Termination of the Registration of a Registered Student Organization
9. Specifically Defined Sanction

*Note: More information about the specific of each sanction can found by accessing Article 34 of the Student Conduct Code*

**Title IX Investigation:** In accordance with federal law students who wish to report sexual harassment must file a formal complaint with University Title IX Officials. When the University receives a formal complaint of sexual harassment, Title IX Officials must promptly contact the complainant to discuss the availability of supportive measures and explain to the complainant the Title IX process. A complainant’s wishes with respect to whether the University investigates should be respected unless Title IX Officials determine that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

If the allegation(s) in a formal complaint do not meet the definition of sexual harassment, did not occur in the United States or within an educational program or activity that the University has substantial control over, the University must dismiss such allegation(s) for purposes of Title IX but may still address the allegation(s) in any manner the University deems appropriate under Article 34 of the University’s Code of Student Rights and Responsibilities.

### *Disclosure of discipline outcome of Sexual Misconduct Cases*

## 2022 Annual Security and Fire Safety Report

Upon written request, Pittsburg State University will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, Pittsburg State will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Pittsburg State University prohibits retaliation by its officers, employees, or agents against a person who exercises his or her rights or responsibilities under any provision of the Campus SaVE Act.

### Appeals

Upon receipt of the hearing outcome, either party is allowed to appeal the determination or any dismissal of the complaint on the following grounds:

- A. Procedural irregularity that affected the outcome,
- B. New evidence that was not available at the time the hearing decision was made, or
- C. Conflict of interest or bias by the institutional participants that affected the outcome.

Appeals must be in writing (stating the grounds for the appeal) and submitted electronically to the Vice President for Student Life within 5 days from the date of the hearing outcome letter. When an appeal is filed, the non-appealing party must be notified of the appeal and allowed to submit a written statement in response. The written response from the non-appealing party must be received within 5 days of the notification of appeal.

Both parties will simultaneously receive an official University email, within 10 days from the date of the hearing outcome letter, a written decision describing the result of the appeal and the rationale for the result which shall be final.

### Programs to prevent domestic violence, dating violence, sexual assault, and stalking as well as bystander behavior and intervention associated with these offenses

Each semester, all new students will be provided the opportunity to participate in and complete *EverFi*, a Title IX and Campus SaVE Act compliant education program that combines sexual assault and substance abuse prevention in a comprehensive online training program. The research-based curriculum of *EverFi* effectively reaches students using focus-group tested storytelling and interactions to maximize user engagement and information retention.

Under the direction of Wellness Educators – Wellness Education offers presentations to all freshmen experience classes in which they are provided basic information about rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking prevention and resources, both on campus and in the community, as well as 24-hour contact numbers to obtain further information and secure advocacy for victims of these crimes.

Throughout the year, Students for Violence Prevention and the PSU Campus Victim Advocate, presents educational/interactive programs in residence halls, classrooms and Greek houses on the prevention of rape,



## 2022 Annual Security and Fire Safety Report

acquaintance rape, domestic violence, dating violence, sexual assault and stalking that includes information on date rape drugs (including alcohol) and bystander behavior along with safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or to intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against another person.

The University works directly with Safehouse Inc. to ensure the individual needs of survivors are met. Safehouse, Inc. is a local resource that serves survivors of sexual assault, domestic violence and stalking with crisis intervention, advocacy, individual supportive counseling, a temporary emergency shelter, survivor support groups, and a 24-hour crisis hotline. This office participates in the University Housing Resident Assistant pre-service training prior to the start of the fall semester and provides advising and training for Students for Violence Prevention (SVP), a group of Pitt State students dedicated to providing education and awareness to girls, boys, women and men on gender-based violence — including rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

### **DATING/DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING AWARENESS PREVENTION AND AWARENESS PROGRAMS**

In addition to the crime prevention programs offered by University Police, the University offers online training modules and various other seminars throughout the calendar year. The purpose of these are to raise awareness to the issues related to dating and domestic violence, sexual assault, and stalking.

The university offers two types of prevention programs On-Going and Primary Prevention Programs.

*Note: Pittsburg State University prohibits all forms of sexual harassment and relationship violence to include rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking.*

#### *Everfi – Faculty and Staff (Primary Prevention)*

- *Everfi* is an interactive, online, self-paced module designed to provide education in the areas of compliance with federal legislation including Title IX, the Clery Act, and the Violence Against Women Act (VAWA)
- Participants will learn about campus, local, regional and federal resources designed to offer information on the best practices
- Cost: Free
- Contact Dr. Jason Kegler at 620-235-4945 or at [ckegler@pittstate.edu](mailto:ckegler@pittstate.edu)

#### *Everfi – Students (Primary Prevention)*

- A Title IX and Campus SaVE Act compliant education program that combines sexual assault, alcohol and substance abuse prevention in a comprehensive online training program
- The research-based curriculum of *Everfi* effectively reaches students using focus-group tested storytelling and interactions to maximize user engagement and information retention
- Cost: Free
- Contact Dr. Jason Kegler, 620-235-4945 or email at [ckegler@pittstate.edu](mailto:ckegler@pittstate.edu)

#### *Wellness Educators – Students, Community of Pittsburg (On-Going Prevention)*

## 2022 Annual Security and Fire Safety Report

- A Wellness Education group interested in reaching our peers concerning various social issues through interactive skits, performances and presentations in order to help them make healthier, more informed decisions
- These programs are provided to PSU student groups and local schools to help them become better informed to make healthier decision in their own lives and to assist in the lives of others around them
- Topics include
  - Rape, Acquaintance/Date Rape, Sexual Assault, and Stalking
  - Dating and Domestic Violence
  - Drugs and Alcohol
  - Sexually Transmitted Diseases and HIV/AIDS
  - Bystander Intervention
- Cost: Free, donations accepted
- Contact Megan Johnson at 620-235-4831 or by email at [megan.johnson@pittstate.edu](mailto:megan.johnson@pittstate.edu)

### **STUDENTS FOR VIOLENCE PREVENTION**

104 Bryant Student Health Center  
620-235-4831

Ongoing presentations, programs, and events that raise awareness and educate the student body on the issues of dating violence, domestic violence, healthy and unhealthy relationships, bystander behaviors, sexual assault, sexual consent and communication, stalking, and bystander intervention.

#### *Students for Violence Prevention – Students, Pittsburg Community (On-Going Prevention)*

- Through contractual arrangement, a representative from Safehouse Crisis Center, Inc., coordinates sexual assault response and prevention on campus
- Students working to raise awareness on campus about issues such as dating violence, domestic violence, bystander behaviors, sexual assault, and stalking
- Offers a 24-hour contact number to obtain further information and secure advocacy for victims of these crimes
- We provide presentations and skits to students to further educate them in these issues and hold awareness events on campus and in the community.
- We present to other student organizations, freshmen experience classes, residence halls, ROTC, Greek Life, as well as middle schools and high schools in the area.
- Cost: Free
- Contact Students for Violence Prevention or Megan Johnson, the SVP Advisor, at 620-235-4831, or at [megan.johnson@pittstate.edu](mailto:megan.johnson@pittstate.edu)

#### *Campus Security Authorities*

Crimes should be reported to the University Police to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. However, the university recognizes that for various reasons not every crime is reported to law enforcement. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that the Act defines to be “campus security authorities” (CSA).

Campus Security Authorities at Pittsburg State University include:

## 2022 Annual Security and Fire Safety Report

- University Police
- Associate Vice President for Student Life
- Vice President for Student Life
- Administrators responsible for student housing, student center or student extracurricular activities.
- Administrators and coaches in intercollegiate athletics
- Faculty or staff advising registered student organizations.
- Student resident assistants in on-campus living facilities.
- Administrators and advisors to Greek chapters.

It will be the role of the CSAs to be there for students as someone to whom they can report crimes, look to for guidance if they have been victims of a crime, or ask if they simply need advice as to whether or not they should report an incident. The CSAs will not be responsible for taking any actions in regards to suspected perpetrators of a crime, nor are they to make any judgments as to whether or not a crime took place; they are simply responsible for reporting suspected incidents of crimes to the University Police. The CSAs are also not responsible for convincing victims of a crime to contact the police if victims do not want to contact the police.

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

*Pastoral Counselor* - An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

*Professional Counselor* - An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

### Confidentiality of Clery related reports

A student’s privacy concerns are weighed against the needs of the university to respond to acts of harassment, including domestic violence, dating violence, sexual assault, and stalking. To the greatest extent possible, all reports will remain private. However, information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community. If an individual requests that his or her name not be revealed or asks the university not to investigate or seek administrative action against the alleged, the university will be limited in its ability to respond fully to the incident. Title IX and the Violence Against Women Reauthorization Act include

## 2022 Annual Security and Fire Safety Report

protections against retaliation. University officials will not only take steps to prevent retaliation but will also take strong responsive action if it occurs.

### **SEX OFFENDER REGISTRATION**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies (in Kansas, it is the Kansas Bureau of Investigation) to provide Pittsburg State University with a list of registered sex offenders who have indicated that they are either enrolled, employed or carrying on a vocation at Pittsburg State University.

Pittsburg State University is required to inform the campus community of the existence of the list and where it is available for review. The list is available to be viewed at the Pittsburg State University Police Department, 1501 South Joplin Street, Pittsburg, Kansas. In addition, a list of all registered sex offenders in Kansas is available from the Kansas Bureau of Investigation at <http://www.kbi.ks.gov/registeredoffender/>. Pittsburg State University is located in Crawford County and the zip code is 66762.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000 and the Kansas Offender Registration Act (KORA) of 2003, KSA 22-4902.

## 2022 Annual Security and Fire Safety Report

**2021 ANNUAL FIRE SAFETY REPORT****Description of each on-campus student housing facility fire safety system**

Facility	Fire Alarm Monitoring Done on Site (by UPD)	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans Posted in Common Areas and in Sleeping Rooms	Number of evacuation (fire) drills each calendar year
Willard Hall 204 E. Lindburg	X	---	X	X	X	X	4
Dellinger Hall 1807 S. Locust	X	---	X	X	X	X	4
Nation Hall 1808 S. Elm	X	---	X	X	X	X	4
Bowen Hall 1507 S. Joplin	X	---	---	X	X	X	4
Trout Hall 1505 S. Joplin	X	---	---	X	X	X	4
Tanner Complex 1503 S. Joplin	X	---	---	X	X	X	4
Crimson Commons Building A 1315 S. Joplin	X	---	X	X	X	X	4
Crimson Commons Building B 1315 S. Joplin	X	---	X	X	X	X	4
Crimson Commons Building C 1315 S. Joplin	X	---	X	X	X	X	4
Crimson Commons Building D 1315 S. Joplin	X	---	X	X	X	X	4
Crimson Commons Building E 1315 S. Joplin	X	---	X	X	X	X	4
Crimson Village Apartments	---	---	---	X	X	---	0
Block 22	---	---	X	X	X	---	0

## 2022 Annual Security and Fire Safety Report

### **FIRE DRILLS AND PROHIBITED ITEMS**

Four fire drills, two during each academic semester, are held each academic year in each residence hall facility. University Housing staff, University Police officers, and Physical Plant personnel (as needed) coordinate the implementation of all drills.

#### *Prohibited Appliances in Student Housing Facilities*

The use of open element cooking/heating units and/or the use of cooking fats and greases, candles or other open flames, is not allowed. Cooking with woks, toaster ovens, crock-pots, hot plates, open element, or any other cooking devices is forbidden. Cooking in rooms is prohibited except for microwave cooking and coffee pots. Students who set off residence hall fire alarm systems due to cooking/open flames in their rooms or residence hall kitchens may be subject to disciplinary action.

#### *Smoking*

Pittsburg State University residence halls are smoke free and tobacco free including but not limited to cigarettes, cigars, vaporizers, hookahs, and chewing tobacco. Smoking and tobacco use is prohibited, without exception, in all buildings, facilities and vehicles owned by the University. Tobacco products, including e-cigs, and smokeless tobacco are prohibited within all areas of the University.

#### *Candles, Incense, and Other Open Flames*

Lit candles in the residence halls create extreme fire danger for all students. No open flames or candles of any type are allowed in the residence halls. The burning of incense is also strictly prohibited in University residence halls.

#### *Procedures for student housing evacuation in the case of a fire*

Exit signs are strategically located throughout the buildings. Their purpose is to indicate exit routes, particularly in emergency situations. They, too, are considered to be fire equipment and are not to be tampered with. The importance of this equipment cannot be over-emphasized.

In the event of a fire:

1. Pull the nearest fire alarm.
2. Exit the building.
3. Call the University Police at 911 to report the fire, and give as much information as possible.

When an alarm sounds:

1. Lock your room door.
2. Wear shoes, take your keys, and carry or wear a coat.
3. Don't panic—move quickly outside the building.
4. DO NOT USE ELEVATORS. Use the exterior stairwells.

For additional information regarding fire safety, please refer to fire safety posters in each residence hall. Failure to respond to fire alarms or staff requests for evacuation may result in disciplinary action.

## 2022 Annual Security and Fire Safety Report

### FIRE SAFETY EDUCATION AND TRAINING PROGRAMS

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each academic year. These programs are designed to familiarize everyone with the fire safety system in each housing facility and to train everyone on the procedures to be followed in case there is a fire. Information regarding the university's fire safety policies and evacuation procedures are contained in the *Guide to Hall Living* (distributed individually to each resident of on-campus housing). During these programs, trainers emphasize that participating in fire drills is mandatory. Maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations are posted conspicuously on the back of each residence hall sleeping room door and evacuation procedures are posted in the commons area throughout each facility. Students with disabilities are given the option to have a "buddy" assigned to them.

As a part of pre-service training for residence hall staff, fire safety education and training is provided. Local fire authorities, as well as University Housing staff experienced in fire safety matters teach these sessions.

If a fire occurs, students are instructed to leave hazardous areas per the evacuation routes and get to a predetermined location before calling 911 for help. They are to remain in that location so that the University Housing staff and other emergency responder personnel can document that all occupants have left the building. RAs are instructed to pull the fire alarm as they are leaving the building if they can do so without risking their safety.

### REPORTING A FIRE

Per federal law, Pittsburg State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the **non-emergency** numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the University Police may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Pittsburg State University Police (620) 235-4624  
Director of Residence Life (620) 235-4257

When calling, please provide as much information as possible about the location, date, time and cause of the fire.

### FUTURE IMPROVEMENTS IN FIRE SAFETY

University Housing is involved in continuous evaluation and improvement of on-campus residential facilities. Infrastructure systems, including those related to fire safety, are part of this evaluation and improvement efforts.

## 2022 Annual Security and Fire Safety Report

**FIRE STATISTICS**

University Housing's Fire Alarm Incident Report - January thru December 2019										
	*Block 22	Bowen	Crimson Commons	Crimson Village	Dellinger	Nation	Tanner	Trout	Willard	TOTAL
Ignition of Combustible substances resulting in flame & smoke	0	0	0	0	0	0	0	0	0	0
Food cooked or other items resulting in smoke, no flame	0	0	0	0	1	7	1	0	0	9
Activation of system with no identified cause	0	0	0	0	1	4	0	0	0	5
False activation of pull stations by individual	0	1	0	0	0	0	0	0	0	1
Drill	0	2	20	0	4	4	4	4	4	42
Mechanical Notification - non flame, non smoke	0	0	0	0	0	0	1	0	0	1
										<b>58</b>
# of fire related injuries that resulted in treatment	0	0	0	0	0	0	0	0	0	0
# of fire related deaths	0	0	0	0	0	0	0	0	0	0
Value of property damaged caused by fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\*Block 22 housing became available in August 2018

University Housing's Fire Alarm Incident Report - January thru December 2020										
	*Block 22	Bowen	Crimson Commons	Crimson Village	**Dellinger	**Nation	**Tanner	**Trout	**Willard	TOTAL
Ignition of Combustible substances resulting in flame & smoke	0	0	0	0	0	0	0	0	0	0
Food cooked or other items resulting in smoke, no flame	0	0	8	0	1	3	1	2	1	16
Activation of system with no identified cause	0	0	2	0	0	2	0	1	0	5
False activation of pull stations by individual	0	0	0	0	0	2	0	0	0	2
Drill	0	0	15	0	3	3	3	3	3	30
Mechanical Notification - non flame, non smoke	0	0	0	0	0	0	1	2	0	3
										<b>58</b>
# of fire related injuries that resulted in treatment	0	0	0	0	0	0	0	0	0	0
# of fire related deaths	0	0	0	0	0	0	0	0	0	0
Value of property damaged caused by fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

\*\*All of University Housing closed in March of 2020 due to COVID 19

University Housing's Fire Alarm Incident Report - January thru December 2021										
	Block 22	***Bowen	Crimson Commons	Crimson Village	Dellinger	Nation	Tanner	Trout	Willard	TOTAL
Ignition of Combustible substances resulting in flame & smoke	0	0	0	0	0	0	0	0	0	0
Food cooked or other items resulting in smoke, no flame	0	0	0	0	0	6	0	0	1	7
Activation of system with no identified cause	0	0	3	0	1	3	0	1	0	8
False activation of pull stations by individual	0	0	0	0	0	9	0	0	0	9
Drill	0	1	20	0	4	4	4	4	4	41
Mechanical Notification - non flame, non smoke	0	0	1	0	0	1	0	0	0	2
										<b>68</b>
# of fire related injuries that resulted in treatment	0	0	0	0	0	0	0	0	0	0
# of fire related deaths	0	0	0	0	0	0	0	0	0	0
Value of property damaged caused by fire	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0



## 2022 Annual Security and Fire Safety Report

\*\*\*Bowen Hall was closed during the 19-20 and 20-21 academic years, and was occupied on a limited basis during the 21-22 academic year

**CRIME STATISTICS****PITTSBURG STATE UNIVERSITY CRIME STATISTICS – 2019, 2020, 2021**

OFFENSE	YEAR	Unfounded	ON-CAMPUS PROPERTY	ON-CAMPUS Student Housing##	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
RAPE	2019	0	3	3	0	0
	2020	0	1	1	1	0
	2021	0	1	1	0	1
FORCIBLE FONDLING	2019	0	1	1	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
INCEST	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
STATUTORY RAPE	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
ROBBERY	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
BURGLARY	2019	0	2	2	0	0
	2020	0	2	1	1	0
	2021	0	2	0	0	0
MOTOR VEHICLE THEFT	2019	0	2	0	1	0
	2020	0	0	0	2	0
	2021	0	0	0	2	0
ARSON	2019	0	0	0	0	0
	2020	0	0	0	0	0
	2021	0	0	0	0	0
DATING VIOLENCE	2019	0	4	4	0	0
	2020	0	2	2	1	0
	2021	0	0	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0	0	1
	2020	0	0	0	0	0
	2021	0	0	0	1	0
STALKING	2019	0	1	0	0	0
	2020	0	1	1	0	1
	2021	0	0	0	0	0

## 2022 Annual Security and Fire Safety Report

OFFENSE	YEAR	Unfounded	ON-CAMPUS PROPERTY	ON-CAMPUS Student Housing##	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS:	2019	0	0	0	0	0
WEAPONS: CARRYING, POSSESSING, ETC.	2020	0	0	0	0	1
	2021	0	0	0	0	0
DISCIPLINARY REFERRALS:	2019	0	0	0	0	0
WEAPONS: CARRYING, POSSESSING, ETC.	2020	0	0	0	0	0
	2021	0	0	0	0	0
ARRESTS:	2019	0	5	3	0	8
DRUG ABUSE VIOLATIONS	2020	0	5	4	1	4
	2021	0	6	5	1	6
DISCIPLINARY REFERRALS:	2019	0	0	0	0	0
DRUG ABUSE VIOLATIONS#	2020	0	0	0	0	0
	2021	0	0	0	0	0
ARRESTS:	2019	0	34	30	1	36
LIQUOR LAW VIOLATIONS	2020	0	17	14	0	7
	2021	0	27	24	0	0
DISCIPLINARY REFERRALS:	2019	0	0	0	0	0
LIQUOR LAW VIOLATIONS#	2020	0	0	0	0	0
	2021	0	0	0	0	0

#Disciplinary referrals for Liquor Law Violations and Drug Abuse Violations that resulted in a citation are reported in the Arrest categories for these two violations.

##Statistics reported in the on-campus student housing facilities category are also included in the on-campus property category count

**Hate Crimes:** There were no reported hate crimes (committed relative to bias based on race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, or disability) for 2019, 2020, or 2021.

## 2022 Annual Security and Fire Safety Report

## DEFINITIONS

The definitions listed below are a requirement for compliance with federal mandates. Violations of Kansas State Statutes relating to sexual assault or sexual harassment may also be adjudicated as part of this policy.

*Sexual Assault and Sexual Violence Definitions*

- A. **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system.
- B. **Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **Rape-** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.
- C. **Domestic Violence:** A felony or misdemeanor crime of violence committed:
- By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
  - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- D. **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.
- 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.
  - For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating violence does not include acts covered under the definition of domestic violence.
  - Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- E. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.
- For the purposes of this definition:
- *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,

## 2022 Annual Security and Fire Safety Report

monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- *Reasonable person* means a person under similar circumstances and with similar identity to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

F. **Consent:** A freely and affirmatively communicated willingness to participate in sexual activity, expressed either by words or clear, unambiguous actions. It is the responsibility of the initiator of the sexual activity to ensure he or she has the other person's consent to engage in sexual activity. Consent must be present throughout the sexual activity by all parties involved. At any time, a participant can communicate that he or she no longer consents to continuing the activity.

Consent may never be—

- obtained through the use of force, coercion, intimidation, or manipulation or if the victim is mentally or physically disabled or incapacitated, including through the use of drugs or alcohol, or,
- assumed because of the existence of a dating relationship between the persons involved or due to the existence of a current or previous sexual relationship between the persons.

G. **Programs to prevent dating violence, domestic violence, sexual assault, and stalking:**

Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

H. **Awareness programs:** Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

I. **Bystander intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

Bystander intervention includes:

- Recognizing situations of potential harm.
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

J. **Ongoing prevention and awareness campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

## 2022 Annual Security and Fire Safety Report

- K. **Primary prevention programs:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in a healthy and safe direction.
- L. **Risk reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- M. **Prompt, fair, and impartial proceeding:** A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay.  
 Conducted in a manner that:
  - Is consistent with the institution's policies and transparent to the accuser and accused;
  - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
  - Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
  - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
- N. **Advisor:** Any individual who provides the accuser or accused support, guidance, or advice.
- O. **Proceeding:** All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.
- P. **Result:** Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

### Crime Definitions

The definitions listed below are a requirement for compliance with federal mandates. Violations of Kansas State Statutes relating to crime may also be adjudicated as part of this policy. The below definitions have been pulled from and can be referenced at <https://ope.ed.gov/campussafety/#/> accessed on 09/10/21.

- A. **Aggravated assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- B. **Arrest:** Persons processed by arrest, citation, or summons.
- C. **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- D. **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
- E. **Drug abuse violations:** 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, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws,

## 2022 Annual Security and Fire Safety Report

specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics- manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

- F. **Hate crime:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.
- G. **Intimidation:** To unlawfully place another person in 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.
- H. **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion of control over a thing.
- I. **Liquor law violations:** 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. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.
- J. **Manslaughter by negligence:** The killing of another person through gross negligence.
- K. **Motor vehicle theft:** The theft or attempted theft of a motor vehicle
- L. **Murder/Non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another.
- M. **Property damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.
- N. **Referred for disciplinary action:** The referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction.
- O. **Robbery:** 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.
- P. **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor 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.
- Q. **Unfounded crime:** A reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfind a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact completed or attempted in any manner.
- R. **Weapons: carrying, possessing, etc.:** The violation of 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 weapons

## 2022 Annual Security and Fire Safety Report

offenses that are regulatory in nature. Including in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc, of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**JURISDICTION**

