

# 2022 ANNUAL SECURITY AND FIRE SAFETY REPORT

**Statistics for 2019, 2020 & 2021**

In compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* and Published by October 1, 2022.

This report does not include privileged counseling or medical information from Counseling and Prevention Services or Student Health Services.

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### 3.02 / Notice of Nondiscrimination

Wichita State University (WSU) does not discriminate in its employment practices, or in its educational programs or activities on the basis of age (40 years or older), ancestry, color, disability, ethnicity, gender, gender expression, gender identity, genetic information, marital status, national origin, political affiliation, pregnancy, race, religion, sex, sexual orientation, or status as a veteran. WSU also prohibits retaliation against any person making a complaint of discrimination or against any person involved or participating in the investigation of any such allegation. Sexual misconduct, relationship violence, and stalking are forms of sex discrimination and are prohibited under Title IX of the Education Amendments Act of 1972, other federal law, and WSU policy. The following persons have been designated to handle inquiries regarding WSU's non-discrimination policies: the Institutional Equity and Compliance Director (Telephone: (316) 978-3205), Title IX Coordinator (Telephone: (316) 978-5177), or Equal Opportunity Coordinator (Telephone: (316) 978-3186), each located at Wichita State University, 1845 Fairmount, Wichita, KS 67260, Human Resources Building.

WSU will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is

1. in response to a formal complaint or charge,
2. in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the University, or
3. consistent with the University's legal duty to furnish the information.

# 1. Introduction: An Overview of Campus Safety and Security Reporting

Campus safety and security at Wichita State University is a shared responsibility. All campus community members and visitors should be aware of their surroundings while driving, walking, studying, working, attending events, or living in our campus community. Being alert to one's surroundings and using reason and caution during daily activities provides a degree of personal protection from crime. Community members who are aware and prepared to alert the University police to crime or suspicious activities, when combined with a strong University law enforcement presence, strengthens the campus-wide safety net. The University encourages all crimes to be reported to the Wichita State University Police Department (UPD) at 316-978-3450.

The purpose of the information contained in this Annual Report is to comply with federal laws requiring publication, and to offer useful and helpful information which may contribute toward the reduction of harm to our community members and visitors and the prevention of crime within our campus community. If you have concerns, questions, or comments about the federal law that requires the distribution of this Annual Report or WSU's compliance, please contact the WSU Chief of University Police at 316-978-3450 or Executive Director Office of Institutional Equity and Compliance at 316-978-3205.

All policy statements found in this Annual Security and Fire Report apply to all WSU locations, the Downtown Center/WSU Old Town, Main Campus, WSU South, and WSU West, NCATS, Haysville, unless detailed otherwise.

## 2. Geography-Campus Locations

### **Wichita State University Main Campus**

The Wichita State University Main Campus is located northeast of downtown Wichita on a 330-acre campus. The Main Campus is generally bordered by East 21<sup>st</sup> St. North, East 17<sup>th</sup> St. North, North Hillside St., and North Oliver Ave. (along with certain properties on the south side of East 17<sup>th</sup> St. North and certain properties on the north side of 21<sup>st</sup> St. between Roosevelt Ave. and Fountain Ave.), and inclusive of University properties located at the northwest corner of East 21<sup>st</sup> St. North & North Hillside St. which includes the space formerly occupied by Fairmount Towers, the Child Development Center, and a vacant lot on the west side of North Chautauqua St.; properties located at the southwest corner of East 17<sup>th</sup> St. North & North Hillside St. which includes the Intensive English Language Center, Intensive English Annex, and a vacant lot at the southeast corner of East 17<sup>th</sup> St. North & North Lorraine Ave.; and, a parking lot located at 3608 East 21<sup>st</sup> St. North, which is leased on school days from the University United Methodist Church.

**On-campus** includes any building or property owned or controlled by WSU within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's education purposes, including residence halls. On-campus also includes any building or property that is within, or reasonably contiguous to the area identified in the previous sentence of this paragraph, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes

(such as a food or other retail vendor). Included as part of the main campus are the Advanced Education in General Dentistry Building located at 2838 N. Oliver, Wichita, Kansas (“AEGD Building”) and the Hughes Metropolitan Complex located at 5015 East 29<sup>th</sup> St North, Wichita, Kansas (“Metroplex”). The complex has a gymnasium, an 80-seat meeting room and several classrooms. Part of the land surrounding the building is used as playfields for intramural sports. The facility houses the Office for Workforce, Professional & Community Education which offers noncredit courses to the community.

**Residence Halls** are included as a subset of the “On-Campus” category. In 2018, Wichita State University had 2 Residence Halls. These Residence Halls are Shocker Hall and The Flats. In 2019, Wichita State University opened a 3<sup>rd</sup> Residence Hall (The Suites).

### **Other University Locations**

#### **Wichita State University Old Town**

Wichita State University Downtown Center was originally located at 358 N. Main, Wichita, KS. It is a three-story building that housed the Physical Therapy Department until July 2017. Wichita State University’s building lease for 358 N. Main ended in August 2017. After that time, the Physical Therapy Department moved into 213 N. Mead, part of WSU Old Town. Wichita State University Old Town is a complex of facilities and services located in the popular downtown Wichita entertainment district. The complex comprises office space in three buildings located at 121 N. Mead, 238 N. Mead and 213 N. Mead. WSU Old Town Building C, located at 121 N. Mead is home to KMUW 89.1, Wichita’s NPR radio station. WSU Old Town Building B, located at 213 N. Mead, is home to WSU’s Physical Therapy and Physician’s Assistant programs as well as WSU Tech’s health professions courses. WSU Old Town Building A, located at 238 N. Mead, is home to the Community Engagement Institute, Ennovar, T3, and the Kansas Procurement Technical Assistance Center (PTAC).

#### **Wichita State University South**

WSU South hosts general education classes and professional programs. WSU South began hosting select classes at the Shocker Studios at the Harry Street Mall for the summer 2018 semester and began full operation at the Harry Street Mall 3821 E. Harry when the renovation was completed fall 2018.

Shocker Studios is located at 3805 E. Harry Street in the NW corner of the Harry Street Mall. The 35,000 square foot lease space includes recording studios, a virtual reality studio, film studios, a motion capture studio, computer labs, design studios and general classrooms associated with the Bachelor of Applied arts in Media Arts (BAA) degree.

#### **Wichita State University West**

Wichita State University West is located at 3801 N. Walker Ave., Maize, KS (“WSU West”). This 24,000 square-foot facility provides opportunities for traditional and returning adult students alike to complete their degrees in a comfortable learning environment. WSU West, located just north of New Market Square, provides many of the student services available at the Main Campus, such as registration and tuition payment, library access, and career counseling.

#### **Wichita State University National Center for Aviation Training (NCAT)**

WSU NCAT is located at 4004 N. Webb Rd, Wichita, KS 67226. Students can take advantage of the affiliation between Wichita State University and WSU Tech – formerly known as Wichita Area Technical College. The partnering with WSU Tech provides technical classes at this location including but not limited to: Advanced Coatings; CAD/CAM training; Composites & Advanced Materials; Nondestructive Test; and Emerging Technology.

### **Wichita State University Haysville**

WSU Haysville began its operations in July 2018 at 106 Steward Avenue, Haysville, KS 67060. It is partnering with WSU Tech to provide general education and technical classes to serve students south of Wichita.

**Non-Campus** - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property** - all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## 3. Classifying and Counting Clery Act Crimes

For purposes of compiling and reporting its campus crime statistics and campus security policies, WSU used the definitions as set forth in this section. The crimes defined herein are in accordance with the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modifications in such definitions as implemented pursuant to the Hate Crime Statistics Act. For the offenses of domestic violence, dating violence, and stalking, WSU's statistics were compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

### Crime Categories

- 1. Criminal Offenses:** Criminal homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
- 2. Hate Crime:** Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property that were motivated by bias. For purposes of this definition, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.
- 3. VAWA Offenses:** Any incidents of Domestic Violence, Dating Violence, and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for *Clery Act* reporting purposes); and

**4. Arrests and Referrals for Disciplinary Action:** For Weapons -- Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations.

## Definitions

### CRIMINAL OFFENSES

**1. Criminal Homicide:** These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.

**A. Murder and Non-negligent Manslaughter** is the willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.

The following are not included as Murder and Non-negligent Manslaughter:

- Suicides.
- Fetal deaths.
- Traffic fatalities.
- Accidental deaths.
- Assaults with intent to murder and attempts to murder (Classify assaults and attempts to Murder as Aggravated Assaults).
- Situations in which a victim dies of a heart attack as the result of a crime, even in instances where an individual is known to have a weak heart.
- Justifiable homicide, which is limited to the killing of a felon by a peace officer in the line of duty or the killing of a felon during the commission of a felony by a private citizen.

**B. Manslaughter by Negligence** is the killing of another person through gross negligence. This includes any death caused by the gross negligence of another. In other words, it's something that a reasonable and prudent person would not do.

The following are not included as Manslaughter by Negligence:

- Deaths of persons due to their own negligence.
- Accidental deaths not resulting from gross negligence.
- Traffic fatalities.

**2. Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

**A. Rape** is 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. This offense includes the rape of both males and females.

- B. **Fondling** is 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.
  - C. **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - D. **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.
- 3. **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.
  - 4. **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. Included as Aggravated Assaults are assaults or attempts to kill or murder; poisoning (including the use of date rape drugs); assault with a dangerous or deadly weapon; maiming; mayhem; assault with explosives; assault with disease.
  - 5. **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
  - 6. **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. Note: A “motor vehicle” is a self-propelled vehicle that runs on land surface and not on rails, such as sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, trail bikes, mopeds, all-terrain vehicles, self-propelled motor homes, snowmobiles, golf carts and motorized wheelchairs.
  - 7. **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.

## HATE CRIMES

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Although there are many possible categories of bias, under the *Clery Act*, only the following eight categories are reported:

- 1. **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- 2. **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the

existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

3. **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual individuals.
4. **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
6. **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
7. **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
8. **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

For *Clery Act* purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder and Non-negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft

- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

The first seven offenses are defined and discussed in the Criminal Offenses section earlier in this chapter. In addition to those offenses, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in the *Clery Act* statistics only if they are Hate Crimes.

Larceny-Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Simple Assault is 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.

Intimidation is 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.

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

### VAWA OFFENSES

The *Violence against Women Act* (VAWA) prohibits Dating Violence, Domestic Violence, Sexual Assault, and Stalking.

**1. 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.

**2. Domestic Violence:** A felony or misdemeanor crime of violence committed: (1) By a current or former spouse or intimate partner of the victim; (2) by a person with whom the victim shares a child in common; (3) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (4) 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; OR (5) 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. To categorize an incident as Domestic Violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

**3. Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress. For the purposes of this definition:

A. **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

B. **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

C. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

#### ARRESTS AND DISCIPLINARY REFERRALS FOR VIOLATION OF WEAPONS, DRUG ABUSE AND LIQUOR LAWS

**1. Arrest:** Persons processed by arrest, citation or summons.

**2. 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.

**3. 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 offenses that are regulatory in nature. Include 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; attempts to commit any of the above.

**4. 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, 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 that can cause true addiction

(Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine). Drug violations include all drugs, without exception, that are illegal under local or state law, and all illegally obtained prescription drugs.

**5. 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. The following are classified as a liquor law violation: (1) the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; (2) maintaining unlawful drinking places; (3) bootlegging; (4) operating a still; (5) furnishing liquor to a minor or intemperate person; (6) underage possession; (7) using a vehicle for illegal transportation of liquor; (8) drinking on a train or public conveyance; or (9) attempts to commit any of the above.

### UNFOUNDED CRIMES

For *Clery Act* purposes, the standard for unounding a reported crime is very high. A crime can be classified as unfounded only after a full investigation by sworn or commissioned law enforcement personnel. A crime is considered unfounded for *Clery Act* purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. 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. Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. A reported crime cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation. As such, for *Clery Act* purposes, the determination to unound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.

No crimes reported in 2019, 2020 or 2021 were subsequently unfounded and withheld from crime statistics.

## 4. Collecting Statistics: Authorities and Law Enforcement Agencies

The *Clery Act* requires all institutions to collect crime reports from a variety of individuals and organizations that are considered to be “campus security authorities” under the law. Under the *Clery Act*, a crime is “reported” when it is brought to the attention of a campus security authority, the institution’s police department or campus safety office, or local law enforcement personnel by a victim, witness, other third party, or even the offender. It doesn’t matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. If a campus security authority receives a report, he or she must include it as a crime report using whatever procedure has been specified by your institution. As such, statistics based on reports of alleged criminal incidents are included in this report. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding

of guilt or responsibility be made to include the reported crime in your institution's crime statistics.

## Campus Security Authorities

A Campus security authority (“CSA”) is a *Clery Act*-specific term that encompasses four groups of individuals and organizations associated with an institution:

- (1) a campus police department or a campus security department personnel;
- (2) any individual individuals with security-related responsibilities;
- (3) individuals or organizations identified in an institutional security policy; and
- (4) an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. Employees who meet the definition of an official who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

If someone has significant responsibility for student and campus activities, he or she is a campus security authority.

In addition to UPD officers, Campus Security Authorities include, but are not limited to, the following University officials<sup>1</sup>:

### **Director of Institutional Equity and Compliance**

Office: 208 Lindquist  
Telephone: 978-3186

### **Title IX Coordinator**

Office: 209A Lindquist  
Telephone: 978-5177

### **Title IX Deputy Coordinator for Faculty**

Office: 109 MH  
Telephone: 978-5054

### **Title IX Duputy Coordinator for Athletics**

Office: 201 CKA  
Telephone: 978-5534

### **Title IX Deputy Coordinator for Employees**

Office: 117 HR  
Telephone: 978-3540

### **Title IX Deputy Coordinator for Students**

Office: 231 RSC  
Telephone: 978-6105

### **Equal Opportunity Coordinator**

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<sup>1</sup> This list may be updated from time to time at the discretion of WSU. The titles, office locations and telephone numbers are current as of October 21, 2022. Please refer to the Wichita State University Directory at <http://webapps.wichita.edu/directorypublic/> to search faculty and staff.

Office: 208 Lindquist  
Telephone: 978-3186

**Executive Director Human Resources**

Office: 117 HR  
Telephone: 978-3540

**Director of Athletics**

Office: 201 CKA  
Telephone: 978-5498

**Provost**

Office: 109 MH  
Telephone: 978-3010

**Vice President for Student Affairs**

Office: 210A RSC  
Telephone: 978-3021

**Director of Diversity and Inclusion**

Office: 208 RSC  
Telephone: 978-3034

**Director of Student Conduct**

Office: Shocker Hall A1060  
Telephone: 978-6542

**Assistant Director of Student Involvement**

Office: 216 RSC  
Telephone: 978-3022

**Director of WSU West**

WSU West  
3801 N. Walker Avenue  
Maize, KS 67101  
Telephone: 978-8312

**Director of WSU South**

WSU South  
8321 E. Harry St.  
Suite B105  
Wichita, KS 67128  
Telephone: 978-8008

**Physical Therapy Chair**

Office: 213 N Mead  
Telephone: 978-3621

**Director of Student Health Services**

Office: Steve Clark YMCA Wellness Center  
Telephone: 978-6628

**Assistant Vice President of Student Affairs, Director of Counseling and Prevention Services**

Office: Steve Clark YMCA Wellness Center  
Telephone: 978-4792

**Associate VP Student Affairs, Student Life/Dean of Students**

Office: 231 RSC  
Telephone: 978-5483

**Assistant Vice President, Retention and Assessment**

Office: RSC 231B  
Telephone: 978-6105

**Director of Disability Services**

Office: 203 GW  
Telephone: 978-6970

**General Counsel**

Office: 201MH  
Telephone: 978-6791

**Coordinator for Student Conduct & Community Standards**

Office: A1060 Shocker Hall  
Telephone: 978-6569

**Assistant Director for Assessment Outreach & Events**

Office: 10802 Shocker Hall  
Telephone: 978-3467

**Executive Director of NIAR/Vice President for Research and Technology Transfer**

Office: 220 NIAR  
Telephone: 978-5234

**Chief Information Officer**

Office: 233 JH  
Telephone: 978-7824

**Directors of Student Centers and Institutes**

**Student Advocate**

Office: 219 RSC  
Telephone: 316-978-3480

**All Athletic Coaches**

**All Faculty Advisors to Student Groups**

**All Resident Assistants**

What Does a Campus Security Authority Do?

The function of a campus security authority is to report to the University Police Department, those allegations of *Clery Act* crimes that they receive. CSAs are responsible for reporting allegations of *Clery Act* crimes that are reported to them in their capacity as a CSA. This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

The University supports a violence-free campus. Prevention, deterrence, and response to violence are addressed in [WSU Policy 3.33 / 8.18 Eschewing Campus/Workplace Violence](#).

On the WSU Main Campus, it is preferred that crimes be reported to the UPD. Crimes at any other location should be reported to the appropriate police department or law enforcement agency. If, however, a crime victim does not wish to report to law enforcement authorities, a report may be made to a *Campus Security Authority*. Each person listed as a *Campus Security Authority* should submit reportable offenses to the UPD as they occur throughout the year.

## What Shouldn't a Campus Security Authority Do?

A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel. A campus security authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement.

## Exemption for Pastoral and Professional Counselors

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are not campus security authorities under the *Clery Act*: (1) pastoral counselor and (2) professional counselor.

A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

The pastoral or professional counselor exemption is intended to ensure that these individuals can provide appropriate counseling services without an obligation to report crimes they may learn

about. This exemption is intended to protect the counselor-client relationship. However, even the legally recognized privileges acknowledge some exemptions, and there may be situations in which counselors are in fact under a legal obligation to report a crime.

To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors.

If an individual with dual roles, one as a professional or pastoral counselor and the other as an official who qualifies as a CSA, and the roles cannot be separated, that individual is considered a campus security authority and is obligated to report *Clery Act* crimes of which they are aware. An individual who is counseling students and/or employees, but who does not meet the *Clery Act* definition of a pastoral or professional counselor, is not exempt from being a campus security authority if they otherwise have significant responsibility for student and campus activities. This may include a triage nurse at the student health center.

In most cases it is possible for a CSA to fulfill his or her responsibilities while still maintaining victim confidentiality. CSA reports are used by the institution to compile statistics for *Clery Act* reporting and to help determine if there is a serious or continuing threat to the safety of the campus community that would require an alert (i.e., a timely warning or emergency notification discussed in Chapter 6). However, those responsibilities can usually be met without disclosing personally identifying information. A CSA report does not need to automatically result in the initiation of a police or disciplinary investigation if the victim does not want to pursue this action.

## Requesting Statistics From Local Law Enforcement Agencies

In addition to collecting crime reports from campus security authorities, the *Clery Act* requires that every institution make a “reasonable, good-faith effort” to obtain *Clery Act* crime statistics from all local law enforcement agencies that have jurisdiction over the school’s *Clery Act* geography. Local law enforcement agencies do not include the UPD. The UPD is considered a campus security authority. Local law enforcement refers to outside law enforcement agencies or departments with jurisdiction over some or all of your *Clery Act* geography. The University requests statistics from all agencies with jurisdiction over areas in Wichita State University’s *Clery Act* geography.

Not all of the agencies responded to our request for statistics and not all of the agencies could provide the statistics as requested.

## 5. The Daily Crime Log

The UPD police officers are fully commissioned law enforcement officers with authority to investigate suspected criminal incidents and traffic infractions, make arrests, and present the results of those criminal and traffic investigations to the Sedgwick County District Attorney’s Office for prosecution in the Kansas District Court, 18th Judicial District.

Wichita State University Policy Section 18.07 provides the statutory citations for UPD authority (See K.S.A. 22-2401a and K.S.A. 76-726). The policing jurisdiction of the UPD extends to property owned or operated by the University, streets adjacent to campus, and includes shared jurisdiction with local law enforcement for fraternity and sorority residences, which are located off-campus.

The UPD works closely with members from local, state, and federal law enforcement agencies without the need for a Memorandum of Understanding (MOU). The UPD requests statistics from appropriate local law enforcement agencies and includes them in this report.

The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents that are reported to the campus police or security department.

UPD maintains a Daily Crime Log which is accessible online at <https://police.wichita.edu/>. A printed copy may be obtained at the UPD office. The UPD office can be accessed from the east Perimeter Road, and is located on the east side of campus; south of Wilkins Softball Complex and north of the Campus Credit Union.

## 6. Emergency Notification and Timely Warnings

### Emergency Response and Evacuation Procedures

The *Clery Act* requires every Title IV institution, without exception, to have and disclose emergency response and evacuation procedures that would be used in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. This requirement does not apply to emergency situations in or on noncampus buildings or property.

As set forth in [WSU Policy 20.21/Emergency Response and Evacuation](#) the safety of students, staff, faculty, and visitors is a paramount concern, especially during an emergency. However, not all reports of concerning information warrant a timely warning under the *Clery Act* or a Safety Alert. Rather, some information will be distributed to the campus community via an emergency notification.

The use of the emergency notification system provides for the rapid dissemination of time-sensitive information to enhance the safety and security of the University community during an emergency and to relay timely information to University community members.

The University will issue an emergency notification upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. An “immediate” threat as used here includes an imminent or impending threat, such as (but not limited to) an approaching fire, or a fire currently burning in a University building, the outbreak of meningitis, norovirus, or other serious illness, approaching tornado or other extreme weather condition, earthquake, gas leak, terrorist incident, armed intruder, active shooter, bomb threat, civil unrest or rioting, explosion or nearby chemical or hazardous waste spill.

The University Police Department is responsible for the management of the emergency notification systems. WSU Information Technology Services will provide technical support and assistance as required.

The WSU *ShockerAlert* system is utilized for all Emergency Notifications. The various emergency notification methods that may be utilized through the *ShockerAlert* System include:

**Email and Text Blasts** – *ShockerAlert* will send an Emergency Notification to individual faculty, staff, and students through mass e-mail and cell phone text messaging. E-mail blasts are automatically sent to all @wichita.edu and @shockers.wichita.edu accounts. To receive *ShockerAlerts* via cell phone, University community members must elect to opt-in. See the WSU alert website in order to complete the steps necessary to receive Emergency Notifications by text message.

**Web Alerts** – In the event of an emergency, the WSU website will disseminate time-stamped news updates and contact information about the crisis. The *myWSU* site, which is a portal for students, faculty, and staff, also has Emergency Notification features.

**Campus Information Channel** – The Main Campus features strategically-placed video monitors that normally display information about upcoming events. If a *ShockerAlert* is issued, emergency information will be displayed on these monitors.

**Alertus Desktop™ Notification** – A component of the *Shocker Alert* System that allows the emergency alerts to override computer displays across campus with critical alert messages. Alertus is automatically installed on University owned PCs including those in faculty/staff offices and lecture halls. In order to find information on the Alertus system, refer to the *ShockerAlert* Alertus website.

**PA System** – WSU West and the AEGD Building are equipped with public address speaker systems, which are activated to provide verbal emergency warnings in real-time by staff members.

**Facebook** – *ShockerAlerts* will be carried on [facebook.com/shockeralert](https://www.facebook.com/shockeralert). Any Facebook user who friends this page will receive *ShockerAlert* messages in their Facebook newsfeed. In addition to *ShockerAlert*, KMUW, WSU's public radio station, subscribes to the Federal Emergency Alert System and is capable of broadcasting an emergency alert notification as initiated by its network.

**Procedures the University Will Use to Immediately Notify the Campus Community Upon Confirmation of a Significant Emergency or Dangerous Situation Involving an Immediate Threat to the Health or Safety of Students or Employees Occurring on the Campus**

When senior administration is advised of a significant emergency or dangerous situation that presents an immediate threat to the health or safety of University students, staff, faculty and/or visitors in or on property used by the University in support of, or related to, the University's educational purpose, the administrator, consistent with policy, will authorize the forwarding of

an immediate advisory (Emergency Notification) to the University community; provided, however, that notification may be delayed for as short a time as possible, if there is a professional determination by law enforcement that issuing a notice would put the University community at greater risk.

In other words, the University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

An Emergency Notification will be forwarded, consistent with the [WSU Policy 20.21](#), using all or as many of the appropriate, redundant communications systems as possible under the circumstances, i.e. e-mail blasts, text messaging, utilization of the digital communication systems (message boards), KMUW-FM; Channel 13, and the campus communication system. The University Police Department will work with the University Strategic Communications Team and the University General Counsel to determine whether there is an emergency and, if so, the appropriate segment of the campus community to receive a notification as well as the content of the notification. As to the content, the University Police will work with the General Counsel's Office and/or Strategic Communications to determine how much information is appropriate to disseminate at different points in time. The University will initiate the notification system by using various communications systems, depending on the particular emergency.

Personnel who are trained and authorized to transmit an emergency notification message include, in order of priority: (1) police dispatchers, police supervisors and command staff members from the University Police Department, (2) the Vice President for Strategic Communications, (3) the Chief Information Officer, and (4) the General Counsel. This list of authorized and trained personnel may be changed from time to time and at the discretion of the University to ensure that an emergency notification is issued to the University community in a timely and accurate manner.

The University shall communicate the availability of its redundant communication systems on a regular basis. Publicizing the test of the ShockerAlert system each year provides opportunities to educate the university community members and members from the surrounding community of our Emergency Notification system and evacuation procedures.

The University shall provide for testing and regular maintenance of its redundant communication systems annually. Additionally, the WSU Emergency Operations Plan describes that certain University officials who are tasked with emergency response or emergency management responsibilities involving the mitigation, preparedness, response, and recovery operations of the University conduct annual tabletop exercises, including testing of emergency response and evacuation procedures.

The Process the University Will Use to (1) Confirm that there is a Significant Emergency or Dangerous Situation; (2) Determine the Appropriate Segment or Segments of the Campus Community to Receive Notification ; (3) Determine the Content of the Notification ; (4) Initiate the Notification System.

The use of the emergency notification system provides for the rapid dissemination of time-sensitive information to enhance the safety and security of the University community during an emergency and to relay timely information to spouses/parents/guardians of University community members.

The University will issue an emergency notification upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. An “immediate” threat as used here includes an imminent or impending threat, such as (but not limited to) an approaching fire, or a fire currently burning in a University building, the outbreak of meningitis, norovirus or other serious illness, approaching tornado or other extreme weather condition, earthquake, gas leak, terrorist incident, armed intruder, active shooter, bomb threat, civil unrest or rioting, explosion or nearby chemical or hazardous waste spill.

The University Police Department is responsible for the management of the emergency notification systems. WSU Information Technology Services will provide technical support and assistance as required.

The WSU ShockerAlert system is utilized for all Emergency Notifications. The various emergency notification methods that may be utilized through the ShockerAlert System include:

- Email and Text Blasts
- Web Alerts
- Campus Information Channel
- Alertus Desktop™ Notification.
- PA System
- Facebook

The University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

The University shall communicate the availability of its redundant communication systems on a regular basis. Publicizing the test of the ShockerAlert system each year provides opportunities to educate the university community members and members from the surrounding community of our Emergency Notification system and evacuation procedures.

The process to determine if there is a significant emergency or dangerous situation is made within the office of the president or their designee normally to make a determination of campus emergencies. Emergency situations can be declared by other government authorities at the State or Federal level. The content of an emergency message is usually determined by the University Police Department as being the closest to the real time information under most emergency conditions. The notification system is initiated by police dispatchers in coordination with the police department command section or on duty supervisor in the absence of a command staff member.

## Procedures for Disseminating Emergency Information to the Larger Community

The University uses multiple methods to communicate and disseminate information to the larger community. The Rave Alert application is a mass communication method utilizing cell phones to pass on emergency information. Anyone with a cell phone can be added into the system and the police department can send out information to the campus community immediately when a message is created and sent. The University computer network and alert digital message screens are also used to pass on emergency information. Local media such as TV and radio aids in disseminating the off campus when necessary.

## Procedures to Test the Emergency Response and Evacuation Procedures on at Least an Annual Basis

The *Clery Act* regulations define a **test** as regularly scheduled drills, exercises and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. The University must conduct at least one test a year. The test can be announced or not. To comply with the *Clery Act* requirement the test must meet all of the criteria in the definition. The tests must (1) be scheduled, (2) contain drills, (3) contain exercises, (4) contain follow-through activities, (5) be designed for assessment of emergency plans and capabilities, (6) be designed for evaluation of emergency plans and capabilities.

The University annually tests the evacuation and shelter capability of the campus. Table top exercises are scheduled and used to test larger scale policies and procedures and an annual shelter drill with actual students and employees is conducted. After each drill or exercise, *After Action Reviews* (AAR) are conducted to determine if improvements to the tests or procedures can be made. A log is maintained on the University share drive to document the tests conducted per year.

## Publicizing the University's Emergency Response and Evacuation Procedures

Strategic communications publishes the day and time the annual test will be conducted using the University's email system.

## Timely Warnings

Wichita State University is responsible for issuing timely warnings in compliance with *the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)*.

Timely warnings provide timely and relevant information that will enable members of the community to protect themselves and will include information that promotes safety and aids in the prevention of similar crimes. These warnings will include pertinent information about the crime that triggered the warning.

University employees designated as Campus Security Authorities must promptly report *Clery Act* crimes to University Police. Decisions to issue a warning are made on a case-by-case basis by considering all available facts.

A Timely Warning will be issued for all reportable *Clery Act* crimes when (1) the crime occurs within the University's *Clery Act* geography; and (2) the crime is reported to Campus Security Authorities or local police agencies; and (3) the crime is considered to represent a serious or continuing threat to the campus community.

Timely warnings will be issued by and must be approved by a representative from at least two of the following entities: (1) University Police Department; (2) Strategic Communications; or (3) General Counsel.

Timely warnings are created through the Rave system and sent via text or email to official Wichita State University email addresses.

Timely warnings are only issued in response to the occurrence of crimes specified in the *Clery Act*. Other dangers to the campus community are addressed through a safety alert or an emergency notification.

The University is not required to provide a timely warning for non-*Clery Act* crimes or for crimes reported to a pastoral or professional counselor.

The decision to issue a timely warning must be decided on case-by-case basis in light of all the facts surrounding the crime, including factors such as (1) the nature of the crime; (2) continuing danger to the campus community; (3) possible risk of compromising law enforcement efforts. The warning should include all information that would promote safety and that would aid in the prevention of similar crimes.

An institution may, in appropriate circumstances, include personally identifiable information in a timely warning. Although personally identifiable information is generally protected from disclosure under *FERPA*, such information may be released in an emergency situation.

## 7. Policy Statements and Policy Definitions

### Current Campus Policies to Report Crimes and Other Emergencies

[Wichita State University Policy 18.02](#) encourages accurate and prompt reporting of all crimes to the campus police or the appropriate law enforcement agency. The University Police Department also encourages students, employees and visitors to immediately contact a member of the UPD to report crimes, or incidents that may or may not be crimes. The UPD is available by calling (316) 978-3450 or, if calling from a campus phone, dialing 911. Time is an extremely important factor in reporting and can mean the difference between a suspect being apprehended and successfully evading law enforcement. In addition to reporting to the UPD, crimes or incidents may also be reported to the Wichita Police Department. To reach the Wichita-

Sedgwick County Emergency Communications dispatcher dial 9-911 from a campus phone or 911 from a cell phone or outside line.

## Timely Warning

[Wichita State University Policy 20.21](#) sets forth the procedure for issuing timely warnings in compliance with *the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)*.

Timely warnings provide timely and relevant information that will enable members of the community to protect themselves and will include information that promotes safety and aids in the prevention of similar crimes. These warnings will include pertinent information about the crime that triggered the warning.

University employees designated as Campus Security Authorities must promptly report *Clery Act* crimes to University Police. Decisions to issue a warning are made on a case-by-case basis by considering all available facts.

A Timely Warning will be issued for all reportable *Clery Act* crimes when (1) the crime occurs within the University's *Clery Act* geography; and (2) the crime is reported to Campus Security Authorities or local police agencies; and (3) the crime is considered to represent a serious or continuing threat to the campus community.

Timely warnings will be issued by and must be approved by a representative from at least two of the following entities: (1) University Police Department; (2) Strategic Communications; or (3) General Counsel.

Timely warnings are created through the Rave system and sent via text or email to official Wichita State University email addresses.

Timely warnings are only issued in response to the occurrence of crimes specified in the *Clery Act*. Other dangers to the campus community are addressed through a safety alert or an emergency notification.

## Policies for Preparing the Annual Disclosure of Crime Statistics

The Chief of University Police, along with the Clery Committee, review University policy and prepare this Annual Report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. The Annual Security and Fire Safety Report is published each year on or before October 1.

Crime statistics for the report are solicited from *Campus Security Authorities* and from law enforcement agencies in Sedgwick County, Kingman County, Butler County and any other police force that have or share law enforcement jurisdiction for the Main campus and other University property.

The Student Conduct and Community Standards office and the Housing and Residence Life (HRL) office provide disciplinary statistics for the report concerning alcohol, drug and weapon violations of the Student Code of Conduct and reported incidents of dating violence, domestic violence, sexual assault and stalking incidents alleged to have occurred within the University's *Clery* Geography. Counseling and Prevention Services, and Student Health Services independently verify their confidential information with the University's reported numbers.

Each year an e-mail notification is sent to all students, faculty, and staff members providing the web link to access the Annual Security and Fire Safety Report. Paper copies may be obtained upon request at the UPD office. The UPD office can be accessed from the east on Perimeter Road, and is located on the east side of campus; south of Wilkins Softball Complex and north of the Campus Credit Union.

Prospective students are provided this Annual Report or the web link to this Annual Report from the Office of Admissions. Prospective employees obtain this Annual Report from the web link or Human Resources.

## Reporting Crimes or Other Emergencies

**WSU Old Town** – Any emergency, criminal action, or suspected criminal activity observed on or near the three WSU Old Town buildings located at 121 N. Mead, 213 N. Mead and 238 N. Mead should be reported to Sedgwick County Emergency Communications (911) by dialing 9-911 (from a campus telephone) or 911 (from a non-campus telephone). The Wichita Police Department (WPD) responds to 911 calls for emergency police services. The Emergency Medical Services (EMS) and Wichita Fire Department (WFD) provide emergency and non-emergency medical and fire services. The UPD provides additional non-emergency police services at the Downtown Center and WSU Old Town.

**Main Campus - [WSU Policy 18.02/Emergency Assistance](#)** explains that the UPD dispatcher will help facilitate the emergency response to any reported fire, medical, or police emergency on the Main Campus. The policy states any emergency, criminal action, or suspected criminal activity should be reported immediately to the UPD by dialing 911 (from a campus telephone) or 316-978-3450 (from a non-campus telephone). The UPD responds to 911 calls for all police services at the Main Campus. The Emergency Medical Services (EMS) and Wichita Fire Department (WFD) provide emergency and non-emergency medical and fire services at the Main Campus. The WPD provides additional police services at the Main Campus.

The UPD is equipped with a Teletypewriter (TTY) and Telecommunications Device for the Deaf (TDD) to effectively communicate with community members with severe speech or hearing disabilities.

Fire, medical, or police services can be summoned from any of more than 30 outdoor emergency telephone kiosks strategically located on campus. Each telephone kiosk is topped with a distinctive blue light and "Emergency" printed on it. The emergency telephones are connected to the UPD dispatcher, as are the telephone-equipped campus elevators.

**WSU South** - Any emergency, criminal action, or suspected criminal activity observed on or near the WSU South, should be reported to Wichita Police Department (WPD) (911) by dialing 9-911 (from a WSU South telephone) or 911 (from a non-WSU South telephone). The UPD provides additional non-emergency police services at WSU South. Any emergency, criminal action, or suspected criminal activity observed on or near 3821 E. Harry or 3805 E. Harry Street, Wichita, should be reported to Sedgwick County Emergency Communications (911) by dialing 911.

**WSU West** - Any emergency, criminal action or suspected criminal activity observed on or near the WSU West, 3801 N. Walker Ave., Maize, KS, should be reported to Sedgwick County Emergency Communications (911) by dialing 9-911 (from a WSU West telephone) or 911 (from a non-WSU West telephone). The Maize Police Department and Sedgwick County Sheriff's Office respond to 911 calls for emergency police services. The Emergency Medical Services (EMS) and Sedgwick County Fire Department (SCFD) provide emergency and non-emergency medical and fire services. The UPD provides additional non-emergency police services at WSU West.

**Wichita State University National Center for Aviation Training (NCAT)** - Any emergency, criminal action or suspected criminal activity observed on or near NCAT, 4004 N. Webb Rd, Wichita, KS 67226, should be reported to Sedgwick County Emergency Communications (911). The Emergency Medical Services (EMS) and Sedgwick County Fire Department (SCFD) provide emergency and non-emergency medical and fire services.

**WSU Haysville** - Any emergency, criminal action, or suspected criminal activity observed on or near WSU Haysville, should be reported to Sedgwick County Emergency Communications (911). The Emergency Medical Services (EMS) and Sedgwick County Fire Department (SCFD) provide emergency and non-emergency medical and fire services.

Any off-campus emergency, criminal action, or suspected criminal activity that is observed should be reported immediately by dialing 911.

Students and employees should report Clery Act crimes for the purpose of making timely warning reports and the annual statistical disclosure to Wichita State University Police Department (UPD) 316-978-3450 (non-emergency) or Emergency and TDD 911.

For immediate law enforcement and emergency response purposes, including sexual assault, domestic violence, dating violence, stalking, and Clery Act crimes, students and employees should report to Wichita State University Police Department (UPD). Reporting to UPD will enable them to do their own evaluation as to whether to send or not send a timely warning.

Wichita State University Police Department  
(316) 978-3450; TDD and Emergency 911

## Confidential Reporting Options

An individual who seeks completely confidential assistance may do so by speaking with professionals who have legally protected confidentiality. On campus, confidential reports may be made to licensed health care professionals in Counseling and Prevention Services (316-978-4792); Student Health Services (316-978-4792) and the Wichita Area Sexual Assault Campus

Outreach Advocate in Lindquist Hall, room 301, (316-978-5257). Information shared with these resources will remain confidential and will not be shared with the University or anyone else without express, written permission of the individual seeking services except when there is an imminent threat of harm to self or others, are directed to do so by court order or disclosure is provided for by the professional rule of conduct or the law.

## Policies Concerning Security, Access and Maintenance of Campus Facilities

The University website and policy explain that most Main Campus buildings are open to the public during normal school hours. On Mondays through Fridays, the UPD unlocks Main Campus exterior building doors. Facilities Services typically assists academic departments by unlocking classrooms.

Reservations for Main Campus facilities and classrooms on weekends require the UPD to unlock exterior building doors and Facilities to unlock classroom doors.

WSU Old Town, WSU South and WSU West, NCAT and the AEGD Building are all open to the public during posted business hours. The Metroplex is open to the public during scheduled classes.

[WSU Policy 11.18/University Events Services](#) notes that specific University facilities and classrooms may be reserved by contacting and completing the facility reservations process with staff members at the University Reservations Office. Those persons or groups using University facilities may be required to contact UPD for law enforcement or security needs.

[WSU Policy 11.16/Labs, Offices, and Other Specially Equipped Rooms](#) explains that other University labs, offices, and other specially equipped rooms may need to be reserved directly with the UPD and Facilities Services. Those departments unlock exterior and classroom doors.

Residence hall exterior doors that are not monitored by staff are generally kept locked. Emergency exit doors are locked 24 hours a day. The [Housing and Residence Life Handbook](#) describes safety, security, and other emergency information for University housing residents, including the issuance of keys and access cards to enter assigned rooms and apartments and building security desk staffing. RAs and UPD Officers routinely walk the residence halls and parking lot areas.

Facilities Services provides custodial services and maintains the buildings, grounds, and utility systems on the Main Campus, AEGD Building, and Metroplex. Housing and Residence Life staff provide custodial services, maintain buildings and provide grounds work at the residence halls. Other vendors provide similar services at WSU Old Town, WSU South, WSU West NCAT and WSU Haysville. University community members are encouraged to report maintenance problems to Facilities Services, including lighting and elevator concerns.

University employees routinely inspect building door locking mechanisms, windows, and fire alarm systems. Burned out lights, broken doors, windows, and malfunctioning alarm systems are

repaired as quickly as possible. University community members are urged to report similar security and maintenance issues to Facilities Services or the UPD.

## Law Enforcement Jurisdiction/Accurate and Prompt Reporting

The UPD police officers are commissioned law enforcement officers with authority to investigate suspected criminal incidents and traffic infractions, make arrests, and present the results of those criminal and traffic investigations to the Sedgwick County District Attorney's Office for prosecution in the Kansas District Court, 18th Judicial District.

[WSU Policy 18.07/Jurisdictional Authority of University Police Department](#) provides the statutory citations for UPD authority (See K.S.A. 22-2401a and K.S.A. 76-726). The policing jurisdiction of the UPD extends to property owned or operated by the University, streets adjacent to campus, and includes shared jurisdiction with local law enforcement for fraternity and sorority residences, which are located off-campus.

The UPD works closely with members from local, state, and federal law enforcement agencies without the need for a Memorandum of Understanding (MOU). The UPD requests statistics from appropriate local law enforcement agencies and includes them in this report. [WSU Policy 18.02](#) instructs people on how to report crimes and seek help. This policy encourages accurate and prompt reporting of all crimes to the campus police and appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. The University Police Department also encourages students, employees and visitors to immediately contact a member of the UPD to report crimes, or incidents that may or may not be crimes. The UPD is available by calling (316) 978-3450 or, if calling from a campus phone, dialing 9-911. In addition to reporting to the UPD, crimes or incidents may also be reported to the Wichita Police Department. To reach the Wichita-Sedgwick County Emergency Communications dispatcher dial 9-911 from a campus phone or 911 from a cell phone or outside line.

### Procedures Regarding Pastoral and Professional Counselors

Although exempt from the reporting requirements of the *Clery Act*, pastoral counselors who are recognized by a religious organization to provide confidential counseling, professional licensed mental health counselors, and campus healthcare providers whose only responsibility is to provide care to students are encouraged to discuss options for reporting crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics with their clients/patients.

[WSU Policy 3.06](#) Sexual Harassment, Discrimination and Retaliation for Employees, Students and Visitors, provides that an individual who seeks completely confidential assistance may do so by speaking with professionals who have legally protected confidentiality. On campus, confidential reports may be made to licensed health care professionals in Counseling and Prevention Services (316-978-4792); Student Health Services (316-978-4792) and Wichita Area Sexual Assault Campus Outreach Advocate (316-978- 5257). Information shared with these resources will remain confidential and will not be shared with the University or anyone else without express, written permission of the individual seeking services except when there is an imminent threat of harm to self or others, are directed to do so by court order or disclosure is provided for by the professional rule of conduct or the law.

## Programs Designed to Inform Students and Employees about Campus Security and Prevention

The Office of International Education; Office of Student Success; Liberal Arts and Sciences Advising Center; WSU Intercollegiate Athletic Association, Inc.; Human Resources; Academic Affairs; Office of Institutional, Equity and Compliance; UPD and other offices may conduct orientation sessions for students, faculty, and staff members. Students, faculty, and staff are provided safety and crime prevention information during orientation. Housing and Residence Life staff members provide personal safety, crime prevention, and residence hall safety programs and information.

Counseling and Prevention Services, Student Health Services, and the Office of Student Conduct & Community Standards provide numerous harm-reduction presentations and educational materials throughout the University community. Presentation topics include alcohol and drug abuse, hazing, sex discrimination, harassment, relationship violence, and stalking.

[WSU Policy 3.33/Eschewing Campus/Workplace Violence](#) and [WSU 8.18/Eschewing Campus/Workplace Violence](#) describe annual training that is available to all University community members, including identifying and diffusing potentially violent or threatening situations.

A common theme found in University safety awareness programming is that all University community members are responsible for their own security and the security of others.

In addition to safety awareness programs, safety information is disseminated and made available to the WSU community through brochures, University website, internet and e-mails, articles in University publications, and the student newspaper. WSU's Campus Safety web page provides Campus Safety and Security reports, policies, procedures, contacts and general information.

The UPD offers crime prevention programs, including sexual violence prevention programs. Additional information and resource referrals concerning personal safety and crime prevention information, including alcohol and drug abuse, sexual violence, domestic violence, and other safety information is available from the University Police, Office of Institutional Equity and Compliance, Counseling and Prevention Services, Human Resources and the Campus Safety web page.

Offices under the auspices of the Vice President for Student Affairs and the Prevention Services Advisory Board offer programs to describe options to decrease perpetration and bystander inaction, and to increase empowerment for complainants in order to promote safety and to help prevent conditions that facilitate violence. Such programs include alcohol and drug awareness programs, which explain that substance use and substance abuse increases the risk of sexual misconduct, and programs about safe and healthy choices. This programming is presented to recognized student organizations, including athletes, graduate students, international students, and students involved in Greek Life.

Primary prevention and awareness programs for all incoming students and new employees include online training programs. Prevention training is offered to identify risky or unacceptable conduct before it occurs. This training promotes positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality; encourages safe bystander intervention; and seeks to change behavior and social norms in healthy and safe directions. Awareness programs include community-wide or audience-specific programming which describes initiatives and strategies to prevent sexual misconduct, relationship violence, stalking, promote safety, and reduce perpetration of sexual misconduct.

The University mandates Preventing Discrimination and Harassment online training through Everfi for students and staff, and Campus Safety and Social Responsibility Training (CampusSaVE) for staff to learn how to recognize and respond to incidents of sexual assault, dating violence, domestic violence and stalking. OIEC offers Title IX Updates, Understanding Discrimination and Harassment in the Work Environment, New Employee Orientation, New Leader Orientation-Discrimination and Harassment, and Discrimination and Harassment 101 with OIEC.

The local police department – the Wichita Police Department – is the agency to be notified when criminal activity occurs in a situation in which students engaged at noncampus locations of student organizations officially recognized by the institution (such as a Greek house).

## Alcohol Policy

The service or sale of cereal malt beverages and alcoholic liquors are described in [WSU Policy 11.07/Cereal Malt Beverage and Alcoholic Liquor](#). Care must be taken by event organizers to ensure that cereal malt beverages and alcoholic liquor are not served or sold to people who are not of legal age or who appear to be intoxicated. Nonalcoholic beverages must be available at all events in which cereal malt beverages are sold or served.

No persons under 21 years of age are allowed to possess or consume cereal malt beverages or alcoholic liquor. The service and/or consumption of alcoholic liquor must be in full compliance with all state statutes and regulations. Violations of state law or University policies will be handled in accordance with applicable law enforcement and/or University disciplinary procedures.

[WSU Policy 11.17/Activities and Events Associated with Athletic Contests](#) and [Policy 11.07 Cereal Malt Beverages](#) sets forth that cereal malt beverages (excluding those which are served in

kegs and glass containers) may be served at tailgating events, though it must be in compliance with applicable laws and University policies and procedures.

## Policy Regarding Drug Laws

The Student Code of Conduct Handbook states, in relevant part: Students shall not manufacture, possess, use, deliver, sell, or distribute any controlled substance in violation of state law or federal law. Possession of drug paraphernalia is also prohibited.

[Wichita State University Policy 3.03](#) details the University's commitment to providing a safe and drug-free work environment to foster Employees' good health and protect University property and assets. The policy sets forth procedures for addressing substance use by employees.

## Drug or Alcohol Abuse Education Programs

Counseling and Prevention Services and UPD are but two departments that provide information to identify and prevent alcohol and substance abuse on campus.

Wichita State University's drug and alcohol abuse education is overseen by our prevention professionals. Basic alcohol education is provided at all new student orientations, covering facts such as understanding standard drinks, monitoring BAC, understanding the biological and psychological effects of alcohol at various dosages, and smart drinking strategies. Further presentations are then provided at all residence halls and by request to all registered student organizations (RSOs). RSOs are further required to participate in online Social Host training if they choose to have alcohol at any events. This training provides further education about alcohol and provides specific risk reduction models. Evidenced-based programs such as CHOICES About Alcohol are provided to guide these in-person trainings. Trainings are made available to the entire campus community and are required internally by the athletic department, several fraternities and sororities, and other groups on campus.

The Student Code of Conduct Handbook details the student disciplinary procedures; including due process hearings, appeals, and University sanctions for violations of the Student Code of Conduct; including alcohol and substance abuse violations.

## Disclosure of Disposition to a Victim

Upon written request, the University will disclose to the victim of a crime of violence (as defined by Section 16 of Title 18 of the United States Code) or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offenses, or to the next of kin of the victim, if the victim is deceased as a result of such crime or offense.

In accordance with [WSU Policy 3.06](#) Sexual Harassment, Discrimination and Retaliation for Employees, Students and Visitors, at the conclusion of an investigation, a final investigative report will be submitted to the Title IX Coordinator or designee. The Title IX Coordinator will make a determination regarding appropriate interventions and/or consequences (if applicable)

and notify the Complainant and Respondent simultaneously in writing of the case outcome. Interventions and/or consequences (if applicable) become effective upon the written notification of the Title IX Coordinator decision and are not stayed until the conclusion of the appeals process. If a Complainant has chosen not to participate in the University's review of the reported behavior but desires to be notified of the outcome, the University will notify the Complainant. If a Complainant has expressed, in writing, that the Complainant does not wish to be notified of the outcome, the University will honor that request. In such instances, the University will not send the notification itself to the Complainant, but may proceed with any necessary follow-up regarding consequences for the Respondent (if applicable) or other process matters. In circumstances in which the Complainant is deceased, the University will notify the individual's emergency contact and/or next of kin of the outcome.

## Emergency Response and Evacuation Procedures/Missing Student Notification

An **Emergency Notification** is a mass notification that is utilized for significant emergency or dangerous situations involving an immediate threat to the health or safety of students or employees occurring on a WSU campus. These are triggered by an event that is currently occurring on campus or imminently threatening the University community. The WSU *ShockerAlert* system is utilized for all Emergency Notifications.

WSU's *ShockerAlert* System is the Emergency Notification system which is comprised of various emergency communication assets which can be activated within minutes. The various emergency notification methods that may be utilized through the *ShockerAlert* System include: Email and text, Wireless Emergency Mass Notification System, Web alerts, Campus Information Channel, PA system, Facebook.

In addition to *ShockerAlert*, KMUW, WSU's public radio station, subscribes to the Federal Emergency Alert System and is capable of broadcasting an emergency alert notification as initiated by its network.

WSU [Policy 8.17/Missing Students](#) explains if or when the UPD determines a student has been missing for 24 hours, the UPD will contact the Associate Dean of Students or their designee.

The Associate Dean of Students, or designee, will contact the Vice President of Student Affairs to determine how best to proceed, including notification of any person(s) the missing student listed with HRL as their missing person emergency contact. Contact person(s)' information will be kept confidential and disclosed only to law enforcement for the purpose of a missing student investigation.

If a missing student is under 18-years of age and not emancipated, the student's custodial parent or guardian will be notified within 24-hours of a determination that the student is missing.

## 8. Policies, Procedures and Programs: Dating Violence, Domestic Violence, Sexual Assault, Stalking

**Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant'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.

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the Complainant;
- By a person with whom the Complainant shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
- By a person similarly situated to a spouse of the Complainant under the Kansas domestic or family violence laws; or
- By any other person against an adult or youth Complainant who is protected from that person's acts under the Kansas domestic or family violence laws.

**Stalking** is defined as 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.

**Sexual Assault** means one of the following sexual offenses, whether forcible or nonforcible, when directed at another person without that person's Consent, including instances where the person is incapacitated:

- 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 Complainant.
- Fondling – The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Kansas law.
- Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent (16 years of age in Kansas).

### **Definitions pursuant to Kansas Law**

**Domestic Violence** is defined in our jurisdiction as an 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:

(1) "Dating relationship" means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact 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.

(2) "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. *K.S.A. 21-5111*

**Relationship Violence** means "Dating Violence" and "Domestic Violence" as those terms are used in this Report and as defined in University policies.

**Sexual Assault**, is defined as an "unlawful sexual act" in the Kansas criminal code, means rape, criminal sodomy, aggravated criminal sodomy, indecent liberties with a child, aggravated indecent liberties with a child, sexual battery, aggravated sexual behavior, and lewd and lascivious behavior. Such crimes are defined by state law. Generally, those crimes are defined as:

**Rape** means (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. *K.S.A. 21-5503*

**Criminal Sodomy** means (1) sodomy between persons who are 16 or more years of age and members of the same sex; (2) sodomy between a person and an animal; (3) sodomy with a child who is 14 or more years of age but less than 16 years of age; or (4) causing a child 14 or more years of age but less than 16 years of age to engage in sodomy with any person or animal. *K.S.A. 21-5504*

**Aggravated Criminal Sodomy** means (1) sodomy with a child who is under 14 years of age; (2) causing a child under 14 years of age to engage in sodomy with any person or an animal; or (3) sodomy with a victim who does not consent to the sodomy or causing a victim, without the victim's consent, to engage in sodomy with any person or an animal under any of the following circumstances: (A) When the victim is overcome by force or fear; (B) when the victim is unconscious or physically powerless; or (C) 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, or was reasonably apparent to, the offender. *K.S.A. 21-5504*

**Sexual Battery** means the touching of a victim who is not the spouse of the offender, who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another. *K.S.A. 21-5505*

**Aggravated Sexual Battery** means the touching of a victim who is 16 or more years of age and who does not consent thereto with the intent to arouse or satisfy the sexual desires of the offender or another and under any of the following circumstances: (1) When the victim is overcome by force or fear; (2) when the victim is unconscious or physically powerless; or (3) 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, or was reasonably apparent to, the offender. *K.S.A. 21-5505*

**Indecent Liberties with a Child** means engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age: (1) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (2) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another. *K.S.A. 21-5506*

**Aggravated Indecent Liberties with a Child** means (1) Sexual intercourse with a child who is 14 or more years of age but less than 16 years of age; (2) engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age and who does not consent thereto: (A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) causing the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another; or (3) engaging in any of the following acts with a child who is under 14 years of age: (A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another.

**Lewd and Lascivious Behavior** means: (1) Publicly engaging in otherwise lawful sexual intercourse or sodomy with knowledge or reasonable anticipation that the participants are being viewed by others; or (2) publicly exposing a sex organ or exposing a sex organ in the presence of

a person who is not the spouse of the offender and who has not consented thereto, with intent to arouse or gratify the sexual desires of the offender or another. K.S.A. 21-5513.

**Discriminatory Harassment on the Basis of Sex, as used in University policy**, encompasses “Sexual Harassment,” “Sexual Assault,” “Dating Violence,” “Domestic Violence,” and “Stalking” as those terms are defined in University policies.

**Stalking** means:

(1) recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; or

(2) engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family; or

(3) after being served with, or otherwise provided notice of, any protective order included in K.S.A. 21-3843, prior to its repeal or K.S.A. 2012 Supp. 21-5924, and amendments thereto, that prohibits contact with a targeted person, recklessly engaging in at least one act listed in K.S.A. 21-5427(f)(1) that violates the provisions of the order and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear. K.S.A. 21-5427 (*crime*) and K.S.A. 60-31a02 (*civil remedies*)

**Consent**—

Is: knowing, and voluntary, and clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter.

Consent can also be withdrawn once given, if the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not enough to constitute consent.

Proof of consent or non- consent and the burden of collecting evidence sufficient to reach a determination regarding responsibility, rests on the University, not the parties.

The burden remains on the University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must be considered in context. When parties consent to BDSM (Bondage, discipline/dominance, submission/sadism, and masochism) or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so the University’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

### **Educational Programs and Campaigns**

Wichita State University prohibits, and is committed to preventing, the crimes of sexual assault, dating violence, domestic violence, and stalking, and other acts of sex discrimination within the University community, as defined by the Violence against Women’s Act, and as defined in this Report. These incidents may interfere with or limit an individual’s ability to benefit from or fully participate in the University’s educational programs. Additionally, these incidents may cause serious physical and/or psychological harm.

Wichita State University’s primary prevention and awareness programs are overseen by our prevention professionals and our Title IX Coordinator. The University mandates annual Preventing Discrimination and Harassment online training through Everfi for students and staff. This training is an evidenced-based online course that provides in depth training on consent, sexual assault, bystander intervention, alcohol, dating/domestic violence, healthy relationships, sexual harassment, stalking, and how to reduce harmful behaviors as well as the beliefs and practices that precipitate them on our campus. All new employees complete an online training course covering campus safety and social responsibility including details on recognizing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking. Campus security authorities are notified to take the mandatory training available in the Universities MyTraining on line catalogue. In-person training regarding protected class discrimination and sexual harassment, discrimination and retaliation policy is offered for employees and provided by Office of Institutional Equity and Compliance (OIEC). In-person trainings are provided to all new students at orientation, with specific programs presented to athletes, graduate students, international students, and students involved in Greek Life. Throughout the year ongoing prevention and awareness campaigns occur include presentations and tabling. These programs are aimed at promoting awareness, preventing crimes and misconduct, and providing resources to assist and support those who are involved in such incidents. Additional trainings are provided to student groups that explore elements of healthy relationships and provide tools for promoting respect and consent while reducing myths and harmful practices that perpetuate rape culture.

Also provided by HR and UPD is Campus Safety: Active Threat Incident Planning (Classroom). Providing a safe and secure environment for the WSU community continues to be a top priority and this training is part of WSU’s proactive approach to ensure a safe campus environment and to prepare our faculty, staff, and students in case of an incident of campus violence. It focuses on two areas: 1) what to do in an active campus threat incident and 2) how to identify and report behaviors of concern. The Care Team, an interdisciplinary team whose purpose is to prevent threats to the campus community and to provide supportive services to persons within the University community in need. The Care Team also provides trainings for employees and students. Trainings cover how to identify risks and warning signs for harm, how to intervene, and available resources for assistance.

The University prohibits dating violence, domestic violence, sexual assault and stalking as they are defined for purposes of the *Clery Act*. The University will respond promptly and equitably to reports of dating violence, domestic violence, sexual assault, stalking within the University community. Retaliatory actions against any individual involved in reporting or participating in the investigation of a complaint will not be tolerated.

## Safe and Positive Options for Bystander Intervention/Risk Reduction

Bystander intervention means 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.

Recognizing how language and attitudes of acceptance regarding inequitable or disrespectful relationships can lead to stalking, dating/domestic violence, and sexual assault is the first step to intervening. Students are informed that they play a key role in intervening at this very first level, well before any harmful behaviors might occur. When an incident of sexual misconduct or relationship violence is occurring or is likely to occur, we remind all students that they play another key role by engaging in socially responsible interventions. Through in person trainings provided by the prevention professionals and reinforced through online trainings, students learn how to intervene safely without engaging in or escalating dangerous situations; given specific resources such as law enforcement, prevention services personnel, and local sexual assault center contact; and encouraged to involve others and to ask other people for help with interventions. Students living in our residence halls are trained on how to reach out to Housing staff or a Resident Assistant for help.

Wichita State University provides resources to all students with details on how to promote healthy relationships, how to recognize and intervene when encountering unhealthy relationships, and how to access resources in the case of dating/domestic violence, stalking, or sexual assault. This information is presented to all new students at orientation and promoted throughout the year at different prevention and awareness events.

### **Ongoing Prevention and Awareness Campaigns for Students and Employees**

Offices under the purview of the Vice President for Student Affairs and the Prevention Services Advisory Board offer programs to describe options to decrease perpetration and bystander inaction, and to increase empowerment for complainants in order to promote safety and to help prevent conditions that facilitate violence. Such programs include alcohol and drug awareness programs, which explain that substance use and substance abuse can increase the risk of sexual misconduct, and programs about safe and healthy choices. This programming is presented in person to all new students on campus, and then offered throughout the year to the entire University community. It is required internally by the athletic department, several fraternities and sororities, and other groups on campus.

The University mandates Preventing Discrimination and Harassment online training through Everfi for students each academic year. This is an evidence based online course that provides in depth training on consent, sexual assault, bystander intervention, alcohol, dating/domestic

violence, healthy relationships, sexual harassment, stalking, and how to reduce harmful behaviors as well as the beliefs and practices that precipitate them on our campus. All employees must annually complete a similar online training that further details their role as Responsible Employees and Campus Security Authorities. In-person and virtual trainings to all new students at orientation, with specific programs presented to athletes, graduate students, and international students. Ongoing prevention and awareness campaigns include our WSU Title IX in-person and virtual trainings are provided to students and employees. These comprehensive programs are aimed at promoting awareness, preventing crimes and misconduct, and providing resources to assist and support those who are involved in such incidents. Throughout the year, further trainings are provided to student groups that explore elements of healthy relationships and provide tools for promoting respect and consent while reducing myths and harmful practices that perpetuate rape culture.

## Procedures Complainants Should Follow in the Case of Alleged Sexual Assault, Dating Violence Domestic Violence, or Stalking

The University encourages any individual who has experienced sexual assault, dating violence, domestic violence or stalking or any other crime to immediately make a report to law enforcement, Title IX Coordinator, Equal Opportunity Coordinator or Executive Director of Institutional Equity and Compliance. [WSU Policy 3.06](#) set forth the procedures students, employees and visitors should follow in the case of sexual harassment and discrimination.

All University employees (including student employees are Mandated Reporters (“Responsible Employees”) and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment. The Title IX Coordinator may be contacted at [OIEC@wichita.edu](mailto:OIEC@wichita.edu), Office of Institutional Equity and Compliance, 116 Human Resources Center, 1845 N. Fairmount Street, Wichita, KS 67260, 316-978-5177.

When the Title IX Coordinator is notified of an incident of sexual assault, dating violence, domestic violence or stalking, he/she will contact the individual and provide them with campus-based and community supportive measures/resources and reporting options. The Title IX Coordinator outreach and supportive measures are offered regardless of whether the offense occurred on or off campus.

Once the Title IX Coordinator has been informed of an incident, and the Title IX Coordinator has directly reached out to the individual impacted to provide information about supportive measures and reporting options, the Title IX coordinator will provide a written explanation of the individual’s rights and options under University Policy and the Law. The Title IX Coordinator will conduct this outreach and provide this information regardless of whether the offense occurred on or off campus.

### **How and to Whom the Alleged Offense Should be Reported**

Notice or complaints of discrimination, harassment, and or retaliation may be made using any of the following options:

- File a complaint with, or give verbal notice to the Title IX Coordinator, Deputy Title IX Coordinator, Title IX Team Member, or any OWA (see contact information above). Reports may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed.
- Report online, using the report form. Anonymous reports are accepted but can give rise to a need to investigate. The University tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as the University respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the University to discuss and/or provide supportive measures.
- WSU Police Department at police@wichita.edu, or 911 Emergency TDD, Non-emergency, 316-978-3450, or Wichita Policy Department, Non-emergency 316-268-4111, or 911 Emergency.

### **Non-Confidential Reporting Options**

All University employees (including student employees), with the exception of those who are specifically designated as Confidential Resources, are Mandated Reporters (“Responsible Employees”) and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment. A “Mandated Reporter/Responsible Employee” includes any employee who:

- Has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or
- A student, employee or visitor could reasonably believe has the authority or responsibility to take action.

Employees must also promptly share all details of behaviors under WSU Policy 3.06 that they observe or have knowledge of, even if not reported to them by a Complainant or third-party.

Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates they desire to report or a seek a specific response from the University.

Supportive measures may be offered as the result of such disclosures without formal University action.

Failure of a Mandated Reporter to report all information they are aware of regarding an incident of harassment on the basis of sex or discrimination addressed by WSU Policy 3.06, to the Title

IX Coordinator is a violation of University Policy and can be subject to disciplinary action for failure to comply.

When a Mandated Reporter is engaged in harassment or other violations of WSU Policy 3.06, they still have a duty to report their own misconduct, though the University is not on notice when the harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

A Mandated Reporter who is a target of harassment or other misconduct under WSU Policy 3.06 is not required to report their own experience, though they are encouraged to do so.

### **Law Enforcement Reporting Options**

The University encourages any individual who has experienced sexual assault, dating violence, domestic violence, stalking, or any other crime to make a report to the Wichita State University Police Department (UPD) if the incident occurred on campus, or to local law enforcement, for incidents occurring off campus. Collection and preservation of evidence relating to the reported sexual misconduct or other crime is important for law enforcement investigations. Specifically, clothing worn before, after, or during an incident, bedding, towels or other items, if related, should be retained and the person involved should avoid showering or bathing until medical attention has been sought. Prompt reporting to law enforcement is especially critical for the collection of evidence. A member of the Counseling and Prevention Services team is available to assist students in making a report to law enforcement.

In cases where a Complainant filed a report with law enforcement, the University is committed to appropriate coordination with UPD and local law enforcement agencies and may, if requested and appropriate, share information with those agencies. The University will fulfill its legal and ethical obligation to take immediate and appropriate action to investigate or respond to sexual assault, dating violence, domestic violence, or stalking; even if there are other external processes or procedures pending in connection with the same reported behavior. In the event that law enforcement requests the University to temporarily suspend the fact-finding aspects of an investigation while the law enforcement agency gathers evidence, the University will comply with that request and promptly resume its investigation upon notification from the law enforcement agency that its evidence gathering process is complete and that the University can resume its fact finding and, if necessary, investigation.

### **Protection Orders**

Wichita State University does not issue orders of protection. Orders of protection, restraining orders, or similar lawful orders may be obtained through the court system and can be enforced by the University Police Department. Individuals who have obtained a protection order are encouraged to provide a copy to the University Police Department as soon as possible following the issuance to ensure full enforcement.

Although the University does not issue orders of protection, individuals may request that the University issue an administrative directive for No Contact and/or a No Trespass Notice. Upon

request, a determination will be made by the University whether to issue an administrative No Contact Order and/or No Trespass Notice.

For information regarding how to obtain a protection order, contact the University Police Department (316) 978-3450.

**Dating Violence, Domestic Violence, Sexual Assault or Stalking Procedures, Policy 3.06 Interim Resolution Process for Alleged Violation of Sexual Harassment, Discrimination and Retaliation.**

**Confidentiality and Privacy**

Every effort is made by the University to preserve the privacy of reports. The University will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The University reserves the right to designate which University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: Office of Institutional Equity and Compliance, Division of Student Affairs, Student Conduct and Community Standards, University Police, Care Team and the Threat Assessment Team. Information will be shared as necessary with Investigators, Hearing Panel members/Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy. The University is committed to confidentiality. The UPD ensures that the victim's personally identifying information will not be included in any publicly available recordkeeping, including *Clery Act* reporting and disclosures such as the annual security report and the daily crime log.

Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including (1) a first and last name; (2) a home or other physical address; contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); (3) a social security number, driver's license number, passport number or student identification number; and (4) any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

**Confidential University Reporting Options**

An individual who seeks completely confidential assistance may do so by speaking with

professionals who have legally protected confidentiality. On campus, confidential reports may be made to licensed health care professionals in Counseling and Prevention Services (316-978-4792) and Student Health Services (316-978-4792). Information shared with these resources will remain confidential and will not be shared with the University or anyone else without express, written permission of the individual seeking services.

### **Non-Confidential University Reporting Options**

The University has determined that the following administrators are Officials with Authority (OWAs), whose knowledge of alleged sexual harassment, discrimination and retaliation set forth in Policy 3.06, triggers the University's duty to respond in accordance with this Policy.

Executive Director of Institutional Equity and Compliance  
Office: Lindquist 208  
Telephone: 978-3186

Title IX Coordinator  
Office: Lindquist 209A  
Telephone: 978-5177

Equal Opportunity Coordinator  
Office: Lindquist 208  
Telephone: 978-3186

Publicly available record-keeping, including *Clery Act* reporting and disclosures, will be reported without the inclusion of identifying information about the victim.

The University will maintain the privacy of supportive measures, provided that privacy does not impair the University's ability to provide supportive measures. The University will act to ensure the parties experience as minimal an academic impact as possible. The University will implement measures in a way that does not unreasonably burden the other party.

### **Campus and Community Resources**

The University shall provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victim, both within WSU and outside in the community. Such services include, but are not limited to:

*On-campus confidential counseling, health, mental health, and intervention resources are available at the following:*

Counseling and Prevention Services  
(316) 978-4792

Student Health Services  
(316) 978-4792

Campus Ministry  
(316) 978-3498

***On- Campus non-confidential resources:***

Student Conduct and Community Standards  
(316) 978-6681

Title IX Coordinator  
(316) 978-5177

Human Resources  
(316) 978-6123

Office of International Education  
(316) 978-3232

**Off-campus resources offering advocacy services and counseling:**

Wichita Area Sexual Assault Center  
24-hr Crisis Line (316) 263-3002  
<http://wichitasac.com/>

YWCA Women's Crisis/Safehouse  
24-hr Hotline (316) 267-SAFE (7233)  
<https://www.wichitafamilycrisiscenter.org/>

Wichita Police Department Sex Crime Section  
(316) 268-4156  
<http://www.wichita.gov/WPD/Investigations/Pages/SexCrimes.aspx>

Wichita Police Victim Assistance Unit  
(316) 268-4274  
<http://www.wichita.gov/WPD/Investigations/Pages/Victims.aspx>

Catholic Charities Harbor House  
(316) 263-6000 or 1 (866) 899-5522  
<https://www.catholiccharitieswichita.org/services/harbor-house>

StepStone - Sisters of St. Joseph  
(316) 265-1611  
<https://www.domesticshelters.org/ks/wichita/67218/stepstone-inc#.WcqypoWcGUk>

National Domestic Violence Hotline  
(800) 799-7233  
<http://www.thehotline.org/>

## **Changing Academic, Transportation, Living and Employment Situations/Supportive Measures**

The University shall provide written notification to complainant about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations and supportive measures.

The University will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the University's education program or activity, including measures designed to protect the safety of all parties or the University's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator shall make every effort to promptly make supportive measures available to the parties upon receiving notice, report or a complaint. At the time supportive measures are offered, the University will inform the Complainant, in writing, that they may file a formal complaint with the University either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure their wishes are considered with respect to the planned and implemented supportive measures. Supportive measures are available whether or not the Complainant chooses to file a formal complaint.

The University will maintain the privacy of supportive measures, provided that privacy does not impair the University's ability to provide supportive measures. The University will act to ensure the parties experience as minimal an academic impact as possible. The University will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referring to counseling, medical, and/or other healthcare services
- Referring to the Employee Assistance Program
- Assisting with visa and immigration
- Counseling for student financial aid
- Referring to community-based service providers
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Preparing a safety plan
- Providing campus safety escorts
- Supporting no contact orders between the parties
- Providing academic support, extensions of deadlines, or other course/program-related adjustments
- Issuing a University No Trespass Notice
- Issuing timely warnings
- Modification of class schedule, withdrawals, or leaves of absence
- Increasing security and monitoring of certain areas of the campus

- Any other actions deemed appropriate by the Title IX Coordinator

### **Interim Resolution Process for Alleged Violations of Sexual Harassment, Discrimination and Retaliation**

The following WSU Policy 3.06 provides for University procedures for disciplinary actions for employees, students and visitors.

The University will act on any formal or informal notice/complaint of violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination (“the Policy”) that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures.

A formal complaint means a document filed/signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation or engaging in a protected activity against a Respondent and requesting that the University Investigate the allegation.

The procedures below apply **only** to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) and other sex-based offenses listed in section IX F of WSU Policy 3.06, involving students, staff, administrators or faculty members.

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of Policy 3.06, the University initiates a prompt initial assessment to determine the next steps the University needs to take.

The University will initiate at least one of three responses:

- Offering supportive measures because the Complainant does not want to proceed formally;
- An informal resolution;
- A Formal Grievance Process including an investigation and a hearing.

The investigation and grievance process will determine whether or not Policy 3.06 has been violated. If so, the University will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

#### **Initial Assessment**

Following receipt of notice or a complaint of an alleged violation of WSU Policy 3.06, the Title IX Coordinator (For purposes of this ASR and WSU Policy 3.06, Title IX Coordinator means Title IX Coordinator or Designee) engages in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.

If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.

If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.

The Title IX Coordinator reaches out to the Complainant to offer supportive measures.

The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.

The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.

If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired. If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, whether an informal process may serve the situation best or is available, and may seek to determine if the Respondent is also willing to engage in informal resolution.

If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX:

- If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address: an incident, and/or a pattern of alleged misconduct, and/or a culture/climate issue, based on the nature of the complaint.
- If it does not, the Title IX Coordinator determines that title ix does not apply (and will “dismiss” that aspect of the complaint, if any), assesses which policies may apply, which resolution process is applicable and will refer the matter accordingly. Or refers the matter for resolution under other university policy(s). Please note that dismissing a complaint under title ix is procedural and does not limit the university’s authority to address a complaint with an appropriate process and remedies.

#### Violence Risk Assessment

- In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by member of the CARE team if the Respondent is a student or student employee as part of the initial assessment. A VRA aids in ten critical and/or required determinations, including:
- Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;

- Whether to put the investigation on the footing of incident and/or pattern and/or climate;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Whether to impose transcript notation or communicate with a transfer University about a Respondent;
- Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
- Whether a Clery Act Timely Warning and/or Trespass order is needed.
- Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.
- VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other CARE team members. A VRA requested by the Title IX Coordinator should occur in collaboration with the CARE team or threat assessment team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.
- A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology. A VRA is not an evaluation for an involuntary behavioral health, nor is it a psychological or mental health assessment.

### **Dismissal (Mandatory and Discretionary)**

The University must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- The conduct alleged in the formal complaint would not constitute sexual harassment as defined in Policy 3.06, even if proved; and/or
- The conduct did not occur in an educational program or activity controlled by the University (including buildings or property controlled by recognized student organizations), and/or the University does not have control of the Respondent; and/or
- The conduct did not occur against a person in the United States; and/or
- At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the University.

The University may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- The Respondent is no longer enrolled in or employed by the University; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the University will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party under the procedures for appeal below. The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate. A Complainant who decides to withdraw a complaint may later request to reinstate and refile it.

### **Counterclaims**

The University is obligated to ensure that the grievance process is not abused for retaliatory purposes. The University permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

### **Right to an Advisor**

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor. This could include an attorney, advocate or support person. The law permits one Advisor for each party.

Witnesses are not entitled to Advisors within this grievance process however they may be advised externally.

The chosen Advisor should be eligible and available. A party cannot insist on an Advisor who doesn't have the inclination, time or availability.

The Advisor cannot have institutionally conflicting roles, for example, the Title IX Coordinator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

Choosing an Advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

The University may permit parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX coordinator and will be granted equitably to all parties.

### **Who Can Serve as an Advisor**

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the University community.

The Title IX Coordinator will offer to assign a trained Advisor for any party if the party does not have an advisor at the time of hearing. If the parties choose an Advisor from the pool available from the University, the Advisor will be trained by the University and be familiar with the University's resolution process.

If the parties choose an Advisor from outside the pool of those identified by the University, the Advisor may not have been trained by the University and may not be familiar with University policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

### **Advisors in Hearings/University-Appointed Advisor**

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, and must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses.

If a party does not have an Advisor for a hearing, the University will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, the University will appoint an Advisor who will do so regardless of the participation or non-participation of the advised party in the hearing itself.

Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker(s) during the hearing.

### **Advisor's Role**

Advisors support the parties and assist them through the Grievance Process. The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Advisors should help the parties prepare for each meeting and the hearing and are expected to advise ethically, with integrity, and in good faith.

The Advisor's role in the hearing is limited to cross examination of the other party and of any witnesses. An Advisor may not make a presentation on behalf of or represent the party during any meeting or proceeding in the grievance process and may not speak on behalf of the party to the Investigator(s) or Decision-makers, except during cross-examination. Advisors may ask process-related questions to the Investigator(s), Hearing Chair, Decision-Maker(s), or the Title IX Coordinator.

The University cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the University is not obligated to provide an attorney.

### **Pre-Interview Meetings**

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and University's policies and procedures.

### **Advisor Violations of University Policy**

All Advisors are subject to the same University policies and procedures, whether they are attorneys or not.

Advisors are expected to advise their advisees without disrupting proceedings.

Advisors should not address University officials in a meeting or interview unless invited to (asking procedural questions).

The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross examination.

Any Advisor who oversteps their role as defined by Policy 3.06 will be warned only once.

If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the meeting will be ended, or other appropriate measures implemented.

Subsequently, the Title IX Coordinator will determine how to address the advisor's non-compliance and future role.

### **Sharing Information with the Advisor**

The University expects that the parties may wish to have the University share documentation and evidence related to the allegations with their Advisors, including attorney Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

If a party chooses an attorney advisor, the OIEC team and Decision-makers within this grievance process are not bound to attorney-attorney communications. All communications and documentation from the OIEC team or Decision-makers will be sent to the parties via their University assigned email.

### **Privacy of Records Shared with Advisor**

Advisors are expected to maintain the privacy of the records shared with them by the party they are advising. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the university.

The university may require advisors to sign a non-disclosure agreement to ensure the confidentiality of the information shared with them by the university.

The university may seek to restrict the role of any advisor who does not respect the sensitive nature of the process or who fails to abide by the university's privacy expectations.

### **Expectations of an Advisor**

The University generally expects an Advisor to adjust their schedule to allow them to attend University meetings when planned, but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

The University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

### **Expectations of the Parties with Respect to Advisors**

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

As a public entity, the University fully respects and accords the Weingarten rights of employees. For parties who are entitled to union representation, the University will allow the unionized employee to have their union representative (if requested by the party) as well as an Advisor of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other party (regardless of union membership) will also be permitted to have two Advisors. Witnesses are not permitted to have union representation or Advisors in grievance process interviews or meetings.

### **Assistance in Securing an Advisor**

For representation, Respondents may wish to contact organizations such as:  
FACE ([HTTP://WWW.FACECAMPUSEQUALITY.ORG](http://www.facecampusequality.org))  
SAVE ([HTTP://WWW.SAVESERVICES.ORG](http://www.saveservices.org))

Complainants may wish to contact organizations such as:  
THE VICTIM RIGHTS LAW CENTER ([HTTP://WWW.VICTIMRIGHTS.ORG](http://www.victimrights.org))  
THE NATIONAL CENTER FOR VICTIMS OF CRIME  
([HTTP://WWW.VICTIMSOFCRIME.ORG](http://www.victimsofcrime.org))  
THE TIME'S UP LEGAL DEFENSE FUND ([HTTP://NWIC.ORG/TIMES-UP-LEGAL-DEFENSE-FUND/](http://nwic.org/times-up-legal-defense-fund/))

## **RESOLUTION PROCESSES**

### **Privacy of Resolutions Proceedings**

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with University policy. While there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose. The University encourages parties to discuss this with their Advisors before doing so.

### **Informal Resolution**

Informal Resolution can include three different approaches:

- When the parties agree to resolve the matter using an informal/alternate resolution process.
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or
- When the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.

To initiate Informal Resolution, a Complainant must file a formal complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they must contact the Title IX Coordinator in writing to so indicate.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, the University will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University.

The University shall obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution process before proceeding and will not pressure the parties to participate in the Informal Resolution process.

The Informal Resolution option is an informal process, including facilitation, mediation or restorative practices, etc. by which a mutually agreed upon resolution of an allegation is reached. All parties must consent to the use of the Informal Resolution process.

The Title IX Coordinator may consider the following factors to assess whether Informal/Alternate Resolution is appropriate, or which type of Informal Resolution processes may be most successful for the parties:

- The parties' amenability to Informal Resolution process;
- Likelihood of potential resolution, considering the allegations set forth in the Formal Complaint;
- The parties' motivation to participate;
- Cleared violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Complaint complexity;
- Goals of the parties.

The Title IX Coordinator shall determine whether the Informal Resolution process is appropriate, and the Title IX Coordinator must approve any resolution agreement reached as a result of the Informal Resolution process.

The Title IX Coordinator maintains records of any resolution agreement reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions. Results of complaints resolved by Informal Resolution are not appealable. The Informal Resolution agreement is not final until it is signed by all parties and the Title IX Coordinator.

### **Respondent's Acceptance of Responsibility**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process.

If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria in that section above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the University are able to agree on responsibility, sanctions, and/or remedies.

If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of University policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution.

When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

### **Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and the University.

Negotiated Resolutions are not appealable.

### **Grievance Process Pool**

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process. Members of the Pool are announced in an annual distribution of WSU Policy 3.06 to all students, parents/guardians of students, employees, prospective students, and prospective employees. They are also listed in the Annual Title IX Report published by the Title IX Office. The Title IX Coordinator, in consultation with the OIEC team, appoints the Pool.

**Pool Member Appointment:** While members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, the University can designate permanent roles for individuals in the Pool, using as substitutes or to provide greater depth of experience when necessary. The process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

**Pool Membership:** Pool members are usually appointed to three-year terms. Individuals who are interested in serving in the Pool are encouraged to contact the Title IX Coordinator.

**Pool Member Training:** Pool members receive annual training. This training includes, but is not limited to:

- The scope of the university's discrimination and harassment policy and procedures
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by the university with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to serve impartially by avoiding prejudice of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

Specific training is also provided for Appeal Officers, intake personnel, Advisors (who are University employees). All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are available on the OIEC website.

## **FORMAL GRIEVANCE PROCESS**

### **Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,

- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that the University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about the University's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that the University's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to the University's VAWA Brochure,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.
- Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.
- Notice will be made in writing and may be delivered by email to the parties' University - issued email or designated accounts. Once emailed notice will be presumptively delivered.

### **Resolution Timeline**

The University will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

### **Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints one investigator usually within two (2) business days of determining that an investigation should proceed.

## **Ensuring Impartiality**

Any individual materially involved in the administration of the resolution process including the Title IX Coordinator, OIEC Team and Decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent. The Title IX Coordinator will vet the assigned Investigator to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another individual will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with Executive Director of OIEC.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence which supports that the Respondent engaged in a policy violation and evidence which supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

The University operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

## **Investigation Timeline**

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

The University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

## **Delays in the Investigation Process and Interactions with Law Enforcement**

The University may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include, but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions. The University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The University will promptly resume its investigation and resolution process as soon as feasible. During such a delay, University will implement supportive measures as deemed appropriate.

The University action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

### **Steps in the Investigation Process**

All investigations are conducted in a thorough, reliable, impartial, prompt, and fair manner. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Prepare the Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
- Notice should inform the parties of their right to an Advisor, who could be a member of the Pool or an Advisor of their choosing present for all meetings attended by the party
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding

- Prepare a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Including relevant physical or documentary evidence.
- The Investigator gathers, assesses, and synthesizes evidence, but does not make conclusions, engage in policy analysis, or make recommendations as part of their investigative report.
- Prior to the conclusion of the investigation, provide the parties a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the University does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).
- The Investigator may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses.
- The Investigator will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period.
- The investigator shares the report with the Title IX Coordinator for their review and feedback.
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.

### **Role and Participation of Witnesses in the Investigation**

Witnesses (as distinguished from the parties) who are employees of the University are expected to cooperate with and participate in the University's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

While in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The University will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

### **Recording of Interviews**

All interviews are audio and/or video recorded. All involved parties will be made aware of the audio and/or video recording. No unauthorized audio or video recording of any kind is permitted during investigation meetings.

### **Evidentiary Considerations in the Investigation**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

### **Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the Investigation – when the final investigation report is transmitted to the parties and the Decision-maker(s)–unless all parties and the Decision-maker(s) agree to an expedited timeline.

The Title IX Coordinator will select an appropriate Decision-makers from the Pool depending on whether the Respondent is an employee or a student.

Allegations involving student-employees will be directed to the appropriate Decision-makers depending on the context of the alleged misconduct.

### **Hearing Decision-maker Composition**

The University will designate a single Decision-maker or a three-member panel from the Pool, at the discretion of the Title IX Coordinator. With a panel, one of the three members will be appointed as Chair by the Title IX Coordinator.

The Decision-maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the resolution process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision-makers. Those who are serving as Advisors for any party may not serve as Decision-makers in that matter.

The Title IX Coordinator may not serve as a Decision-maker or Chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Chair or designee.

### **Evidentiary Considerations in the Hearing**

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, assuming the University uses a progressive discipline system. This information is only considered at the sanction stage of the process.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision-makers render a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

### **Notice of Hearing**

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

#### **The notice will contain:**

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.

- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Chair may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and the University will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
- An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-maker will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Whether parties may bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the University and remain within the 60-90 business day goal for resolution.

In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

### **Alternative Hearing Preparation Options**

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Chair at least five (5) business days prior to the hearing.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person must inform the Title IX Coordinator or the Chair at least five (5) business days prior to the hearing so appropriate arrangements can be made.

### **Pre-Hearing Preparation**

The Chair, after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator or have proffered a written statement or answered written questions, unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair will delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Decision-maker(s) at least five (5) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than one day prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

### **Pre-Hearing Meetings**

The Chair may convene a pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Chair, **only** with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant. The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Title IX Coordinator, or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will be recorded.

### **Hearing Procedures**

At the hearing, the Decision-maker(s) has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the policy on Sexual Harassment, Discrimination and Retaliation.

Participants at the hearing will include the Chair, any additional panelists, hearing facilitator, the Investigator(s) who conducted the investigation, the parties (In incidents involving student groups or organizations, the president, director, team captain or other member of student leadership will participate in the student conduct process on behalf of the group or organization), Advisors to the parties, any called witnesses, the Title IX Coordinator and anyone providing authorized accommodations or assistive services.

The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties and will then be excused.

### **Joint Hearings**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

### **The Order of the Hearing-Introductions and Explanation of Procedure**

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s) on the basis of bias or conflict of

interest. The Chair will rule on any such challenge unless the Chair is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Chair AND/OR hearing facilitator then conducts the hearing according to the hearing script. At the hearing, recording, witness logistics, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process are managed by a non-voting hearing facilitator appointed by the Title IX Coordinator. The hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

### **Investigator Presents the Final Investigation Report**

The Investigator will present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-maker(s) should ask the Investigator their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

### **Testimony and Questioning**

Once the Investigator present their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Chair. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors (“cross-examination”).

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request or agreed to by the parties and the Chair), the proceeding will pause to allow the Chair to consider it, and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may explore arguments regarding relevance with the Advisors, if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance, subject to any appeal. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask advisors to frame why a question is or is not relevant from their

perspective but will not entertain argument from the advisors on relevance once the Chair has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Chair may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Chair should not permit irrelevant questions that probe for bias.

### **Refusal to Submit to Cross Examination and Inferences**

If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The Decision-maker(s) must disregard that statement. Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some cross-examination questions, only statements related to the cross-examination questions they refuse to answer cannot be relied upon. However, if the statements of the party who is refusing to submit to cross-examination or refuses to attend the hearing are the subject of the allegation itself (e.g., the case is about verbal harassment or a quid pro quo offer), then those statements are not precluded from admission. Similarly, statements can be relied upon when questions are posed by the Decision-maker(s), as distinguished from questions posed by Advisors through cross-examination.

The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

If charges of policy violations other than sexual harassment are considered at the same hearing, the Decision-maker(s) may consider all evidence it deems relevant, may rely on any relevant statement as long as the opportunity for cross-examination is afforded to all parties through their Advisors, and may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's Advisor of choice refuses to comply with the University's established rules of decorum for the hearing, the University may require the party to use a different Advisor. If a University-provided A refuses to comply with the rules of decorum, the University may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

### **Recording Hearings**

Hearings (but not deliberations) are recorded by the University for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of the University will be permitted to listen to the recording in a controlled environment determined by

the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

### **Deliberation, Decision-making, and Standard of Proof**

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the standard of proof is used. The hearing facilitator may be invited to attend the deliberation by the Chair, but is there only to facilitate procedurally, not to address the substance of the allegations.

If there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker(s) may – at their discretion – consider the statements, but they are not binding.

The Decision-maker(s) will review the statements and any pertinent conduct history provided by the appropriate administrator and will determine the appropriate sanction(s).

The Chair will prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, credibility assessments, and any sanctions.

This report typically should not exceed three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

### **Notice of Outcome**

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within 5 business days of receiving the Decision-maker(s)' deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: emailed to the parties' University -issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will identify the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by the University from the receipt of the misconduct report to the determination, including any

and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the University is permitted to share such information under state or federal law; any sanctions issued which the University is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to the University's educational or employment program or activity, to the extent the University is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by the University to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

### **Withdrawal or Resignation while Charges Pending**

#### **Students**

If a student has an allegation pending for violation of this Policy the University may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the University, the resolution process ends, as the University no longer has disciplinary jurisdiction over the withdrawn student.

However, the University will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to the University. Such exclusion applies to all campuses of University. A hold will be placed on their ability to be readmitted. They may also be barred from University employment, property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to the University unless and until all sanctions have been satisfied.

During the resolution process, the University may put a hold on a responding student's transcript or place a notation on a responding student's transcript or dean's disciplinary certification that a disciplinary matter is pending.

#### **Employees**

Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the University no longer has disciplinary jurisdiction over the resigned employee.

However, the University will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with the University or any campus of the University, and the records retained by the Title IX Coordinator will reflect that status.

## **APPEALS**

### **Submitting a Request for Appeal**

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within 5 days of the delivery of the Notice of Outcome.

A single Appeal Chair will be designated by the Title IX Coordinator to review the appeal. No Appeal Chair will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The Request for Appeal will be forwarded to the Appeal Chair for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

### **Grounds for Appeal**

Appeals are limited to the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Chair and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Chair will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given 5 business days to submit

a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal Chair and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in 5 business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and the Chair will render a decision in no more than 5 business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by email to the parties' University-issued email or otherwise approved account. Once emailed notice will be presumptively delivered.

### **Sanctions Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

The University may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

### **Appeal Considerations**

Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.

Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.

An appeal is not an opportunity for Appeal Chair to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).

The Appeal Chair may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.

Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.

Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

In rare cases where a procedural or substantive error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).

The results of a remand to a Decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.

In cases in which the appeal results in reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

## **Potential Sanctions**

### **Factors in Determining Appropriate Sanction/Responsive Action**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s);
- The Respondent's disciplinary history;
- Previous allegations or allegations involving similar conduct;
- The need for sanctions/responsive actions to bring an end to, prevent future recurrence of, and/or remedy the effects of the discrimination, harassment, and/or retaliation;
- The impact on the parties;
- Any other information deemed relevant by the Decision-maker(s).

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy may be in addition to, other actions or sanctions imposed by external authorities.

### **Student Sanctions:**

***Disciplinary Warning*** – This written warning is provided to acknowledge that the Respondent's behavior violated University policy and does not align with Wichita State University's expectations for community members. Another breach of University policy and/or if the Respondent is found responsible for any future violations of University and/or HRL policy, offenses, it may result in severe disciplinary action.

***Disciplinary Probation*** – The student is deemed not in good conduct standing with the University. The duration of any probationary period will be determined by the resolution body on a case-by-case basis. Any further violations of University policy while on probation may result in more serious sanctions being imposed, which may include suspension or expulsion from the University. Restrictions that may be placed on the student during the probationary period include, but are not limited to: participation in student activities, representation of the University on athletic teams or in other leadership positions, eligibility to receive any University award or honorary recognition, entrance into University residence halls or other areas of campus, participation in a study abroad program, or University computer and network usage.

***Suspension*** – The student is required to leave the University for a designated time. During the suspension period, a student may not attend classes (either in person or online) nor participate in a student group or student organization activities, whether they occur on or off-campus. A currently enrolled student is withdrawn from their classes and is not eligible for a refund. A registration and records hold will be placed on the student's account until the conclusion of the suspension period. If the student is an on-campus resident, the student's contract with Housing & Residence Life will also be terminated and the student will be responsible for paying any remaining fees for the duration of the original contract period. The student must complete all assigned educational sanctions before the conclusion of the suspension period. The suspension will remain in effect until they are completed. Any further violations of University policy while on suspension could result in more serious sanctions being imposed.

***Expulsion*** – The student is separated from the University without the possibility of graduation or future enrollment. The student is not allowed on University premises unless authorized in writing in advance under conditions approved by the Vice President for Student Affairs or their designee. A currently enrolled student is withdrawn from their classes and is not eligible for a refund. A permanent registration hold is placed on the student's account. If the student is an on-campus resident, the student's contract with Housing & Residence Life is terminated and the student is responsible for paying any remaining fees for the duration of the original contract period.

***Dismissal*** — Dismissal removes a student from their academic program and separates the student from the University for a period of two to seven years. During the dismissal, the student is not allowed on University premises unless authorized in writing in advance under conditions approved by the Vice President for Student Affairs or their designee. A currently enrolled student is withdrawn from their classes and is not eligible for a refund. A permanent registration

hold is placed on the student's account. If the student is an on-campus resident, the student's contract with Housing & Residence Life is terminated and the student is responsible for paying any remaining fees for the duration of the original contract period.

Following the Dismissal, the individual must apply for readmission to the University. Readmission is not guaranteed. Readmission will only be considered when the provisions of below are met:

- Duration of dismissal is complete
- All educational sanctions are completed
- Petition for readmission is submitted to the review committee (see below)

The review committee includes the Dean of Students and the Associate Dean of Students, or their designee(s). Other individuals may include but are not limited to representatives from Housing and Residence Life, the Office of Institutional Equity and Compliance, Athletics, or Student Involvement. There must be a minimum of 3 individuals who serve on the review committee. Readmission will be granted upon a majority vote.

If readmission is approved, the committee may apply additional restrictions. These may include, and are not limited to, restricted access to campus and/or other specified activities for the duration of the student's enrollment at the university.

If readmission is denied, the individual may reapply for readmission one (1) year after the initial application for readmission was received by the university.

***Withholding of Transcripts or Degree*** – The University may withhold copies of student transcripts or awarding a degree otherwise earned until the completion of the process outlined in the Handbook, including the completion of all assigned sanctions.

***Revocation of Admission and/or Degree*** – Admission to the University or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University policy in obtaining the degree from or gaining admission to the University or for other serious violations committed by a student before graduation.

***Loss of University Privileges*** – The student is restricted from accessing specific University privileges including, but not limited to: parking on campus, participation in student activities, holding a student leadership position, participation in a study abroad program, and University computer and network access.

***Residence Hall Transfer or Removal*** – The student will be placed in another room or residence hall or restricted from living on campus for a specified or indefinite period. If a student is restricted from living on campus, the student's Housing and Residence Life contract will be terminated and the student will be responsible for paying any remaining fees for the duration of the original contract period.

***No Contact Order*** – The student is prohibited from intentional direct or indirect contact with another person or group or their property via any means, including, but not limited to: personal

contact, electronic communication (e.g. text messages, social media, etc.), telephone, or through third parties.

***Campus and/or Building Ban*** – The student is prohibited from being on any campus property and/or entering specific University facilities. Any student alleged to have violated a campus and/or building ban may be subject to additional disciplinary action.

***No Trespass Order*** – The student is prohibited from being on any campus property and/or entering specific University facilities. Any student alleged to have violated a campus and/or building ban may be subject to arrest.

## **Employee Sanctions**

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

***Corrective Action*** - Official written notification of unacceptable behavior and violation(s) of University policy. The written documentation becomes part of the employee's personnel file.

***Suspension*** - An employee may be suspended without pay. The length of suspension will be dependent upon the severity of the violation and will range in length from three (3) to thirty (30) University business days.

***Separation*** - An action ending the employment relationship.

***Job Reassignment*** - An employee may be moved temporarily or permanently to a different position or to a different work location. This position may or may not be an equivalent level to their current position.

***Loss of University Privileges*** - An employee may be restricted from accessing specific University privileges including, but not limited to: University computer and network access, sabbatical or eligibility for awards, participation in groups or associations, and utilization of recreation or fitness facilities.

***No Contact Order*** - The employee is prohibited from intentional direct or indirect contact with another person or group or their property via any means, including, but not limited to: personal contact, electronic communication (e.g. text messages, social media, etc.), telephone, or through third parties.

***No Trespass Order*** - The employee is prohibited from being on any campus property and/or entering specific University facilities.

***Other Actions*** - In addition to or in place of the above sanctions, the University may assign any other sanctions deemed appropriate.

## **Notice/Statement of Rights**

When an employee, student or visitor reports to the University that the employee, student or visitor have been a victim of sexual assault, dating violence, domestic violence or stalking in the University's programs and activities, whether the offense occurred on or off campus, the University will provide the employee, student or visitor a written explanation of their rights and options for resolving the allegations. The following **Notice/Statement of Rights** applies to all investigations and resolution processes set forth in [WSU Policy 3.06](#):

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment or discrimination made in good faith to University officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University officials.
- The right to have University policies and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University officials from reporting sexual misconduct or discrimination to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by University authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by University law enforcement and/or other University officials.
- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.

- The right to a University implemented no- contact order, or no trespass order against a non-affiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
  - Relocating an on-campus student's housing to a different on-campus location
  - Assistance from University staff in completing the relocation
  - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - Transportation accommodations
  - Visa/immigration assistance
  - Arranging to dissolve a housing contract and a pro-rated refund
  - Exam, paper, and/or assignment rescheduling or adjustment
  - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
  - Transferring class sections
  - Temporary withdrawal/leave of absence (may be retroactive)
  - Campus safety escorts
  - Alternative course completion options.
- The right to have the University maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair the University's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to ask the Investigator(s) and Decision-maker(s) to identify and question relevant witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Chair, may be asked of any party or witness.
- The right not to have irrelevant prior sexual history or character admitted as evidence.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.

- The right to receive a copy of the investigation report, including all factual, policy, and/or credibility analyses performed, and all relevant and directly related evidence available and used to produce the investigation report, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received at least 8 hours of relevant annual training.
- The right to a Hearing Panel that is not single-sex in its composition, if a panel is used.
- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process and a detailed rationale therefor (including an explanation of how credibility was assessed), delivered simultaneously (without undue delay) to the parties.

- The right to be informed in writing of when a decision by the University is considered final and any changes to the sanction(s) that occur before the decision is finalized.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal established by the University.
- The right to a fundamentally fair resolution as defined in these procedures.

## Long-Term Remedies And Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence. These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program (EAP)
- Education to the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided to the Complainant even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedial requirements owed by the University to the Respondent.

## Advising the Campus Community about Sex Offenders

In accordance to the Campus Sex Crimes Prevention Act of 2000 (CSCPA), which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* and the Family Educational Rights and Privacy Act of 1974 (FERPA), the UPD provides a link on its web site to the Kansas Bureau of Investigation (KBI) Registered Offender.

The Act requires higher education institutions to identify where information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders to provide

notice to each higher education institution if the sex offender lives on campus, is employed by, carries a vocation, or is a student at the school. In Kansas, convicted sex offenders must register with their local Sheriff's Office.

The KBI Registered Offender web site may be searched by name, street address, city, zip code, or county. The Main Campus is located at 1845 Fairmount, Wichita, 67260, WSU South is located at 3821 and 3805 E Harry Wichita, 67218, WSU West is located at 3801 N Walker Ave Maize, 67101, Old Town is located at 121 N. Mead, 213 N. Mead and 238 N. Mead, Wichita. WSU Haysville is located at 150 Steward Avenue, Haysville, KS 67060 and WSU NCAT is located at 4004 N. Webb Rd. All locations are located in Sedgwick County.

The Kansas Bureau of Investigation (KBI) periodically provides UPD with names of registered sex offenders who indicate they are either enrolled at, or employed by, Wichita State University. This list of names is maintained at the UPD front desk and is available upon request. It is also available on the UPD website. The police building is located on the east side of campus; south of Wilkins Softball Complex and north of the Campus Credit Union.

## 9. The Annual Security Report: Publishing Policy

Members of the *Clery* Committee review the necessary information and prepare this Annual Report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*. The Annual Security and Fire Safety Report is published each year on or before October 1.

Crime statistics for the report are solicited from *Campus Security Authorities* and from all law enforcement agencies that have or share law enforcement jurisdiction for the Main campus and other University property.

The offices of Student Conduct and Housing and Residence Life (HRL) provide disciplinary statistics for the report concerning alcohol, drug and weapon violations of the Student Code of Conduct and reported incidents of dating violence, domestic violence, sexual assault and stalking incidents alleged to have occurred within the University's *Clery* Geography.

Each year, an e-mail notification is sent to all students, faculty, and staff members providing the web link to access the Annual Security and Fire Safety Report. Paper copies may be obtained free of charge upon request at the UPD office. The UPD office can be accessed from the east on Perimeter Road, and is located on the east side of campus; south of Wilkins Softball Complex and north of the Campus Credit Union.

Prospective students are provided the web link to this Annual Report from the Office of Admissions. Prospective employees are provided the web link to this Annual Report during the application process.

### **Crime Statistics**

Crime statistics include all reports received by the UPD and from University officials with significant responsibility for student and campus activities, including those persons designated as

*Campus Security Authorities.* The statistics also include data requested annually by the UPD from the Wichita Police Department, Sedgwick County Sheriff's Office, Maize Police Department, Park City Police Department, Kingman County Sheriff's Office, Augusta Department of Public Safety and any other relevant Police Department, regarding WSU geography.

## 10. Missing Students

[WSU Policy 8.17](#) provides the protocol for handling cases involving missing students who live on-campus. If a student is thought to have been missing from a WSU residence hall community for 24 hours or more, a report should be made to the Residence Life Coordinator in that residence hall. During business hours, a missing student report can be made by contacting the Office of Housing and Residence Life (HRL) at (316) 978-3693. After business hours, a missing student report can be made by contacting the Resident Assistant on Duty at (316) 210-4773 (Shocker Hall) or (316) 210-5912 (The Flats) or (316) 210-5912 (the Suites). Or, a report can be made 24 hours a day by contacting the University Police Department at (316) 978-3450.

There is no requirement that a student must be missing for 24 hours in order to file a missing student report with the UPD at 978-3450.

Upon receiving any report of a missing student, the University police will initiate an investigation. Local law enforcement agencies and other law enforcement agencies will be notified of the missing student by the entry of the missing student's information into the National Crime Information Center (NCIC) database for missing persons.

1. All students living in university managed housing must provide confidential contact information to the Associate Dean of Students or their designee for an individual they would like contacted in the event they are deemed a missing person by the University Police Department. Each student will be responsible for keeping the confidential contact information updated and current. The security of the contact information will be maintained by the Associate Dean of Students or their designee and stored in housing's management software in a location separate from their emergency contact information. This data shall be collected each time the student applies for housing; which they must do every year. If a student needs to update this information at any time, the student may contact the Office of Housing and Resident Life (HRL) to do so. Students' contact information will be registered confidentially and will be accessible only to authorized campus officials, and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

2. If an individual has concerns that a student living in University managed housing has been missing for 24 hours, that individual should contact the Wichita State University Police Department at 316-978-3450. Students living in university managed housing may also report their concerns to any HRL staff member (Resident Assistant, Residence Life Coordinator, or Desk Assistant) or call the Office of Housing and Residence Life at 316-978-3693. HRL staff members shall immediately report this information to Wichita State University Police Department. A student living in University managed housing will not be considered missing if they have provided information about their intended whereabouts. A student living in University

managed housing will not be considered missing if they are gone during recognized University holidays and/or breaks.

3. If the University Police Department's investigation determines that a student for whom a report has been filed has been missing for more than twenty-four (24) hours, the University Police Department will notify other law enforcement entities as necessary and the Associate Dean of Students or designee. The Associate Dean of Students or designee will notify the Vice President for Student Affairs to determine how best to make contact in accordance with paragraph 4 of this policy statement.

4. If the missing student is under the age of eighteen (18) and not emancipated, the University is required to contact the missing student's parent[s] or guardian[s] within twenty-four (24) hours of the report being filed. If the missing student is emancipated or eighteen (18) years of age or older, the University will contact the confidential contact person provided by the student pursuant to paragraph 1 above, also within twenty-four (24) hours of the report being filed.

## Crime Statistics

### Main Campus Crime Report January 1, 2019 through December 31, 2021

Residence Halls is a subset of the “On-Campus” category

CRIMINAL OFFENSES	WICHITA STATE UNIVERSITY MAIN CAMPUS				
	YEAR	ON-CAMPUS PROPERTY TOTAL	ON- CAMPUS RESIDENCE HALLS	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER /NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
RAPE	2019	1	1	0	0
	2020	1	1	0	0
	2021	4	4	1	0
FONDLING	2019	0	0	0	0
	2020	2	2	0	0
	2021	3	3	0	0
INCEST	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
STATUTORY RAPE	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
ROBBERY	2019	2	0	0	0
	2020	0	0	1	0
	2021	2	2	0	0
AGGRAVATED ASSAULT	2019	0	0	0	0
	2020	1	0	0	0
	2021	0	0	0	0
BURGLARY	2019	3	1	1	0
	2020	1	0	0	0
	2021	4	1	0	0
MOTOR VEHICLE THEFT	2019	2	0	0	0
	2020	0	0	0	0
	2021	4	0	0	0
ARSON	2019	2	0	0	0
	2020	2	0	0	0
	2021	0	0	0	0

**Main Campus Crime Report  
January 1, 2019 through December 31, 2021**

Residence Halls is a subset of the “On-Campus” category

<b>VAWA OFFENSES</b>	<b>WICHITA STATE UNIVERSITY MAIN CAMPUS</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
DOMESTIC VIOLENCE	2019	1	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
DATING VIOLENCE	2019	3	3	0	1
	2020	0	0	0	0
	2021	0	0	0	0
STALKING	2019	1	0	0	0
	2020	3	1	0	0
	2021	7	2	0	0

<b>ARRESTS AND DISCIPLINARY REPORTING</b>	<b>WICHITA STATE UNIVERSITY MAIN CAMPUS</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	0	1	0
	2020	0	0	0	0
	2021	1	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	1	0	1	0
	2020	1	0	0	3
	2021	6	6	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0	0
	2020	0	0	1	1
	2021	2	2	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	10	10	0	0
	2020	13	10	0	0
	2021	4	4	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	108	108	0	0
	2020	22	22	0	0
	2021	83	83	0	0

**Main Campus Crime Report  
January 1, 2019 through December 31, 2021**

Residence Halls is a subset of the “On-Campus” category

<b>HATE CRIMES</b>	<b>WICHITA STATE UNIVERSITY MAIN CAMPUS</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
HATE CRIMES	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

In 2021 there were no reported hate crimes.

In 2020 there were no reported hate crimes.

In 2019 there were no reported hate crimes.

**Unfounded Crimes**

There were no unfounded crimes in 2019, 2020, or 2021.

**WSU Downtown Center/Old Town Crime Report  
January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU Downtown Center/Old Town

<b>CRIMINAL OFFENSES</b>	<b>WICHITA STATE UNIVERSITY DOWNTOWN CENTER/OLD TOWN</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
MURDER /NON-NEGLIGENT MANSLAUGHTER	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
FONDLING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
INCEST	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STATUTORY RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ROBBERY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
AGGRAVATED ASSAULT	2019	0	n/a	n/a	0
	2020	1	n/a	n/a	0
	2021	0	n/a	n/a	0
BURGLARY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MOTOR VEHICLE THEFT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARSON	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU Downtown Center/Old Town Crime Report  
January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU Downtown Center/Old Town

<b>VAWA OFFENSES</b>	<b>WICHITA STATE UNIVERSITY DOWNTOWN CENTER/OLD TOWN</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
DOMESTIC VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DATING VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STALKING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

<b>ARRESTS AND DISCIPLINARY REPORTING</b>	<b>WICHITA STATE UNIVERSITY DOWNTOWN CENTER/OLD TOWN</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU Downtown Center/Old Town Crime Report  
January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU Downtown Center/Old Town

HATE CRIMES	WICHITA STATE UNIVERSITY DOWNTOWN CENTER/OLD TOWN				
	YEAR	ON-CAMPUS PROPERTY TOTAL	ON-CAMPUS RESIDENCE HALLS	NONCAMPUS PROPERTY	PUBLIC PROPERTY
HATE CRIMES	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**Unfounded Crimes**

There were no unfounded crimes in 2019, 2020, or 2021.

**WSU National Center Aviation Training (NCAT) Crime Report  
January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU National Center Aviation Training (NCAT)

CRIMINAL OFFENSES	WICHITA STATE UNIVERSITY NATIONAL CENTER AVIATION TRAINING (NCAT)				
	YEAR	ON-CAMPUS PROPERTY TOTAL	ON-CAMPUS RESIDENCE HALLS	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER /NON-NEGLIGENT MANSLAUGHTER	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
FONDLING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
INCEST	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STATUTORY RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ROBBERY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
AGGRAVATED ASSAULT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
BURGLARY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MOTOR VEHICLE THEFT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARSON	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU National Center Aviation Training (NCAT) Crime Report  
January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU National Center Aviation Training (NCAT)

<b>VAWA OFFENSES</b>	<b>WICHITA STATE UNIVERSITY NATIONAL CENTER AVIATION TRAINING (NCAT)</b>				
	<b>YEAR</b>	<b>ON- CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
DOMESTIC VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DATING VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STALKING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

<b>ARRESTS AND DISCIPLINARY REPORTING</b>	<b>WICHITA STATE UNIVERSITY NATIONAL CENTER AVIATION TRAINING (NCAT)</b>				
	<b>YEAR</b>	<b>ON- CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU National Center Aviation Training (NCAT) Crime Report  
January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU National Center Aviation Training (NCAT)

HATE CRIMES	WICHITA STATE UNIVERSITY NATIONAL CENTER AVIATION TRAINING (NCAT)				
	YEAR	ON- CAMPUS PROPERTY TOTAL	ON-CAMPUS RESIDENCE HALLS	NONCAMPUS PROPERTY	PUBLIC PROPERTY
HATE CRIMES	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**Unfounded Crimes**

There were no unfounded crimes in 2019, 2020, or 2021.

**WSU South Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU South

<b>CRIMINAL OFFENSES</b>	<b>WICHITA STATE UNIVERSITY SOUTH</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
MURDER /NON-NEGLIGENT MANSLAUGHTER	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
FONDLING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
INCEST	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STATUTORY RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ROBBERY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
AGGRAVATED ASSAULT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
BURGLARY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MOTOR VEHICLE THEFT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARSON	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU South Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU South

<b>VAWA OFFENSES</b>	<b>WICHITA STATE UNIVERSITY SOUTH</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
DOMESTIC VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DATING VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STALKING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

<b>ARRESTS AND DISCIPLINARY REPORTING</b>	<b>WICHITA STATE UNIVERSITY SOUTH</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU South Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU South

<b>HATE CRIMES</b>	<b>WICHITA STATE UNIVERSITY SOUTH</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
HATE CRIMES	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**Unfounded Crimes**

There were no unfounded crimes in 2019, 2020, or 2021.

**WSU Haysville Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU Haysville

CRIMINAL OFFENSES	WICHITA STATE UNIVERSITY HAYSVILLE				
	YEAR	ON-CAMPUS PROPERTY TOTAL	ON-CAMPUS RESIDENCE HALLS	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER /NON-NEGLIGENT MANSLAUGHTER	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
FONDLING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
INCEST	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STATUTORY RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ROBBERY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
AGGRAVATED ASSAULT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
BURGLARY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MOTOR VEHICLE THEFT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARSON	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU Haysville Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU Haysville

<b>VAWA OFFENSES</b>	<b>WICHITA STATE UNIVERSITY HAYSVILLE</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
DOMESTIC VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DATING VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STALKING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

<b>ARRESTS AND DISCIPLINARY REPORTING</b>	<b>WICHITA STATE UNIVERSITY HAYSVILLE</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU Haysville Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU Haysville

HATE CRIMES	WICHITA STATE UNIVERSITY HAYSVILLE				
	YEAR	ON-CAMPUS PROPERTY TOTAL	ON-CAMPUS RESIDENCE HALLS	NONCAMPUS PROPERTY	PUBLIC PROPERTY
HATE CRIMES	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**Unfounded Crimes**

There were no unfounded crimes in 2019, 2020, or 2021.

**WSU West Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU West

CRIMINAL OFFENSES	WICHITA STATE UNIVERSITY WEST				
	YEAR	ON-CAMPUS PROPERTY TOTAL	ON-CAMPUS RESIDENCE HALLS	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER /NON-NEGLIGENT MANSLAUGHTER	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
FONDLING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
INCEST	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STATUTORY RAPE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ROBBERY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
AGGRAVATED ASSAULT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
BURGLARY	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
MOTOR VEHICLE THEFT	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARSON	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU West Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU West

<b>VAWA OFFENSES</b>	<b>WICHITA STATE UNIVERSITY WEST</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
DOMESTIC VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DATING VIOLENCE	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
STALKING	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

<b>ARRESTS AND DISCIPLINARY REPORTING</b>	<b>WICHITA STATE UNIVERSITY WEST</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	n/a	n/a	0
	2020	0	n/a	n/a	0
	2021	0	n/a	n/a	0

**WSU West Crime Report**  
**January 1, 2019 through December 31, 2021**

NO Residence Halls at WSU West

<b>HATE CRIMES</b>	<b>WICHITA STATE UNIVERSITY WEST</b>				
	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
HATE CRIMES	2019	0	n/a	0	0
	2020	0	n/a	0	0
	2021	0	n/a	0	0

**Unfounded Crimes**

There were no unfounded crimes in 2019, 2020, or 2021.

## 11. Fire Safety Disclosures

The Higher Education Opportunity Act of 2008 requires academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus housing statistics. The following public disclosure report details all information relating to Wichita State University.

Wichita State University: (1) maintains a log of all reported fires that occur in those on-campus student housing facilities; (2) publishes an annual fire safety report that contains fire safety policies and fire statistics for each of those facilities; and (3) submits the fire statistics from the fire safety report annually to the Department.

For the purposes of fire safety reporting, a fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

All fires that meet the definition will be included, regardless of size, cause, whether the fire results in injury, death or property damage, or whether your institution's fire safety policies.

## 12. Classifying and Counting Fires in On-campus Student Housing Facilities

Wichita State University maintains a written, easily understood fire log that records, by the date reported, any fire that occurs in an on-campus student housing facility. The log is maintained in electronic format.

Reported fires include fires that were already extinguished as well as those discovered while still burning. Any student housing fire that is reported to any official at the University is documented in the fire log. For each fire, the log includes: (1) the date the fire was reported; (2) the nature of the fire; (3) the date and time of the fire; and (4) the general location of the fire.

The University's annual fire safety report contains statistics for reported fires in on-campus student housing facilities. The University collects and includes statistics for each on-campus student housing facility separately for the three most recent calendar years. Each facility is identified by name and street address and includes (1) the number of fires and the cause of each fire; (2) the number of persons who received fire-related injuries that resulted in treatment at a medical facility, including at an on-campus health center; (3) the number of deaths related to a fire; (4) the value of property damage caused by a fire.

### Fire Safety System for On-Campus Student Housing

A Fire Safety System is any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including: sprinkler or other fire extinguishing systems; fire detection devices; standalone smoke alarms; devices that alert one to the presence

of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Since 2019, Wichita State University has 3 Residence Halls which are all completely covered by a fire alarm system and monitored 24 hours/day, seven days/week. These Residence Halls (Shocker Hall, Suites and the Flats) are also covered with an integrated automatic sprinkler systems.

All residence hall staff receive comprehensive fire safety training at the beginning of each academic year. In addition, a program that covers emergency and evacuation procedures is reviewed regularly with the occupants and staff of each residence hall.

### **Fire Drills**

A Fire Drill is a supervised practice of a mandatory evacuation of a building for a fire. State code requires that fire drills are conducted four times each year for each on-campus student housing facility.

### **Policies/Rules on Portable Electrical Appliances, Smoking and Open Flames in a Student Housing Facility**

Basic fire safety instruction is made available to all new and existing employees. Additional training is provided periodically, coordinated by the Fire & Safety Office, and by request from individual departments.

It is the policy of Wichita State University to provide faculty, staff, students, and visitors with the safest possible environment, free from potential fire hazards. The primary goal of the University's Fire Prevention Program is to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency. This goal is accomplished by (1) conducting periodic fire safety inspections of all University buildings, (2) increasing the fire safety awareness of employees and students by conducting periodic training on basic fire safety, (3) the State Fire Marshal conducting annual fire safety inspections, and (4) inspections by the Kansas Department of Labor.

Regarding Fire Safety Inspections, fire and life safety features of the buildings are in compliance with all applicable standards and codes of the Kansas State Fire Marshal's Kansas Buildings Fire Safety Handbook, International Fire Codes and National Fire Protection Association (NFPA). The Fire & Safety Office and the Kansas State Fire Marshal's Office conduct fire safety inspections of all University buildings. Some buildings may be inspected more frequently as deemed necessary.

The Fire & Safety Office will coordinate with the UPD and Wichita Fire Department in the investigation of each fire incident.

To minimize the potential for fires at Wichita State University, open burning and the use of combustible decorations are prohibited at all times (unless in accordance with other University policies and procedures, and or as otherwise authorized).

**Open burning**, as defined by the University, is any open/exposed flame or combustion that produces heat, light, or smoke, and has the potential to cause a fire. Examples of open burning include, but not limited to, candles, incense, bonfires, campfires, barbecue grills (except for those permanently installed), and their related accessories such as: gasoline, propane, lighter fluid, charcoal, and pyrotechnics.

All decorations and ornaments must be of fire-resistant or no-combustible material, U.L. rated and approved for use. They shall not be hung or posted on any fire protection equipment (fire hose cabinets, fire extinguishers, sprinkler heads and piping, smoke detectors, fire alarm pull boxes, etc.), on or near exits, on or near exit or emergency lights, on or near any other protective or operating feature provided by the University, or in any manner that could present a fall or trip hazard, or impede egress. Removal of all decorations, ornaments, and displays are required immediately after the event.

Decorative lights, including holiday lights, as well as floodlights, extension cords, or electrically operated ornaments must be U.L. rated and approved for use. Electric lights or electrically operated ornaments shall not be used on metal, aluminum or any other similar metal, which could induce an electric shock.

Only heavy-duty extension cords and decorative lights in good condition (free from damage or exposed wiring) shall be used for decorations, must be unplugged at the end of each day, and removed after the event or holiday season. They shall not be hung or posted on any fire protection equipment (fire hose cabinets, fire extinguishers, sprinkler heads and piping, smoke detectors, fire alarm pull boxes, etc.), on or near exits, on or near exit or emergency lights, on or near any other protective or operating feature provided by the University, or in any manner that could present a fall or trip hazard, or impede egress.

Extension cords or decorative lights may not be routed under rugs or carpets, through doorways or in any manner that could present a fall or trip hazard, or impede egress. It is the policy of the University that only artificial holiday trees will be used inside buildings and shall be of fire-retardant or non-combustible material. Indoor trees must be placed out of the way of traffic and not block doorways, exits, exit signs or any of the fire protection equipment (fire hose cabinets, fire extinguishers, sprinkler heads and piping, fire alarm pull boxes, smoke detectors, etc.); or placed in any manner that could present a fall or trip hazard, or impede egress.

Holiday tree lights must be unplugged at the end of each day, and removed after the event or holiday season. Artificial snow and other decorative sprays should be used with extreme caution; they shall not be used in laboratory and/or clinical settings. Avoid spraying around exits, exit signs, or any of the fire protection equipment (fire hose cabinets, fire extinguishers, sprinkler heads and piping, fire alarm pull boxes, smoke detectors, etc.).

To minimize the potential for fires at Wichita State University, the use of the following items are prohibited in any University owned or operated facility indoors (unless in accordance with other University policies and procedures):

- Portable space heaters,
- barbecue grills,
- hibachis,

smokers (gas, electric, charcoal), and related accessories including lighter fluids and lighters, other similar type products (for cooking/warming purposes), any open-flame device or object including candles, incense sticks, and related accessories; hot plates, slow cookers, deep fryers, electric skillets, electric woks, griddles, sandwich makers/grills, other similar type products (for cooking/warming purposes); toaster ovens (for cooking/warming purposes); flammable/combustible liquids (for recreational/personal use); fireworks, rockets, flares, sparklers and other devices; halogen lamps; ceiling/wall tapestries; live holiday trees; or non-fire retardant artificial holiday trees.

The “cooking” and “warming” options exclude cooking and warming done in areas designated and built for such purposes and only while the use of these devices are under the direct supervision of a competent individual.

Reference the WSU Policies & Procedures Manual for the following:

- Student Code of Conduct Handbook – Section V.I.E Fire and General Safety
- Section 11.11 Tobacco Free Campus
- Section 11.20 Space Heaters
- Section 11.27 HVAC Systems Standards
- Section 10.10 Hot Work Permits

[The Housing and Residence Life Handbook](#) 2021-2022 for the following:

- Cooking and Appliances, page 41
- Holiday Decorations, page 43
- Fire and Safety, page 47 & 48
- Electrical Appliances, page 53

## Procedures for Student Housing Evacuation in the Case of a Fire

When a fire occurs, **IMMEDIATELY CALL 911.**

If 911 is called from a campus telephone, the caller will be connected with the UPD dispatcher. The Wichita Fire Department (WFD) will be requested for an immediate response to campus. If 911 is called from a non-campus telephone, the caller will be connected with the Sedgwick County Emergency Communications Center for a WFD emergency response.

Students and employees should report any fire in a residence hall, serious or otherwise, to the appropriate Residence Life Coordinator. Any other fire should be reported to 911 or UPD.

Students and employees should be aware of the exit locations in the building.

If a fire alarm is activated, immediately leave the building. Get others to do the same as you leave.

Use the stairs, not the elevators, when evacuating the building.

Move a safe distance away from the building, and do not congregate in roadways or service drives.

If a person is disabled or in need of assistance, tell responding emergency services personnel. Use stairwells as a place of refuge until emergency personnel arrive to safely move the person from the building.

Close all doors and windows. This will help contain any possible fire, smoke, or poisonous gases.

Use fire extinguishers only on small fires or only if it appears safe to do so. Do not put your own safety in danger.

Never hesitate to activate a fire alarm system if you suspect fire, smoke, or unusual heat.

Provide emergency responders with any information you may have about the fire alarm condition or persons injured or needing assistance.

Don't re-enter the building until the alarm stops and emergency personnel provide an "all-clear" message.

### **Fire Reporting**

For purposes of including a fire in the statistics in the annual fire safety report, students and employees should report that a fire occurred to the following people:

1. The University Police Department
2. The Fire and Safety Coordinators

### **Future Improvements**

Fire protection systems are tested annually under the supervision of the Office of Environmental Health and Safety. Improvements, upgrades, or repairs to fire safety systems are made when tests or evaluations indicate a problem exists.

Students and employees are encouraged to notify University Police dispatch whenever they notice damage or a possible problem with fire protection equipment. During the fall and spring semesters, University staff performs general building fire safety inspections. In addition, Residence Life staff performs resident room inspections twice per semester and once over the summer. Any fire safety violations will be cited and referred for immediate correction. Violators may be referred to Student Conduct & Community Standards.

Ideas for improvements are always ongoing, including the recent update of fire alarm systems in several buildings. Wichita State University is committed to fire safety and will take any recommendations from the State Fire Marshall seriously.

## Residence Hall Overview

**Table 1 –Fire Preparedness**

**Table 1 below summarizes fire preparedness for each of the residential facilities that were open for all or part of 2021.**

W.S.U. Residential Facility	Address	Date of Drill	Time	Time required to complete drill	Number of students in residence	Approximate number of students who failed to evacuate	Evaluation of drill
Shocker Hall Drill #1	2020 N. Perimeter Rd., Wichita, KS 67208	7/8/2021	6:00pm	5 minutes	10	0	Only occupants were staff and they responded appropriately
The Flats Drill #1	4105 Mike Oatman Dr, Wichita, KS 67208	7/8/2021	6:16pm	5 minutes	21	0	Only occupants were staff and they responded appropriately
The Suites Drill #2	2011 North Innovation Dr, Wichita, KS 67208	7/8/2021	6:25pm	6 minutes	16	0	Only occupants were staff and they responded appropriately
Shocker Hall Drill #2	2020 N. Perimeter Rd., Wichita, KS 67208	8/19/2021	11:00am	6 minutes	450	0	Students exited the building quickly and efficiently. Staff handled their roles well.
The Flats Drill #2	4105 Mike Oatman Dr, Wichita, KS 67208	8/19/2021	11:16am	4 minutes	183	0	Students exited the building quickly and efficiently. Staff handled their roles well.
The Suites Drill #2	2011 North Innovation Dr, Wichita, KS 67208	8/19/2021	11:20am	7 minutes	56	0	Students exited the building quickly and efficiently. Staff handled their roles well.
Shocker Hall Drill #3	2020 N. Perimeter Rd., Wichita, KS 67208	10/5/2021	10:08am	6 minutes	375	0	Students and staff responded appropriately to direction and handled the drill well
The Flats Drill #3	4105 Mike Oatman Dr, Wichita, KS 67208	10/5/2021	10:22am	16 minutes	184	0	We had a slow exit of students and a delay in getting alarm turned off.
The Suites Drill #3	2011 North Innovation Dr, Wichita, KS 67208	10/5/2021	10:40am	7 minutes	123	0	Students and staff responded appropriately to direction and handled the drill well
Shocker Hall Drill #4	2020 N. Perimeter Rd., Wichita, KS 67208	12/8/2021	9:00am	8 minutes	450	2	Students exited the building quickly and efficiently. Staff handled their roles well.
The Flats Drill #4	4105 Mike Oatman Dr, Wichita, KS 67208	12/8/2021	9:22am	6 minutes	212	0	Students exited the building quickly and efficiently. Staff handled their roles well.

### 13. Fire Statistics Log

**Table 1 below state fire statistics for each of the residential facilities that were open for all or part of 2021**

FIRE STATISTICS LOG 2021							
W.S.U. Residential Facility	Total Fires in Each Building	Date	Time	Cause of Fire	Number of injuries that required treatment at a medical facility	Number Deaths Related to Fire	Value of Property Damage Caused by Fire
Shocker Hall 2020 N Perimeter Rd Wichita, KS 67208	0				0	0	0
The Suites 2011 N Innovation Dr Wichita, KS 67208	1	4 /27/21	1:23 pm	Oil Fire from cooking	0	0	0
The Flats 4105 Mike Oatman Dr Wichita, KS 67208	0				0	0	0

**Table 2 below states fire statistics for each of the residential facilities that were open for all or part of 2020.**

FIRE STATISTICS LOG 2020							
W.S.U. Residential Facility	Total Fires in Each Building	Date	Time	Cause of Fire	Number of injuries that required treatment at a medical facility	Number Deaths Related to Fire	Value of Property Damage Caused by Fire
Shocker Hall 2020 N Perimeter Rd Wichita, KS 67208	0				0	0	0
The Suites 2011 N Innovation Dr Wichita, KS 67208	0				0	0	0
The Flats 4105 Mike Oatman Dr Wichita, KS 67208	0				0	0	0

**Table 3 below states fire statistics for each of the residential facilities that were open for all or part of 2019.**

FIRE STATISTICS LOG 2019							
W.S.U. Residential Facility	Total Fires in Each Building	Date	Time	Cause of Fire	Number of injuries that required treatment at a medical facility	Number Deaths Related to Fire	Value of Property Damage Caused by Fire
Shocker Hall 2020 N Perimeter Rd Wichita, KS 67208	0				0	0	0
The Suites 2011 N Innovation Dr Wichita, KS 67208	0				0	0	0
The Flats 4105 Mike Oatman Dr Wichita, KS 67208	1	1/11/19	2:10pm	Potato in microwave	0	0	0