

DFSCA Annual Notice to Employees and Students

Annual Security Report Requirements

The Annual Security Report, which is published [here](#) by the University each year by October 1, requires Wichita State University to notify all Students, Staff, and Faculty of the following as it relates to the Drug Free Schools and Communities Act (DFSCA):

- Written Standards of Conduct
- Institutional Outcomes
- Description of Legal Sanctions (local, state, and federal)
- Description of health risks associated with abuse
- Any drug/alcohol counseling/treatment/rehab program

Written Standards of Conduct

Students

Students can find information regarding the Standards of Conduct in Policy [8.05/Student Code of Conduct](#). In Section V.B, it states the following:

B. Alcohol, Drugs, & Other Substances

1. Underage Possession and/or Consumption of Alcohol

Underage possession and/or consumption of alcohol.

2. Unauthorized Possession and/or Consumption of Alcohol

Possession and/or consumption of alcohol except as expressly permitted by law and University policy.

3. Unauthorized and/or Unlawful Distribution, Sale, and/or Service of Alcohol

Engaging in the distribution, sale, and/or service of alcohol, regardless of age, except as expressly permitted by law and University policy.

4. Possession of Common Source Container(s)

Possessing common source alcoholic beverage container(s) including, but not limited to, kegs, mini-kegs, coolers, beer balls, trashcans, and tubs.

5. Social Host

Permitting any individual or group to consume alcohol in a space owned, occupied, or controlled by the host, except as expressly permitted by law and University policy.

6. Excessive and/or Rapid Consumption

Engaging in any behavior which encourages, facilitates, or constitutes excessive and/or rapid alcohol consumption including, but not limited to, keg stands, alcohol luges, beer bong, and drinking games.

7. Manufacturing and/or Producing Alcohol

Engaging in the manufacture or production of any alcoholic beverage including, but not limited to, cereal malt beverage (beer), wine, moonshine, and liquor except as expressly permitted by law and University policy.

8. Open Container

Possession of an open alcohol container in a vehicle (e.g. automobile, motorcycle, bicycle, skateboard, scooter, Segway, hover board, tractor, etc.), in open spaces, or public except as expressly permitted by law and University policy.

9. Unauthorized Possession, Use, and/or Misuse of Drugs and/or Other Substances

Unauthorized possession, use, and/or misuse of drugs and/or other substances which may alter a student's mental state or impair a student's behavior including, but not limited to, marijuana, cocaine, heroin, lysergic acid (LSD), MDMA, steroids, amphetamines, prescription medication, and/or over the counter medication.

10. Unauthorized Possession and/or Use of Drug Paraphernalia

Engaging in the possession and/or use of drug paraphernalia (i.e. any equipment, product, or material that is for making, using, or concealing drugs and/or other substances) including, but not limited to, pipe(s), bong(s), grinder(s), rolling paper(s), or a scale.

11. Unauthorized Manufacture, Sale, and/or Distribution of Drugs and/or Other Substances

Engaging in the unauthorized manufacture, sale, and/or distribution of drugs and/or other substances which may alter a student's mental state or impair a student's behavior including, but not limited to, marijuana, cocaine, heroin, lysergic acid (LSD), MDMA, steroids, amphetamines, prescription medication, and/or over the counter medication.

12. Driving While Impaired

Control or operation of a vehicle (e.g. automobile, motorcycle, bicycle, skateboard, scooter, Segway, hover board, tractor, etc.) when impaired by alcohol, drugs, or another substance.

13. Public Intoxication

Being impaired by alcohol or another substance to the point where one's behavior adversely affects, or could affect, the regular operations of members of the University community.

Staff and Faculty

Staff and Faculty can find information regarding the Standards of Conduct in the following policies:

[3.03 Drug Free Workplace](#)

[3.23 Commercial Driver's License](#)

Institutional Outcomes

Students

Students can find information regarding the Institutional Outcomes in [Procedures Document for 8.05/Student Code of Conduct](#). In Section VIII and IX, it states the following Interim Measures and Process Outcomes, as seen below. Additionally, Parental Notification may occur. This is described in Policy [8.19/Parental Notification](#).

VIII. Interim Measures

a. Non-Restrictive Interim Measures

In consultation with Student Conduct & Community Standards staff, the Vice President for Student Affairs or designee will evaluate incident information to promptly determine the necessity of interim measures. The University may implement appropriate interim measures for the individuals involved and for the larger University community based on the information provided in the report and at no cost to the Complainant (if applicable). Interim measures may be put in place or modified at any point after a report is received and can be implemented even if a formal investigation is not able to proceed. Such interim measures include, but are not limited to the following categories:

- i. Academic
- ii. Housing
- iii. Transportation
- iv. Campus Employment
- v. Facility Access
- vi. Activities
- vii. Campus Escort Service

b. Interim Restrictions

When the actions of a student or member(s) of a student group or organization present an ongoing threat to the health, safety, or well-being of others; disrupt the University community; or endanger University, public, or private property; the Vice President for Student Affairs or designee may implement interim measures that restrict access for the Respondent pending the outcome of an investigation and resolution process. These interim measures may include, but are not limited to:

- i. Restricted communication with one or more individual(s), group(s), or organization(s);
- ii. Restricted access to participation in University programs or activities;
- iii. Restricted access to Housing & Resident Life facilities, including dining halls;
- iv. Restricted ability to participate in academic activities, including classes, internships, co-ops, etc.;
- v. Restricted access to campus employment;
- vi. Administrative leave with pay for student employees; or
- vii. Any other restriction that can be tailored to the involved individuals to achieve the goal of the Student Code of Conduct.

The Vice President for Student Affairs or designee will notify the Complainant (if applicable) and Respondent in writing of any interim measures. The measures will take place immediately upon notification. The Respondent will have three (3) University business days to e-mail a written request for a Show Cause Hearing to the Vice President for Student Affairs or designee. Upon receipt of a request, the Vice President or designee will conduct a Show Cause Hearing within three (3) University business days to determine if the interim measures should be lifted, modified, or kept in place. This is a final decision regarding interim measures unless there are exceptional circumstances that come to light during the investigation.

In circumstances in which the Respondent requests, in writing, that the Vice President of Student Affairs remove themselves from the Show Cause Hearing on the basis of actual or perceived bias, or the Vice President for Student Affairs is otherwise unable to perform these duties, decisions regarding interim measures will be made by the Associate Vice President for Student Affairs/Student Life or designee.

Interim measures may be implemented at a later time, even if originally declined. Once in effect the measures will remain in place until the institution determines they are no longer necessary.

IX. Process Outcomes

Students, student organizations, and student groups will be notified in writing via e-mail to their official University e-mail address whether or not they have been found in violation of University policy, and if so, their assigned outcomes. Students, student organizations, and student groups who are found to have violated Section 8.05/Student Code of Conduct will receive disciplinary outcomes appropriate to the current violation(s) and in consideration of any prior conduct history and/or mitigating or aggravating circumstances. For student groups and organizations, "prior conduct history" includes incidents occurring within the preceding five years. Outcomes may be issued individually, or a combination of outcomes may be issued. In the case of student groups and organizations, if an outcome issued by a national or other governing body exceeds that of the University, the University may concur with that outcome.

a. Outcomes for Individual Students

- ***Disciplinary Warning*** – This written warning is provided to acknowledge a written notice given to draw the Respondent attention to the fact that their behavior violated appropriate with University policy, and does not align with Wichita State University's expectations for community members. Please understand that should you be a breach of University policy occur again or you are found responsible for any future violations of University and/or HRL policy, offenses, you may expect to receive more 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 consequences 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.
- ***Deferred Suspension*** – The student is deemed not in good conduct standing with the university and will be officially suspended from the University. However, the suspension will be deferred, meaning the student may continue to attend classes, but the suspension will be automatically enforced for failure to complete any assigned consequences by the deadline and/or for any subsequent violation of University policy, unless the Director determines otherwise. If the student is found responsible for any subsequent violation of Section 8.05/Student Code of Conduct, the student will be automatically suspended for the length of the original deferred suspension in addition to any other outcomes imposed for the subsequent violation. Some of the restrictions that may be placed on the student during the deferred suspension 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. The duration of any deferred suspension period will be determined by the resolution body on a case-by-case basis.
- ***Suspension*** – The student is required to leave the University for a designated period of time. During the suspension period, a student may not attend classes (either in person or online), or participate in University-related activities, whether they occur on or off campus. The student may not be present on University premises unless authorized in writing in advance under conditions approved by the Director. A student may be withdrawn from any classes in which the student is currently enrolled and will not be 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 successfully complete

all assigned educational consequences prior to the conclusion of the suspension period, or the suspension will remain in effect until they are completed. The student must meet with a member of the Student Conduct & Community Standards staff during the last month of the suspension period in order to initiate the removal of the registration and records hold. Any further violations of University policy while on suspension will result in more serious consequences being imposed.

- **Expulsion** – The student will be separated from the University without the possibility of graduation or future enrollment. The student may not be present on University premises unless authorized in writing in advance under conditions approved by the Director. A student may be withdrawn from any classes in which they are currently enrolled and will not be eligible for a refund. A permanent registration hold will be placed on the student's account. 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.
- **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 set forth in Section 8.05/Student Code of Conduct or Section 8.16/Sexual Misconduct, Relationship Violence, and Stalking Policy, including the completion of all consequences imposed, if any.
- **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 prior to graduation.
- **Restitution** – The student is required to pay for the loss of, damages to, or injury to University, personal, public, or private property, provided that such payment shall be limited to the actual cost of repair or replacement of such property.
- **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 of time. 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.
- **Knowledge Attainment Activities** – activities designed to increase a student's knowledge in areas related to the violation(s) committed including, but not limited to: attending workshops, researching a specific topic, interviewing a professional in a specific field, etc.
- **Restorative Activities** – activities designed to repair harms caused and give back to others or the larger community including, but not limited to: community restitution service, letters of apology, educational presentations, etc.
- **Wellness Activities** – activities designed to address student's wellness in areas including social, emotional, financial, physical, academic, and environmental wellness including, but not limited to: substance use assessments, counseling assessments, meeting with an academic advisor, meeting with a Student Involvement staff member, etc.
- **Reflective Activities** – activities designed to allow the student to reflect on one's own behavior choices and the impact of those choices on the student and others, including potential future impacts if the same choices continue.

B. Outcomes for Student Groups and Organizations

- **Written Warning** – Official notification of unacceptable behavior and violation(s) of Section 8.05/Student Code of Conduct. Any further misconduct may result in more serious disciplinary consequences.
- **Disciplinary Probation** – The student group or organization 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 consequences being imposed. Some of the restrictions that may be placed on the student group or organization during the probationary period include, but are not limited to: ability to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding.
- **Deferred Suspension** – The student group or organization will be officially suspended from the University, but the suspension will be deferred, meaning that the student group or organization may continue to function at this time. The suspension will be automatically enforced for failure to complete any assigned consequences by the deadline and/or for any subsequent violation of University policy, unless the Director determines otherwise. If the student group or organization is found responsible for any subsequent violation of Section 8.05/Student Code of Conduct, the student will be automatically suspended for the length of the original deferred suspension in addition to the other consequences imposed for the subsequent violation. Some of the restrictions that may be placed on the student during the deferred suspension period

include, but are not limited to: ability to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding.

- **Suspension** – The student group or organization is no longer recognized by the University for a designated period of time. During the suspension period, a student group or organization may not conduct any formal or informal business, or participate in University-related activities, whether they occur on or off campus. This includes, but is not limited to: ability to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from the University. Any evidence that members of a student group or organization have attempted to sustain an unofficial student group or organization will result in individual charges and will postpone the group or organizations ability to be re-recognized or registered in the future. Any further violations of University policy while on suspension will result in more serious consequences being imposed.
- **Expulsion** – The student group or organization will permanently lose its University recognition and/or registration and is ineligible to utilize University resources including facilities and financial support.
- **No Contact Order** – The student group or organization 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 group or organization is prohibited from being and/or operating on any campus property and/or entering specific University facilities. Any student group or organization alleged to have violated a campus and/or building ban may be subject to additional disciplinary action.
- **Recommendation for Charter Revocation** – The University will submit an official request to the national or other governing organization to revoke the charter for a student group or organization.
- **Restitution** – The student group or organization is required to pay for the loss of, damages to, or injury to University, personal, public, or private property, provided that such payment shall be limited to the actual cost of repair or replacement of such property. University and/or student fee funds may not be used to pay restitution.
- **Loss of University Privileges** – The student group or organization is restricted from accessing specific University privileges including, but not limited to: ability

to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding.

- **Knowledge Attainment Activities** – activities designed to increase members' knowledge in areas related to the violation(s) committed including, but not limited to: attending workshops, researching a specific topic, interviewing a professional in a specific field, etc.
- **Restorative Activities** – activities designed to repair harms caused and give back to others or the larger community including, but not limited to: community restitution service, letters of apology, educational presentations, etc.
- **Wellness Activities** – activities designed to address members' wellness in areas including social, emotional, financial, physical, academic, and environmental wellness including, but not limited to: risk management workshops, assessment and revision of risk management practices, financial management training, communication or teambuilding workshops, leadership or values congruence workshops, etc.
- **Reflective Activities** – activities designed to allow the student group or organization to reflect on its members' behavior choices and the impact of those choices on the group/organization and others, including potential future impacts if the same choices continue

Staff and Faculty

Staff and Faculty can find information regarding Institutional outcomes in policy [3.48 Coaching and Corrective Action](#). Based on the severity of the offense, the HR Business Partner would work with the leader to address the employment relationship (including coaching plans, written warnings, and separations of employment).

Description of Legal Sanctions

Local

The following Local Laws and Sanctions apply:

[Code of Ordinances City of Wichita, Kansas](#)

[Title 4 Intoxicating Liquors and Beverages](#)

Title 5 Public Safety and Morals

[Title 5.26 - Drugs](#)

State

The following State Laws and Sanctions apply:

[Kansas State Statutes](#)

[Chapter 41 Intoxicating Liquors and Beverages](#)

Chapter 21 Crimes and Punishments

[Article 57 Crimes Involving Controlled Substances](#)

Federal

The following Federal Laws and Sanctions apply:

[United States Code](#)

[Title 18 Crimes and Criminal Procedure](#)

Description of Health Risks with Abuse

The following images are from the [CDC website](#), which explain Alcohol use and Health Risks.

(Continued on next page)

Alcohol Use and Your Health

Drinking too much can harm your health. Excessive alcohol use leads to about 88,000 deaths in the United States each year, and shortens the life of those who die by almost 30 years. Further, excessive drinking cost the economy \$249 billion in 2010. Most excessive drinkers are not alcohol dependent.




What is considered a "drink"? U.S. Standard Drink Sizes



Excessive alcohol use includes:

 <p>Binge Drinking</p> <p>For women, 4 or more drinks consumed on one occasion</p>  <p>For men, 5 or more drinks consumed on one occasion</p>	 <p>Heavy Drinking</p> <p>For women, 8 or more drinks per week</p>  <p>For men, 15 or more drinks per week</p>	 <p>Any alcohol used by pregnant women</p> 	 <p>Any alcohol used by those under the age of 21 years</p> 
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If you choose to drink, do so in moderation:

 <p>DON'T DRINK AT ALL if you are under the age of 21, or if you are or may be pregnant, or have health problems that could be made worse by drinking.</p>	<p>FOR WOMEN, up to 1 drink a day</p> 	<p>FOR MEN, up to 2 drinks a day</p> 	<p>NO ONE should begin drinking or drink more frequently based on potential health benefits.</p>
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National Center for Chronic Disease Prevention and Health Promotion
Division of Population Health



CS246270

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking. Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems.

Short-Term Health Risks

Injuries

- Motor vehicle crashes
- Falls
- Drownings
- Burns

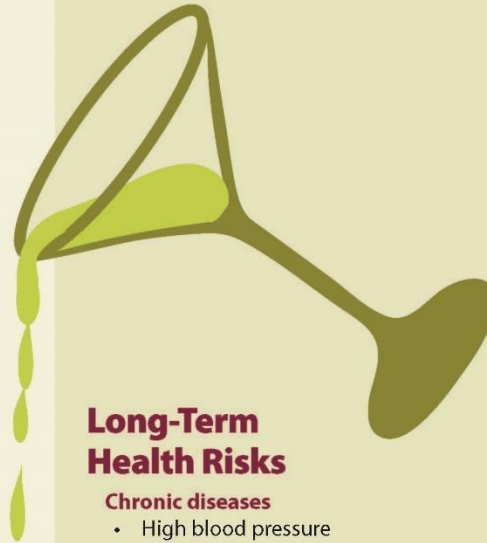
Violence

- Homicide
- Suicide
- Sexual assault
- Intimate partner violence

Alcohol poisoning

Reproductive health

- Risky sexual behaviors
- Unintended pregnancy
- Sexually transmitted diseases, including HIV
- Miscarriage
- Stillbirth
- Fetal alcohol spectrum disorders (FASDs)



Long-Term Health Risks

Chronic diseases

- High blood pressure
- Heart disease
- Stroke
- Liver disease
- Digestive problems

Cancers

- Breast
- Mouth and throat
- Liver
- Colon

Learning and memory problems

- Dementia
- Poor school performance

Mental health

- Depression
- Anxiety

Social problems

- Lost productivity
- Family problems
- Unemployment

Alcohol dependence

<http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

The following description is from the [National Institute on Drug Abuse Website](#), which explain Drug use and Health Risks.

“Drug use can have a wide range of short- and long-term, direct and indirect effects. These effects often depend on the specific drug or drugs used, how they are taken, how much is taken, the person's health, and other factors. Short-term effects can range from changes in appetite, wakefulness, heart rate, blood pressure, and/or mood to heart attack, stroke, psychosis, overdose, and even death. These health effects may occur after just one use.

Longer-term effects can include heart or lung disease, cancer, mental illness, HIV/AIDS, hepatitis, and others. Long-term drug use can also lead to addiction. Drug addiction is a brain disorder. Not everyone who uses drugs will become addicted, but for some, drug use can change how certain brain circuits work. These brain changes interfere with how people experience normal pleasures in life such as food and sex, their ability to control their stress level, their decision-making, their ability to learn and remember, etc. These changes make it much more difficult for someone to stop taking the drug even when it's having negative effects on their life and they want to quit.

Drug use can also have indirect effects on both the people who are taking drugs and on those around them. This can include affecting a person's nutrition; sleep; decision-making and impulsivity; and risk for trauma, violence, injury, and communicable diseases. Drug use can also affect babies born to women who use drugs while pregnant. Broader negative outcomes may be seen in education level, employment, housing, relationships, and criminal justice involvement.”

Drug and Alcohol Counseling/Treatment/Rehab Program

Students

From the DFSCA Biennial Report, which Counseling and Prevention Services provides, it states the following counseling, treatment, or rehab programs related to drugs and alcohol.

1. Counseling and Prevention Services maintains an online substance use assessment for students to utilize anonymously if they wish to gain feedback and learn about resources on campus.
2. Counselors at Counseling and Prevention Services are trained to conduct brief substance abuse counseling and appropriately refer to outside agencies for more extensive treatment if necessary.

Staff and Faculty

Staff and Faculty can reference [Policy 4.32/Substance Abuse](#), which is used in dealing with faculty members with substance abuse problems and is intended to enhance and encourage a cooperative effort between faculty and the University and to serve and protect the interests of both.

Additionally, for all staff and faculty issues, a referral to the Employee Assistance Program is always an option. Through our State of Kansas EAP Program, alcohol and drug treatment may be offered through short term counseling or a referral to other community resources.