



.....
**WICHITA STATE
UNIVERSITY**

**2023 COMBINED
ANNUAL SECURITY REPORT
& FIRE SAFETY REPORT**

Statistics for 2020, 2021 & 2022

September 30, 2023

Table of Contents

| | |
|---|----|
| Introduction..... | 1 |
| Policy for Preparing the Annual Report..... | 1 |
| 1 General Safety and Security Policies | 2 |
| 1.1 Campus Security Personnel & Relationship with Local Law Enforcement | 2 |
| 1.2 Campus Security Authorities | 2 |
| 1.3 Reporting a Crime or Emergency..... | 3 |
| 1.4 Confidential Reporting | 3 |
| 1.5 Security of and Access to Campus Facilities | 4 |
| 1.6 Security Considerations in the Maintenance of Facilities | 5 |
| 1.7 Educational Programs Related to Security Awareness and Prevention of Criminal Activity | 5 |
| 1.8 Monitoring Off Campus Locations of Recognized Student Organizations | 6 |
| 1.9 Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense | 6 |
| 2 Drug and Alcohol Policies and Laws..... | 6 |
| 2.1 WSU Drug and Alcohol Policy | 6 |
| 3 Federal Drug Laws (updated 08.01.2023) | 7 |
| 3.1 Federal Drug Possession Penalties (21 U.S.C. § 844) | 8 |
| 4 Drug and Alcohol State Laws | 8 |
| 5 WSU Drug and Alcohol Abuse Prevention Program | 9 |
| 6 Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking..... | 10 |
| 6.1 University Policy 3.06 / Sexual Harassment, Discrimination and Retaliation for Employees, Students and Visitors..... | 10 |
| 6.2 Primary Prevention and Awareness Program..... | 11 |
| 6.2.1 Crime Definitions..... | 11 |
| 6.2.2 University Definition of Consent..... | 16 |
| 6.2.3 Risk Reduction..... | 17 |
| 6.2.4 Bystander Intervention..... | 18 |
| 6.2.5 Other Information Covered by the PPAP | 19 |
| 6.3 Ongoing Prevention and Awareness Campaign..... | 19 |
| 6.4 PPAP and OPAC Programming Methods | 19 |
| 6.4.1 Education | 20 |
| 6.4.2 Awareness | 21 |
| 6.5 Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking | 23 |
| 6.5.1 Preservation of Evidence & Forensic Examinations | 24 |

| | | |
|--------|--|----|
| 6.5.2 | Security/Law Enforcement & How to Make a Police Report..... | 24 |
| 6.5.3 | Information about Legal Protection Orders | 25 |
| 6.6 | Available Victim Services..... | 25 |
| 6.6.1 | University Resources | 25 |
| 6.6.2 | State/Local Resources | 26 |
| 6.6.3 | National Resources | 27 |
| 6.7 | Accommodations and Protective Measures | 27 |
| 6.8 | Procedures for Disciplinary Action..... | 29 |
| 6.8.1 | Initial Assessment | 30 |
| 6.8.2 | Violence Risk Assessment..... | 31 |
| 6.8.3 | Dismissal (Mandatory and Discretionary) | 31 |
| 6.9 | Formal Grievance Process..... | 32 |
| 6.9.1 | Notice of Investigation and Allegations | 32 |
| 6.9.2 | Resolution Timeline..... | 33 |
| 6.9.3 | Appointment of Investigators | 33 |
| 6.9.4 | Ensuring Impartiality | 33 |
| 6.9.5 | Investigation Timeline | 34 |
| 6.9.6 | Delays in the Investigation Process and Interactions with Law Enforcement...34 | |
| 6.9.7 | Steps in the Investigation Process..... | 34 |
| 6.9.8 | Role and Participation of Witnesses in the Investigation | 36 |
| 6.9.9 | Recording of Interviews..... | 36 |
| 6.9.10 | Evidentiary Considerations in the Investigation | 36 |
| 6.9.11 | Referral for Hearing..... | 36 |
| 6.9.12 | Hearing Decision-maker Composition | 37 |
| 6.9.13 | Evidentiary Considerations in the Hearing | 37 |
| 6.9.14 | Notice of Hearing..... | 38 |
| 6.9.15 | Alternative Hearing Preparation Options..... | 39 |
| 6.9.16 | Pre-Hearing Preparation..... | 39 |
| 6.9.17 | Pre-Hearing Meetings | 40 |
| 6.9.18 | Hearing Procedures | 40 |
| 6.9.19 | Joint Hearings | 41 |
| 6.9.20 | The Order of the Hearing-Introductions and Explanation of Procedure..... | 41 |
| 6.9.21 | Investigator Presents the Final Investigation Report | 41 |
| 6.9.22 | Testimony and Questioning | 41 |
| 6.9.23 | Refusal to Submit to Cross Examination and Inferences..... | 42 |
| 6.9.24 | Recording Hearings | 43 |
| 6.9.25 | Deliberation, Decision-making, and Standard of Proof..... | 43 |

| | | |
|--------|---|----|
| 6.9.26 | Notice of Outcome | 43 |
| 6.9.27 | Rights of the Parties in an Institutional Proceeding: | 44 |
| 7 | Possible Sanctions or Protective Measures that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses..... | 46 |
| 7.1.1 | Student Sanctions | 46 |
| 7.1.2 | Employee Sanctions | 48 |
| 7.1.3 | Publicly Available Recordkeeping | 49 |
| 7.1.4 | Victims to Receive Written Notification of Rights..... | 49 |
| 7.1.5 | Sex Offender Registration Program..... | 49 |
| 8 | Timely Warnings and Emergency Response | 50 |
| 8.1.1 | Timely Warnings | 50 |
| 8.1.2 | Emergency Response | 50 |
| 8.1.3 | Methods for Issuing Timely Warnings and Emergency Notifications | 51 |
| 8.1.4 | Testing & Documentation..... | 52 |
| 9 | Missing Student Policy | 53 |
| 10 | Crime Statistics | 54 |
| 10.1 | WSU Main Campus..... | 54 |
| 10.1.1 | Crime Statistics | 54 |
| 10.2 | WSU Downtown Center/Old Town Campus | 55 |
| 10.2.1 | Crime Statistics | 55 |
| 10.2.2 | Crimes unfounded by the University: | 57 |
| 10.2.3 | Statistics for unfounded crimes provided by law enforcement agencies: | 57 |
| 10.2.4 | Data from law enforcement agencies:..... | 57 |
| 10.3 | WSU Haysville Campus | 57 |
| 10.3.1 | Hate crimes: | 58 |
| 10.3.2 | Crimes unfounded by the University: | 58 |
| 10.3.3 | Statistics for unfounded crimes provided by law enforcement agencies: | 58 |
| 10.3.4 | Data from law enforcement agencies:..... | 58 |
| 10.4 | WSU Metroplex and AEGD | 58 |
| 10.4.1 | Crime Statistics | 58 |
| 10.4.2 | Hate crimes: | 59 |
| 10.4.3 | Crimes unfounded by the University: | 59 |
| 10.4.4 | Statistics for unfounded crimes provided by law enforcement agencies: | 59 |
| 10.4.5 | Data from law enforcement agencies:..... | 59 |
| 10.5 | National Center for Aviation Training | 60 |
| 10.5.1 | Crime Statistics | 60 |
| 10.5.2 | Hate crimes: | 61 |

| | | |
|--------|---|----|
| 10.5.3 | Crimes unfounded by the University: | 61 |
| 10.5.4 | Statistics for unfounded crimes provided by law enforcement agencies: | 61 |
| 10.5.5 | Data from law enforcement agencies: | 61 |
| 10.6 | WSU South Campus | 61 |
| 10.6.1 | Crime Statistics | 61 |
| 10.6.2 | Crimes unfounded by the University: | 62 |
| 10.6.3 | Statistics for unfounded crimes provided by law enforcement agencies: | 62 |
| 10.6.4 | Data from law enforcement agencies: | 62 |
| 10.7 | WSU West Campus | 62 |
| 10.7.1 | Crime Statistics | 62 |
| 10.7.2 | Hate crimes: | 63 |
| 10.7.3 | Crimes unfounded by the University: | 63 |
| 10.7.4 | Statistics for unfounded crimes provided by law enforcement agencies: | 64 |
| 10.7.5 | Data from law enforcement agencies: | 64 |
| | Annual Fire Safety Report | 65 |
| 1 | Housing Facilities and Fire Safety Systems | 65 |
| 2 | Policies on Portable Appliances, Smoking and Open Flames | 65 |
| 2.1 | Cooking and Appliances | 65 |
| 2.1.1 | Cooking | 65 |
| 2.1.2 | Electrical Appliances | 66 |
| 3 | Fire Evacuation Procedures | 67 |
| 4 | Fire Education and Training Programs | 67 |
| 5 | Reporting Fires | 68 |
| 6 | Plans for Future Improvements | 69 |
| 7 | Fire Statistics | 69 |
| 7.1 | WSU Main (Fairmount Street) | 69 |
| 7.1.1 | 2022 Reported Fires | 69 |
| 7.1.2 | 2021 Reported Fires | 69 |
| 7.1.3 | 2020 Reported Fires | 70 |

INTRODUCTION

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Wichita State University ("University") with information on: the University's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

POLICY FOR PREPARING THE ANNUAL REPORT

This report is prepared by the Associate Vice President and University Title IX Coordinator in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Dr. Courtney McHenry, Office of Civil Rights, Title IX, and ADA Compliance, 208 Lindquist Hall, Wichita, KS 67260, (316) 316-978-5257. The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

1 General Safety and Security Policies

1.1 Campus Security Personnel & Relationship with Local Law Enforcement

The Wichita State University Police Department is responsible for campus safety at the University.

The Wichita State University Police Department's officers are commissioned law enforcement officers with authority to investigate suspected criminal incidents and traffic infractions, carry firearms, 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.

1.2 Campus Security Authorities

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

- **Associate Vice President - Civil Rights, Title IX Coordinator** at Lindquist Hall, Rm 208, Campus Box 138, 316-978-5257
- **Assistant Director and Deputy Title IX Coordinator** at Lindquist Hall, Rm 209, Campus Box 138, 316-978-3187
- **Vice President of Student Affairs** at Rhatigan Student Center, Rm 210, Campus Box 95, 316-978-3021
- **Executive Vice President and Provost** at Morrison Hall, Rm 107, Campus Box 13, 316-978-3010
- **Athletics Director** at Charles Koch Arena, Campus Box 18, 316-978-3250
- **University Police Chief** at University Police Building, Campus Box 3, 316-978-3450
- **Dean - Dorothy and Bill Cohen Honors College** at Shocker Hall, Campus Box 102, 316-978-6459
- **Dean - College of Applied Studies** at Corbin Education Center, Rm 104, Campus Box 131, 316-978-3301
- **Dean - College of Engineering** at P2, Rm A107, Campus Box 44, 316-978-6513
- **Dean - College of Fine Arts** at Weidemann Hall, Rm 116, Campus Box 151, 316-978-3389
- **Dean - College of Innovation and Design** at Devlin Hall, Rm 200, Campus Box 212, 316-978-3786

- **Dean - College of Health Professions** at Ahlberg Hall, Rm 400, Campus Box 43, 316-978-3600
- **Dean - Fairmount College of Liberal Arts and Sciences** at Lindquist Hall, Rm 200, Campus Box 5, 316-978-6659
- **Dean - W. Frank Barton School of Business** at Woolsey Hall, Campus Box 48, 316-978-3200
- **Dean - Graduate School** at Jardine Hall, Rm 107, Campus Box 4, 316-978-3095

1.3 Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

WSU Policy 18.02/Crime Reporting and Emergency Assistance 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) 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.

Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a University staff member will assist in making the report to the police.

Anonymous incident reports can also be made by submitting a report through the Office of Civil Rights, Title IX and ADA Compliance website.

1.4 Confidential Reporting

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

WSU Policy 3.06/ Sexual Harassment, Discrimination and Retaliation from 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.

Pursuant to WSU Policy 3.06/ Sexual Harassment, Discrimination and Retaliation from Employees, Students and Visitors, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

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

1.5 Security of and Access to 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, WSU West, WSU Haysville, 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 and events.

WSU Policy 11.18/University Event 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. The departments unlock exterior and classroom doors.

Residence halls 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.

1.6 Security Considerations in the Maintenance of Facilities

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 locks and 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.

1.7 Educational Programs Related to Security Awareness and Prevention of Criminal Activity

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

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 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 throughout the year to students in the residence halls.

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 Workplace Violence and WSU 8.18/Eschewing Campus 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 Civil Rights, Title IX and ADA 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.

1.8 Monitoring Off Campus Locations of Recognized Student Organizations

The University monitors and records, through local police agencies, any criminal activity in which students have engaged at off-campus locations of student organizations officially recognized by the University, including student organizations with off-campus housing facilities (such as a Greek house).

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

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

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

2 Drug and Alcohol Policies and Laws

2.1 WSU Drug and 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.

The University prohibits persons under 21 years of age from possessing or consuming cereal malt beverages or alcoholic liquor on campus or as part of the University's activities. 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. The University enforces the state's underage drinking laws.

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.

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities. 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.

WSU Policy 3.03/Drug Free Workplace 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.

3 Federal Drug Laws (updated 08.01.2023)

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

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

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

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

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

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

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

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

3.1 Federal Drug Possession Penalties (21 U.S.C. § 844)

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

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf.

4 Drug and Alcohol State Laws

| Category | Summary (Kansas Statutes) |
|-------------------------|--|
| Possession of Marijuana | Possession of marijuana is a Class B nonperson misdemeanor in Kansas with the possibility of six months incarceration and a fine of up to \$1,000. Kan. Stat. Ann. § 21-5706(c)(3)(A); § 21-6602; § 21-6611. Penalties increase with additional convictions. §§ 21-5706(c)(3)(B)–(C); § 21-6602; § 21.6611. Kansas does not allow the medical use of marijuana. |
| Controlled Substances | It is illegal in Kansas to be in possession of a controlled substance. §§ 21-5706(a)–(b). Penalties vary widely based on the offense and the defendant’s criminal history. §§ 21-5705–21-5710. Possession of opiates, opium, or certain stimulants (including methamphetamine) is a Level 5 felony for which a defendant faces up to 3.5 years in prison and \$100,000 in fines. §§ 21-5706(c)(1); 21-6611(a)(3). For certain other drugs, the first offense is a Class A nonperson misdemeanor, with up to a year in prison and up to \$2,500 in |

| Category | Summary (Kansas Statutes) |
|-----------------------------------|---|
| | <p> fines. Prior offenses result in a level 5 felony. § 21-5706(c)(2)(B). Possession of drug paraphernalia is also illegal. § 21-5709.</p> <p> Distribution of controlled substances is also illegal, with punishments dependent on the substance and the amount. § 21-5705.</p> |
| Alcohol and Minors | <p> No person under the age of 21 shall possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic beverages. § 41-727. Doing so results in a minimum fine of \$200. <i>Id.</i> It may also result in 40 hours of community service and/or completion or an educational training program regarding the results of alcohol and other chemical substances. <i>Id.</i> Second convictions result in a 90-day loss of driving privileges. <i>Id.</i> Third convictions result in a one-year loss of driving privileges. <i>Id.</i></p> |
| Driving Under the Influence (DUI) | <p> It is illegal to operate or attempt to operate a car with a blood alcohol content greater than 0.08 percent or under the influence of any drug as measured within three hours of the time of operating the vehicle. § 8-1567(a). A first offense is a class B, nonperson misdemeanor with a minimum imprisonment from 48 consecutive hours up to six months, or 100 hours of public service and a fine of \$750–\$1000. § 8-1567(b)(1)(A). For a second offense, the penalties increase to a class A, nonperson misdemeanor with a minimum imprisonment from 90 days up to one year and not fined less than \$1,250 nor more than \$1,750. § 8-1567(b)(1)(B).</p> |

5 WSU Drug and Alcohol Abuse Prevention Program

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.

WSU 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.

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.

However, individuals over the age of 21 can consume alcohol in on-campus housing under the following guidelines:

- Open containers of alcohol are not permitted outside student Suite/Apartment.
- Only one open container of alcohol is allowed per person who is 21 years of age or older.
- Those of age to legally consume alcohol must do so with the Suite/Apartment door closed.
- If a Suite/Apartment is shared by those over and under 21 years old, it must be clear that the alcohol is being consumed only by those 21 years old or older.
- If all occupants of a Suite/Apartment are under 21 years old, no alcohol may be consumed or possessed in that Suite/Apartment, regardless of the age of the guest or visitor. This includes guests who are of age and live elsewhere in the hall.
- Residents and their guests violating the policy will be asked to dispose of the alcohol in the presence of a staff member.
- Intoxication is never an acceptable excuse for misconduct or for infringing upon the rights of others. Residents should avoid engaging in dangerous drinking behaviors (excessive/rapid consumption).

The Prevention Services Advisory Board is appointed by the President of the University and overseen by the Director of Prevention and Outreach Services. It was established in 1987 as the Alcohol Advisory Board to address substance abuse among WSU students. The Board is made up of representatives from Student Government, Campus Police, Diversity and Inclusion, TRIO services, Office of Institutional Equity and Compliance (Title IX), the Psychology Department, Community Engagement Institute, Undergraduate Admissions, the Sociology department, Housing and Residence Life, Office of International Education, Counseling & Prevention Services, Student Conduct and Community Standards, Student Health Services, Campus Recreation, Student Engagement, Advocacy and Leadership, Human Performance Studies Department, Athletics, Greek Life, Student Affairs Assessment and Retention, Student Activities Council, School of Social Work, Academic Affairs, and our campus partner YMCA. The Board meets monthly to discuss current programs, goals, and strategies to address substance abuse at WSU and performs a full review and analysis of the same every even-numbered year.

6 Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

6.1 University Policy 3.06 / Sexual Harassment, Discrimination and Retaliation for Employees, Students and Visitors

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- 3.06 / Sexual Harassment, Discrimination and Retaliation for Employees, Students and Visitors:
https://www.wichita.edu/about/policy/ch_03/ch3_06.php#_Toc48159816

The following sections of this report discuss the University's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

6.2 Primary Prevention and Awareness Program

The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the University prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

6.2.1 Crime Definitions

| Crime Type (Kansas Statutes Annotated) | Definitions |
|---|--|
| Dating Violence | The institution has determined, based on good-faith research, that Kansas law does not define the term dating violence. |
| Domestic Violence | <ul style="list-style-type: none"> • Domestic Violence (Kan. Stat. Ann. § 21-5111): “Domestic violence” means 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. • Domestic Battery (Kan. Stat. Ann. § 21-5414(a)): Domestic battery is (1) Knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or (2) knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner. |

| Crime Type (Kansas Statutes Annotated) | Definitions |
|---|--|
| | <ul style="list-style-type: none"> • Aggravated Domestic Battery (Kan. Stat. Ann. § 21-5414(b)): Aggravated domestic battery is: (1) Knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner; or (2) knowingly impeding the normal breathing or circulation of the blood by blocking the nose or mouth of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner. <p>For purpose of the above definitions:</p> <ul style="list-style-type: none"> • “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. • “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 person 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 and household member” also includes a man and woman if the woman is pregnant and the man is the alleged father, regardless of whether they have been married or have lived together at any time. |
| Stalking (Kan. Stat. Ann. § 21-5427) | <ul style="list-style-type: none"> • Stalking is: (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; (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...that prohibits contact with a targeted person, recklessly engaging in at least one act listed [below] 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; or intentionally engaging in a course of conduct targeted at a specific child under |

| Crime Type (Kansas Statutes Annotated) | Definitions |
|---|--|
| | <p>the age of 14 that would cause a reasonable person in the circumstances of the targeted child, or a reasonable person in the circumstances of an immediate family member of such child, to fear for such child’s safety.</p> <ul style="list-style-type: none"> • “Course of conduct” means two or more acts over a period of time, however short, which evidence a continuity of purpose. A course of conduct shall not include constitutionally protected activity nor conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct shall include, but not be limited to, any of the following acts or a combination thereof: (A) Threatening the safety of the targeted person or a member of such person's immediate family; (B) Following, approaching or confronting the targeted person or a member of such person's immediate family; (C) Appearing in close proximity to, or entering the targeted person's residence, place of employment, school or other place where such person can be found, or the residence, place of employment or school of a member of such person's immediate family; (D) Causing damage to the targeted person's residence or property or that of a member of such person's immediate family; (E) Placing an object on the targeted person's property or the property of a member of such person's immediate family, either directly or through a third person; (F) Causing injury to the targeted person's pet or a pet belonging to a member of such person's immediate family; (G) Utilizing electronic tracking system or acquiring tracking information to determine the targeted person’s location, movement or travel patterns; and (H) Any act of communication. • “Immediate Family” means: (A) father, mother, stepparent, child, stepchild, sibling, spouse or grandparent of the targeted person; (B) any person residing in the household of the targeted person; or (C) any person involved in an intimate relationship with the targeted person. |
| Sexual Assault | The institution has determined, based on good-faith research, that Kansas law does not define the term sexual assault. |
| Rape, Fondling, Incest, Statutory Rape | <p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Kansas law are as follows:</p> <ul style="list-style-type: none"> • Rape (Kan. Stat. Ann. § 21-5503): (1) Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances: (A) When the victim is overcome by force or fear; or (B) when the victim is unconscious or physically powerless; (2) Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of |

| Crime Type (Kansas Statutes Annotated) | Definitions |
|---|--|
| | <p>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.</p> <ul style="list-style-type: none"> • Fondling: The institution has determined, based on good-faith research, that Kansas law does not define the term fondling. • Incest (Kan. Stat. Ann. § 21-5604(a)): Incest is marriage to or engaging in otherwise lawful sexual intercourse or sodomy, as defined in K.S.A. 21-5501, and amendments thereto, with a person who is 18 or more years of age and who is known to the offender to be related to the offender as any of the following biological relatives: Parent, child, grandparent of any degree, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece. • Aggravated Incest (Kan. Stat. Ann. § 21-5604(b)): Aggravated incest is (1) Marriage to a person who is under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece; or (2) engaging in the following acts with a person who is 16 or more years of age but under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece: (A) Otherwise lawful sexual intercourse or sodomy as defined by K.S.A. 21-5501, and amendments thereto; or (B) any lewd fondling, as described in subsection (a)(1) of K.S.A. 21-5506, and amendments thereto. • Statutory Rape: The institution has determined, based on good-faith research, that Kansas law does not define the term statutory rape. |
| Other "sexual assault" crimes | <p>Other crimes under Kansas law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> • Criminal Sodomy (Kan. Stat. Ann. § 21-5504(a)): Criminal sodomy is: (1) Sodomy between persons who are 16 or more years of age and members of the same sex* [this provision was found unconstitutional as applied by <i>State v. Franco</i>, 319 P.3d 551 (2014) and thus unenforceable with regard to any intercourse |

| Crime Type (Kansas Statutes Annotated) | Definitions |
|---|---|
| | <p>between consenting adults of the same sex conducted in private; (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.</p> <ul style="list-style-type: none"> • Aggravated Criminal Sodomy (Kan. Stat. Ann. § 21-5504(b)): Aggravated criminal sodomy is: (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. • Sexual Battery (Kan. Stat. Ann. § 21-5505(a)): Sexual battery is 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. • Aggravated Sexual Battery (Kan. Stat. Ann. § 21-5505(b)): Aggravated sexual battery is sexual battery, as defined in subsection (a), 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. • Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(a)): Indecent liberties with a child is 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. • Aggravated Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(b)): Aggravated indecent liberties with a child is: (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 |

| Crime Type (Kansas Statutes Annotated) | Definitions |
|---|---|
| | <p>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.</p> <ul style="list-style-type: none"> • Unlawful voluntary sexual relations (Kan. Stat. Ann. § 21-5507): Unlawful voluntary sexual relations is: <ul style="list-style-type: none"> ○ (1) 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: <ul style="list-style-type: none"> ▪ (A) Voluntary sexual intercourse; ▪ (B) voluntary sodomy; or ▪ (C) voluntary lewd fondling or touching; ○ (2) when the offender is less than 19 years of age; ○ (3) when the offender is less than four years of age older than the child; ○ (4) when the child and the offender are the only parties involved; and ○ (5) when the child and the offender are members of the opposite sex. |
| Consent (as it relates to sexual activity) | The institution has determined, based on good-faith research, that Kansas law does not define the term consent (as it relates to sexual activity). |

6.2.2 University Definition of Consent

The University uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

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.

6.2.3 Risk Reduction

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.

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, written educational materials and participation in special events, 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 how to reach out to Housing staff or a Resident Assistant for help.

Risk reduction means options designed to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. **With no intent to victim blame and recognizing that only abusers are responsible for their abuse**, the following are some strategies to reduce one’s risk of sexual

assault or harassment. Be aware of your surroundings. Knowing where you are and who is around you, may help you to find a way to get out of a bad situation:

- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Try not to load yourself down with packages or backpacks as this can make you appear more vulnerable.
- Have your cell phone within reach. Establish an Uber or Lyft account.
- Don't allow yourself to be alone with someone you don't trust, or you don't know.
- Avoid putting music headphones/earbuds in both ears so you are aware of surroundings, especially if you are walking alone.
- Go to parties or events with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately. Call 911 for Wichita Police Department.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink, get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from punch bowls or other large common containers.

If you feel unsafe and need to get out of a situation the following tips may help:

- Remember that being in this situation is not your fault. You did not do anything wrong, person who is making you uncomfortable is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so if you don't feel comfortable you can call them and communicate your discomfort without anyone knowing. Your friends and family can come to get you or make up an excuse for you to leave.
- If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else you need to be, etc.
- Try to think of an escape route. How would you try to get out of a room? Where are the doors and windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.
- It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; "playful" use of force during sex; Jekyll-and-Hyde personality.

6.2.4 Bystander Intervention

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.

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.

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Identify personnel barriers to intervening and strategies to safely work around them.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don't hesitate to contact the police.

6.2.5 Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

6.3 Ongoing Prevention and Awareness Campaign

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

6.4 PPAP and OPAC Programming Methods

The Prevention Services Advisory Board (PSAB) focuses on four areas that have been identified as of main concern on college campuses - prevention of sexual violence, substance misuse, suicide, and the promotion of health and wellness. The Coordinated Campus Communication Response Team (PSAB preventing sexual violence subcommittee) oversees the goals and objectives outlined in the strategic plan by the Campus Program grant awarded by Office on Violence Against Women. The substance misuse prevention goals and strategies are outlined in the strategic plan created through the SAFE Projects Summer Series Program and overseen by the Substance Misuse Prevention Subcommittee of the PSAB.

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Content on healthy relationships and the prevention of sexual assault, dating/domestic violence, and stalking is provided alongside education and awareness programs about substance misuse given that these issues have been identified as of primary concern among college students and frequently intersect in concerns of safety and consent. Programming methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

6.4.1 Education

1. Primary prevention 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.
2. 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.
3. All incoming freshmen and transfer students are required to attend an orientation session that includes policies, norms clarifications, substance misuse education, and risk reduction strategies for alcohol and sexual violence, as well as awareness of campus resources.
4. Prevention Services also delivers alcohol and other drug education presentations to student organizations (clubs), Greek chapters, athletic teams, and other groups upon request.
5. Resident Assistants and Campus Leaders are trained in substance abuse awareness, how to assess students' substance use, how to effectively approach and engage a student with a substance abuse problem, and how to appropriately refer a student in need. In addition, student leaders in Housing and Residence Life were trained on how to deliver Choices about Alcohol, an evidence-based harm reduction program.
6. The Office of Student Conduct and Community Standards, the Office of Student Engagement and Leadership, and the Director of Prevention Services collaborate to provide training to student organizations on the social host law, campus policy, alcohol-related risk reduction, and crisis management. Social Host training is required for any registered organization that hosts events with alcohol, and the organization must have a ratio of one trained member per ten guests at any given event with alcohol. This training is made available online in order to increase its reach and efficiency.
7. We work to increase resource literacy and knowledge. A list of resources available for substance use/misuse/abuse treatment and recovery both on the campus and in the local community was compiled and distributed with information about treatment options at tabling events and through campus partner departments.

8. Campus leaders have been trained in facilitating Choices About Alcohol classes. Starting in Spring 2023 this class will be a mandatory education opportunity for all incoming Greek Life members and offered at least annually to all student-athletes.

9. The Office of Civil Rights, Title IX and ADA Compliance 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.

6.4.2 Awareness

1. WSU uses information from the National College Health Assessment, delivered to students biannually, to measure students' reported health behaviors and beliefs, including about alcohol and other drugs. WSU uses this information to guide awareness programs across campus. Programs include tabling at events such as Welcome Fest, Spring Fest, Student Involvement Fair, events related to Greek Life, Wellness Promotion events, and the Health Fair. Through partnerships with the Student Activities Council, Interfraternity Council, and Housing and Residence Life, we provide activities such as drunk and distracted driving simulation activities, and other awareness events to students. The Prevention Services Advisory Board regularly provides information through these various outlets about the effects of alcohol and ways to reduce risk.

2. 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.

3. PSAB continues to utilize social media accounts used to provide risk reduction tips and promote healthy and informed choices with alcohol and other drugs.

4. Our peer education group is called the Prevention Ambassadors. One of their top mandates is to provide evidence-based and engaging information to their fellow students related to the effects of substances and ways to reduce risk. This group has grown from 6 to 20 students, and we have seen an increase in students engaging with our prevention activities as a result. Each Prevention Ambassador is assigned to a specific college, department, student demographic, etc. with whom they already have an existing connection. This has allowed us to increase our reach with students who would not normally engage with our services, messaging, or events.

5. A collaboration with the Kansas Department of Transportation allowed for resources to engage in a specific campaign related to awareness, education, and prevention and risk reduction strategies related to impaired driving. This included yard signs, events, activities, social media posts, webpages with educational materials, a pledge page for students to pledge not to drive impaired, strategies for how to help a friend who wants to drive impaired.

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 University's MyTraining online 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, including via presentations and tabling aimed at students and staff. 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.

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 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.

6.5 Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, 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 Civil Rights, Title IX and ADA Compliance. WSU Policy 3.06 sets 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, Dr. Courtney McHenry, may be contacted at courtney.mchenry@wichita.edu, Office of Civil Rights, Title IX and ADA Compliance, 208 Lindquist Hall, 1845 N. Fairmount Street, Wichita, KS 67260, 316-978-5257.

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.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).

2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

6.5.1 Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at: Via Christi St. Joseph's SANE/SART (sexual assault nurse examination/sexual assault response team), 3600 E Harry St, Wichita, KS 67218 316-268-5000; Wesley Healthcare SANE/SART, 550 N. Hillside, Wichita, KS 67214 316-962-2000.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

6.5.2 Security/Law Enforcement & How to Make a Police Report

- University Police Department (316) 316-978-3450
- Wichita Police Department (316) 267-4111
- 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. The individual should provide as much information as possible, including name, address, and when and where occurred, to the best of their ability. 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.

6.5.3 Information about Legal 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 Wichita Police Department, Office for Protection from Abuse at (316) 660-5290 or complete the forms online at [Protection from Abuse, Stalking, Sexual Assault, or Human Trafficking | Sedgwick County, Kansas](#). (Kansas Protection Order Portal).

6.6 Available Victim Services

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

6.6.1 University Resources

Counseling and Psychological Services, Steve Clark YMCA and Student Wellness Center, 316-978-4792 <https://www.wichita.edu/services/counseling/index.php>

Student Health Services, Steve Clark YMCA and Student Wellness Center, 316-978-4792 <https://www.wichita.edu/services/studenthealth/index.php>

CARE Team, <https://www.wichita.edu/services/careteam>

HOPE Services, <https://www.wichita.edu/services/prevention/index.php>

WISE Clinic, https://www.wichita.edu/academics/applied_studies/wise-clinic/index.php

Psychology Department Clinic,
https://www.wichita.edu/academics/fairmount_college_of_liberal_arts_and_sciences/psychology/labs/WSUPsychologyClinic.php

Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The Wichita State University financial aid website can be found at: https://www.wichita.edu/administration/financial_aid/

Office of Civil Rights, Title IX and ADA Compliance, Lindquist Hall 208, (316) 316-978-5257 - reporting and accommodations

University Police Department (316) 316-978-3450 - criminal investigation and reporting

6.6.2 State/Local Resources

Wichita Area Sexual Assault Center (WASAC), Leslie Carvalho, Campus Outreach Advocate, 316-263-0185 (main), 316-263-3002 (24/7 crisis line) <https://wichitasac.com>

Wichita Family Crisis Center, 1111 St. Francis, Wichita, KS 67201, 316-263-2313 <https://www.wichitafamilycrisiscenter.org/>

COMCARE of Sedgwick County, 316-660-7500 (24/7 crisis line)
<https://www.sedgwickcounty.org/comcare/>

Catholic Charities Harbor House, 316-263-6000 (24/7 monitoring)
<https://www.catholiccharitieswichita.org/harbor-house/>

Prairie View, 1-800-362-0180 (crisis hotline), <https://prairieview.org/>

South Central Mental Health, 1-855-773-6686 (crisis hotline), <https://www.scmhcc.org/>

Kansas Legal Services, 110 S Main St #300, Wichita, KS 316-265-9681

Hospitals

[Via Christi Hospitals](#)

3600 E. Harry St. Wichita, KS 67218
316-268-5000

929 N. St. Francis St. Wichita, KS 67214
316-268-5000

14800 W. Saint Teresa Wichita, KS 67235
316-796-7000

[Wesley Medical Center](#)

550 N. Hillside, Wichita, KS 67214
316-962-2000

[Wesley Derby ER](#)

2848 N. Rock Road, Derby, KS 67037
316-962-9500

[Wesley West Emergency and Diagnostic Center](#)

8838 W. 13th Street, Wichita, KS 67214
316-962-9900

[Wesley Woodlawn Hospital and ER](#)

2610 N. Woodlawn, Wichita, KS 67220
316-858-2610

6.6.3 National Resources

National Domestic Violence Hotline: 1-800-799-7233

National Sexual Assault Hotline: 1-800-656-4673

National Suicide Prevention Lifeline, 1-800-SUICIDE (1-800-784-2433)

Crisis Text Line, text HOME to 741741

Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>

US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>

National Coalition Against Domestic Violence: <http://www.ncadv.org/>

National Sexual Violence Resource Center: <http://www.nsvrc.org/>

U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>

Immigration Advocates Network: <https://www.immigrationadvocates.org/>

6.7 Accommodations and Protective Measures

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

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 as well as a written explanation of the individual's rights and options under University Policy and the

Law. The Title IX Coordinator outreach and supportive measures are offered regardless of whether the offense occurred on or off campus.

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 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

When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant.

- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations or protective measures provided to a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

6.8 Procedures for Disciplinary Action

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.

The Office of Civil Rights, Title IX and ADA Compliance provides a link on their home page to file a complaint any time. Complainants or witnesses can also contact a member of the CARE Team, CAPS services, UPD, or Housing and Residence Life for assistance in submitting a report. Additionally, all WSU staff and faculty are mandatory reporters.

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.

6.8.1 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 will refer 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.

6.8.2 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)
- 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.

6.8.3 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 detailed in policy. 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.

6.9 Formal Grievance Process

6.9.1 Notice of Investigation and Allegations

1. 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.
2. The NOIA will include:
 - a. A meaningful summary of all of allegations,
 - b. The identity of the involved parties (if known),
 - c. The precise misconduct being alleged,
 - d. The date and location of the alleged incident(s) (if known),
 - e. The specific policies implicated,
 - f. A description of the applicable procedures,
 - g. A statement of the potential sanctions/responsive actions that could result,
 - h. A statement that the University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
 - i. 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,

- j. A statement about the University’s policy on retaliation,
 - k. Information about the privacy of the process,
 - l. Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
 - m. A statement informing the parties that the University’s Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
 - n. Detail on how the party may request disability accommodations during the interview process,
 - o. A link to the University’s VAWA Brochure,
 - p. 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
 - q. An instruction to preserve any evidence that is directly related to the allegations.
3. 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.
 4. 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.

6.9.2 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.

6.9.3 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.

6.9.4 Ensuring Impartiality

1. Any individual materially involved in the administration of the resolution process including the Title IX Coordinator, CTAC 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.
2. 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 the Chief Human Resources Officer.

3. 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.
4. 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.

6.9.5 Investigation Timeline

1. 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.
2. 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.

6.9.6 Delays in the Investigation Process and Interactions with Law Enforcement

1. 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.
2. 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.
3. 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.

6.9.7 Steps in the Investigation Process

1. 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.
2. 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.
3. The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):
 - a. Determine the identity and contact information of the Complainant
 - b. In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures

- c. Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- d. 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
- e. Prepare the Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
- f. 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
- g. 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
- h. 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
- i. Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- j. 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.
- k. Complete the investigation promptly and without unreasonable deviation from the intended timeline
- l. Provide regular status updates to the parties throughout the investigation.
- m. 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
- n. Prepare a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Including relevant physical or documentary evidence.
- o. 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.
- p. 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).
- q. 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.
- r. 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.

- s. The investigator shares the report with the Title IX Coordinator for their review and feedback.
- t. 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.

6.9.8 Role and Participation of Witnesses in the Investigation

1. 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.
2. 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) determines 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.
3. 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.

6.9.9 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.

6.9.10 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.

6.9.11 Referral for Hearing

1. 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.
2. 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.
3. 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.

6.9.12 Hearing Decision-maker Composition

1. 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.
2. 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.
3. 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.
4. 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.

6.9.13 Evidentiary Considerations in the Hearing

1. 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.
2. 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.
3. 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.
4. 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.

6.9.14 Notice of Hearing

1. 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.
2. The notice will contain:
 - a. 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.
 - b. The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
 - c. Any technology that will be used to facilitate the hearing.
 - d. 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.
 - e. 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.
 - f. Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
 - g. 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.
 - h. 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.
 - i. A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
 - j. 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.
 - k. 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.
 - l. Whether parties may bring mobile phones/devices into the hearing.
3. 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.

4. 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.

6.9.15 Alternative Hearing Preparation Options

1. 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.
2. 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.

6.9.16 Pre-Hearing Preparation

1. 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.
2. 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.
3. 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).
4. 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.
5. 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.

6.9.17 Pre-Hearing Meetings

1. 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.
2. 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.
3. 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.
4. The pre-hearing meeting(s) will be recorded.

6.9.18 Hearing Procedures

1. 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.
2. 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.
3. The Chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.
4. 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.

6.9.19 Joint Hearings

1. 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.
2. 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.

6.9.20 The Order of the Hearing-Introductions and Explanation of Procedure

1. 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.
2. 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.

6.9.21 Investigator Presents the Final Investigation Report

1. 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.
2. 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.

6.9.22 Testimony and Questioning

1. Once the Investigator presents 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”).
2. 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.

3. 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.
4. 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.
5. 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.

6.9.23 Refusal to Submit to Cross Examination and Inferences

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

6.9.24 Recording Hearings

1. 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.
2. 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.

6.9.25 Deliberation, Decision-making, and Standard of Proof

1. 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.
2. 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).
3. 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.
4. 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).
5. 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.
6. 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.

6.9.26 Notice of Outcome

1. 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.
2. 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.
3. 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.
4. 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).
 5. 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.

6.9.27 Rights of the Parties in an Institutional Proceeding:

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - 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 prejudgment 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 CTAC website.

3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
4. Have the outcome determined using the preponderance of the evidence standard .

5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

7 Possible Sanctions or Protective Measures that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses

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

7.1.1 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.

7.1.2 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 implement protective measures as deemed appropriate.

1. 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.

2. 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.

7.1.3 Publicly Available Recordkeeping

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

7.1.4 Victims to Receive Written Notification of Rights

When a student or employee reports to the University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

7.1.5 Sex Offender Registration Program

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Chief of University Police at (316) 316-978-3450. State registry of sex offender information may be accessed at the following link:<https://www.kbi.ks.gov/registeredoffender/>

8 Timely Warnings and Emergency Response

8.1.1 Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the representatives from at least two of the following entities: (1) University Police Department; (2) Strategic Communications; or (3) General Counsel constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- University Police Department, 316-978-3450

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

8.1.2 Emergency Response

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.

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.

Students, staff and visitors are encouraged to notify the Chief of Police, University Police Department at (316) 316-978-3450 of any emergency or potentially dangerous situation.

When the President or an officially designated member of the Executive Policy and Decision Team 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 President or an officially designated member of the Executive Policy and

Decision Team will access available sources of information from appropriate campus administrative staff and local authorities to confirm the existence of the danger. Once the emergency is confirmed and based on its nature, the President or designated official will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The President or designated official in collaboration with other appropriate personnel, will determine who should be notified, and 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.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Chief of University Police will direct the issuance of emergency notifications, which will be accomplished using one or more of the methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

If deemed necessary, the University's President or designated official will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

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. 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 information to the off campus community when necessary.

8.1.3 Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the University issues a timely warning or emergency notification to the campus community.

| Method | Sign Up Instructions |
|-----------------------|--|
| 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. |

| Method | Sign Up Instructions |
|---------------------------------|--|
| 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 TM 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. 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. |
| Emergency Notification | 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. |

8.1.4 Testing & Documentation

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.

The Chief of University Police maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures.

9 Missing Student Policy

WSU Policy 8.17/Missing Students explains that 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.

1. If an individual has concerns that a student living in University managed housing is missing, 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.
2. If the University Police Department's investigation determines that a student for whom a report has been filed has been missing for more than 24 hours, the University Police Department will notify other law enforcement entities as necessary and the HRL Director or designee. The HRL Director or designee will notify the Vice President for Student Affairs or designee to determine how best to make contact in accordance with paragraph 4 of this policy statement.

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.

All students living in university managed housing must provide confidential contact information to the Housing and Residence Life (HRL) Director or 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 option to identify a contact person in the event the student is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. The security of the contact information will be maintained by the HRL Director or designee and stored in HRL'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 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.

If the missing student is under the age of 18 and not emancipated, the University is required to contact the missing student's parent[s] or guardian[s] within 24 hours of the report being filed. If the missing student is emancipated or 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 24 hours of the report being filed.

10 Crime Statistics

10.1 WSU Main Campus

10.1.1 Crime Statistics

The statistical summary of crimes for the University locations identified below over the past three calendar years follows:

| Crime | On Campus | | | On Campus Housing | | | Non Campus | | | Public Property | | |
|-----------------------------------|-----------|------|------|-------------------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 4 | 1 | 0 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 3 | 3 | 2 | 2 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 4 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2 | 4 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 2 | 0 | 0 | 2 | 0 | 0 | 0 | 1 | 4 | 0 | 1 |
| Arrest - Drug Abuse Violation | 0 | 6 | 1 | 0 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |

| Crime | On Campus | | | On Campus Housing | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|-------------------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Arrest - Weapon Violation | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 28 | 83 | 22 | 26 | 83 | 22 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 14 | 4 | 13 | 10 | 4 | 10 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 6 | 7 | 3 | 2 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |

10.1.1.1 Hate crimes:

2022: No hate crimes reported.

2021: No hate crimes reported.

2020: No hate crimes reported.

10.1.1.2 Crimes unfounded by the University:

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.

2020: 0 unfounded crimes.

10.1.1.3 Statistics for unfounded crimes provided by law enforcement agencies:

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.

2020: 0 unfounded crimes.

10.1.1.4 Data from law enforcement agencies:

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

10.2 WSU Downtown Center/Old Town Campus

10.2.1 Crime Statistics

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

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* This University location does not have on-campus student housing facilities.

10.2.1.1 Hate crimes:

2022, 2021, 2020: No hate crimes reported.

10.2.2 Crimes unfounded by the University:

2022, 2021, 2020: 0 unfounded crimes.

10.2.3 Statistics for unfounded crimes provided by law enforcement agencies:

2022, 2021, 2020: 0 unfounded crimes.

10.2.4 Data from law enforcement agencies:

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

10.3 WSU Haysville Campus

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

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* This University location does not have on-campus student housing facilities.

10.3.1 Hate crimes:

2022, 2021, 2020: No hate crimes reported

10.3.2 Crimes unfounded by the University:

2022, 2021, 2020: 0 unfounded crimes

10.3.3 Statistics for unfounded crimes provided by law enforcement agencies:

2022, 2021, 2020: 0 unfounded crimes

10.3.4 Data from law enforcement agencies:

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

10.4 WSU Metroplex and AEGD

10.4.1 Crime Statistics

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

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|-----------------------------------|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* This University location does not have on-campus student housing facilities.

10.4.2 Hate crimes:

2022, 2021, 2020: No hate crimes reported

10.4.3 Crimes unfounded by the University:

2022, 2021, 2020: 0 unfounded crimes

10.4.4 Statistics for unfounded crimes provided by law enforcement agencies:

2022, 2021, 2020: 0 unfounded crimes

10.4.5 Data from law enforcement agencies:

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

10.5 National Center for Aviation Training

10.5.1 Crime Statistics

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

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|-----------------|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* This University location does not have on-campus student housing facilities.

10.5.2 Hate crimes:

2022, 2021, 2020: No hate crimes reported

10.5.3 Crimes unfounded by the University:

2022, 2021, 2020: 0 unfounded crimes

10.5.4 Statistics for unfounded crimes provided by law enforcement agencies:

2022, 2021, 2020: 0 unfounded crimes

10.5.5 Data from law enforcement agencies:

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

10.6 WSU South Campus

10.6.1 Crime Statistics

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

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|-----------------------------------|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* This University location does not have on-campus student housing facilities.

10.6.1.1 Hate crimes:

2022, 2021, 2020: No hate crimes reported

10.6.2 Crimes unfounded by the University:

2022, 2021, 2020: 0 unfounded crimes

10.6.3 Statistics for unfounded crimes provided by law enforcement agencies:

2022, 2021, 2020: 0 unfounded crimes

10.6.4 Data from law enforcement agencies:

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

10.7 WSU West Campus

10.7.1 Crime Statistics

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

| Crime | On Campus | | | Non Campus | | | Public Property | | |
|--|-----------|------|------|------------|------|------|-----------------|------|------|
| | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 | 2022 | 2021 | 2020 |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrest - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Liquor Law Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Drug Abuse Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referral - Weapon Violation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* This University location does not have on-campus student housing facilities.

10.7.2 Hate crimes:

2022, 2021, 2020: No hate crimes reported

10.7.3 Crimes unfounded by the University:

2022, 2021, 2020: 0 unfounded crimes

10.7.4 Statistics for unfounded crimes provided by law enforcement agencies:

2022, 2021, 2020: 0 unfounded crimes

10.7.5 Data from law enforcement agencies:

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

ANNUAL FIRE SAFETY REPORT

1 Housing Facilities and Fire Safety Systems

The University maintains on-campus housing for its students. Below is a description of fire safety systems and the number of fire drills conducted during the previous calendar year.

Campus: WSU Main (Fairmount Street), 1845 Fairmount, Wichita, KS 67260-0124

| Facility | Fire Alarm Monitoring Done on Site | Partial Sprinkler System | Full Sprinkler System | Smoke Detection | Fire Extinguisher Devices | Evacuation Plans & Placards | Number of evacuation (fire) drills in previous calendar year |
|---|------------------------------------|--------------------------|-----------------------|-----------------|---------------------------|-----------------------------|--|
| Shocker Hall, 2020 N. Perimeter Road, Wichita, KS 67208 | X | X | X | X | X | X | 4 |
| The Flats, 4105 Mike Oatman Drive, Wichita, KS 67208 | X | X | X | X | X | X | 4 |
| The Suites, 2011 N Innovation Blvd, Wichita, KS 67208 | X | X | X | X | X | X | 4 |

2 Policies on Portable Appliances, Smoking and Open Flames

This policy is adapted from University Policy 19.01

2.1 Cooking and Appliances

2.1.1 Cooking

The following policies apply to community kitchens as well as apartment kitchens in The Flats at WSU:

- Never leave a stove, oven, or microwave with active heat sources unattended
- Utilize the venting features through either a vent hood or microwave vent when using the stove to cook
- Exercise an abundance of caution when cooking with any type of oil. Cooking vessels must not be filled more than 25% with oil • Properly dispose of oil and grease leftover from any cooking. Never dispose of grease or oil down a sink drain. Allow grease and oil to cool before attempting to dispose of it
- Do not put metal or part-metal containers or utensils in microwaves. Always verify a dish/vessel is rated for use in a microwave before placing it in a microwave

2.1.2 Electrical Appliances

Any electrical appliance or power strip with a surge protector should be Underwriters Laboratories (UL) approved. Appliances must be plugged directly into the wall to avoid overloading power strips. The following appliances are prohibited:

- Electric skillets
- Pressure cookers of any variety
- Space heaters
- Halogen lamps
- Sun lamps
- Barbecue grills
- Personal dishwashers
- Stand-alone freezers
- Personal washing/drying machines
- Electric blankets
- Electric mattress pads
- Exterior antennas
- Microwaves that exceed 700 watts
- Refrigerators that exceed 4.9 cubic feet
- Toasters
- George Foreman grills
- Hot-plates (including induction style)
- Coffee makers without an automatic shutoff feature
- Any type of deep fryer that uses oil
- Satellite dishes

Prohibited acts include:

- Use of any open flame including candles with a wick, lighters, etc.
- Tampering with smoke detectors or alarms
- Hanging items from the ceiling or sprinkler heads
- Hanging electrical items outside of your door

- Storing or possessing: lighter fluid, fuels, paint, charcoal, lithium batteries or other combustible items, or piles of flammable materials in Housing facilities
- Storing or possessing scuba tanks, propane tanks, or other pressurized items on HRL property
- Possession and use of any type of hookah device, lava lamps, open filament devices, and incense
- Scooters, bicycles, longboards, skateboards, etc., that are powered by a lithium battery are not permitted within any of the residence halls

Please Note, decorative wax figures are allowed only if they do not have a wick. Additionally, candles that have never been burned, have the wick removed or cut down, and cannot be lit are allowed for decorative purposes. The University reserves the right to direct residents to remove any hazardous materials from their room.

If residents decorate their rooms or floor, these guidelines must be followed:

- All materials used (i.e. paper, foil) must be flame resistant.
- Trees and other greenery must be artificial and flame resistant.
- Lights must be UL- approved, of low wattage.
- Fire alarm pull stations, fire extinguisher cabinets, smoke detectors, and exit signs must not be covered and exits must not be blocked.
- No cords for electricity or other purposes are allowed under doors or across/in hallways.

3 Fire Evacuation Procedures

If the fire alarm sounds in your building, follow these directions:

- Exit immediately and quickly move at least 200 feet from the building. Follow all instructions from staff members (RA, G/RLC, and others) and rescue personnel
- All residents should exit the building within a 5-minute period
- Remain outside until staff members give the signal or rescue personnel to return to your room
- Never use elevators during a fire. The shafts act as chimneys. A malfunction could trap you.

4 Fire Education and Training Programs

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.

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.

If you become aware of a fire in the building, follow these directions:

- Activate the fire alarm and call the University Police Department 316-978-3450 or 911 from any campus landline. Contact a staff member as you leave the building.
- Please use the stairwell closest to your room and exit the building immediately as required by state law.
- Any time you hear an alarm, exit immediately and quickly move at least 400 feet from the building. Follow all instructions from staff members (RA, G/RLC, and others) and rescue personnel.
- Remain outside until staff members give the signal or rescue personnel to return to your room.
- If you encounter heavy smoke in an area, exit another way if possible. Staying low or putting a towel over your nose and mouth will help you minimize smoke inhalation.
- Never use elevators during a fire. The shafts act as chimneys. A malfunction could trap you.
- If you become trapped in a room, report or signal your location by calling the University Police Department (911) or by waving or calling to fire fighters. Jamming wet towels or clothing under doors, keeping a wet towel or clothing over your head, and staying low may help you avoid smoke as you await rescue.

It is important that you abide by all fire regulations. If your room is deemed to be the source of the fire alarm, residence life staff and the University Police reserve the right to enter your room to assess the problem. We also reserve the right to enter a student's room to ensure that everyone has evacuated the building.

Each semester, two planned fire drills will be scheduled. HRL will schedule all planned fire drills during business hours, except when required by law to be outside these hours. This will provide an opportunity for residents to practice evacuating the building. All alarms that sound should be treated as a potentially life-threatening situation.

5 Reporting Fires

The University is required to disclose each year statistical data on all fires that occurred in on-campus student housing. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety and then please call 911.

There may also be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the University Police Department at University Police Department. When providing notification of a fire, give as much information as possible about the location, date, time and cause of the fire.

6 Plans for 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. At this time, the University has no plans for future improvements.

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.

7 Fire Statistics

7.1 WSU Main (Fairmount Street)

7.1.1 2022 Reported Fires

| Residential Facility | Total Number Fires |
|----------------------|--------------------|
| The Flats | 1 |

Additional Information about Reported Fires

| Residential Facility | Cause of Fire(s) | Number of Injuries that Required Treatment at a Medical Facility | Number of Deaths Related to a Fire | Value of Property Damage Caused by Fire |
|----------------------|---|--|------------------------------------|---|
| The Flats | Unintentional Fire/resident was warming food in microwave and plate caught fire | 0 | 0 | \$0-99 |

7.1.2 2021 Reported Fires

| Residential Facility | Total Number Fires |
|----------------------|--------------------|
| The Suites | 1 |

Additional Information about Reported Fires

| Residential Facility | Cause of Fire(s) | Number of Injuries that Required Treatment at a Medical Facility | Number of Deaths Related to a Fire | Value of Property Damage Caused by Fire |
|-----------------------------|---|---|---|--|
| The Suites | Unintentional Fire/student was cooking and oil caught on fire | 0 | 0 | \$0-99 |

7.1.3 2020 Reported Fires

No fires were reported in 2020.