



2023 Annual Security and Fire Safety Report

(Containing Information for the 2023 – 2024 Academic Year. Includes crime and fire statistics for calendar years 2020, 2021, and 2022.)

Kansas Law Enforcement Training Center (KLETC)
Campuses in *Hutchinson, Dodge City, Hays,* and
Parsons.

TABLE OF CONTENTS

Message from the Chancellor	3
Annual Disclosure of Crime Statistics	4
Campus Law Enforcement	5
Crime Reporting.....	5
Voluntary Confidential and Anonymous Reporting.....	7
Security and Access of Facilities	8
Monitoring & Recording of Criminal Activity at Student Organization Locations	9
Crime Prevention and Security Awareness Programs	9
Missing Residential Student Policy and Procedure	10
Response to Sexual Violence and VAWA Policies.....	11
Definitions	12
Procedures Victims Should Follow	16
Reporting Sexual Violence	17
Procedures KLETC will Follow	19
Assistance for Victims: Rights & Options	21
Investigation Process	24
Disciplinary Procedures/Processes	32
Programs to Prevent Sexual Violence & Bystander Education	44
Risk Reduction	45
Registered Sex Offenders	47
Alcohol and Drug Use Policy.....	48
Amnesty Policy	51
Alcohol and Drug Education Programs	51
Timely Warning Notice Policies	52
Emergency Response and Notification Procedures.....	53
Response to Emergencies	53
Emergency Notification System	54
Evacuation and Relocation Procedures	56
Evacuation/Rescue Plan for Persons with Disabilities	57
Crime Statistics	58
Fire Safety Report	68
Fire Alarm Procedures	68
Fire Safety Systems	70
Fire Statistics	70

Message from the Chancellor

The mission of the University of Kansas is to lift students and society by educating leaders, building healthy communities, and making discoveries that change the world. As we seek to advance our mission, providing for the health and safety of Jayhawks throughout our community is essential. All members of our community—students, staff, and faculty—can help play a role in this effort to maintain a safe environment. Awareness of potential crimes and criminal activity can help keep you and the entire community safe.

Our annual security report serves as your guide to the safety programs, initiatives, and policies that the University has put in place, and provides information about the crimes that have been reported on campus. That knowledge, along with your active participation in reporting criminal activity or unusual situations as soon as possible, will help provide a safe environment where the entire university community can teach, learn, and grow.

At KU, we are committed to serving our state, the nation, and the world in an environment that is safe for all. Thank you for taking the time to read this report and ensuring that KU remains a safe and welcoming place for our entire community.

Rock Chalk!

Douglas A. Girod
Chancellor



Preparing the Annual Security Report

The University of Kansas has determined that the Kansas Law Enforcement Training Center (KLETC) main campus in Hutchinson and its regional sites in Dodge City, Hays, and Parsons are separate campuses. This determination was made in consultation with the Department of Education.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University of Kansas-KLETC community obtained from local police departments and Campus Security Authorities. Crime statistics that are provided in this annual report are based upon incidents reported to the Office of Civil Rights and Title IX. Each year a variety of offices are asked to provide information on the educational and prevention programs conducted during that calendar year.

The KLETC administrative staff keep count of disciplinary referrals made from across the university. The local law enforcement agencies provide crime statistics for criminal offenses occurring on each respective campus. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

All of the statistics are gathered, compiled, and reported to the KLETC community via this report, which is published by KLETC. KLETC submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

Each year an e-mail notification is sent to all faculty, staff, and enrolled students to inform them of the University's Annual Security Report. It provides the website to access this report. Prospective students are provided the Annual Security Report website address on the Admissions website. Human Resources provides notification to prospective employees in the online application process. Copies of the report may also be obtained at the **Office of Civil Rights & Title IX**, Room 1082, Dole Human Development Center, 1000 Sunnyside Ave., Lawrence, KS 66045, or by calling **785-864-6414**.

The statements contained in this report apply to the *KLETC Hutchinson Main Campus* and the *KLETC Regional Sites* located at *Dodge City*, *Hays*, and *Parsons*, unless a specific delineation between the campuses is mentioned.

Campus Law Enforcement

The Kansas Law Enforcement Training Center (KLETC) does not employ commissioned police officers, communications operators, uniformed security officers, or emergency management personnel at any of our locations. KLETC does not have a campus police department, campus security office, or a communications center on any of their sites.

KLETC does not keep a daily crime log since KLETC does not have a security department at any of their locations and, therefore, is not required to maintain a daily crime log. KLETC relies upon local law enforcement agencies in each respective location to provide law enforcement services including taking accident reports, conducting investigations, and responding to emergencies that occur. Local law enforcement agencies in each respective jurisdiction have primary authority for enforcing violations of local, State, and Federal laws, arrest powers, and jurisdiction over criminal matters that occur on properties owned or controlled by KLETC. KLETC maintains a strong working relationship with state and local police agencies, including Reno County Sheriff's Office, Dodge City Police Department, Hays Police Department, and Parsons Police Department. KLETC works closely with those agencies but does not have a written memorandum of understanding regarding any topics, including the investigation of criminal incidents, between KLETC and the local police departments.

Crime Reporting

The University of Kansas recognizes the importance for an institution of higher learning to develop and maintain a safe and secure environment in which the academic and social pursuits of its members can be fully realized. The University has the utmost concern for the success of each student and endeavors to allow each student maximum freedom to live his/her life free from interference. With this freedom, however, each student is responsible to be an active participant in the exercise of personal safety. While the University of Kansas strives to provide a safe environment, criminal incidents and other emergencies may occur despite reasonable efforts. Crimes should be accurately and promptly reported to the appropriate police agency, including when the victim elects to, or is unable to, make such a report.

The primary Campus Security Authority (CSA) to who KLETC would prefer crimes be reported are:

- KLETC Executive Director at **620-694-1505**, or email director@kletc.org.
- Title IX Coordinator at **785-864-6414**, or email civilrights@ku.edu
- KLETC Associate Director for Basic Training at **620-694-1508**
- KLETC Associate Director for Professional Development at 620-694-1537

All members of the KLETC community and all visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, and any emergencies on campus, on public property running through or immediately adjacent to the campus, or in other

property that is owned or controlled by University of Kansas-KLETC, by calling 911, or by calling the appropriate agency listed below:

KLETC Hutchinson

- Crimes on or around the KLETC Hutchinson campus must be reported to one of the following:
 - Reno County Sheriff's Office **911**, or
 - Reno County Non-Emergency Dispatch at **620-694-2800**, or
 - The KLETC Executive Director at **620-694-1505**

KLETC Hutchinson requires all crimes to be reported to the Reno County Sheriff's Office, according to KU policy at: <http://policy.ku.edu/chancellor/crime-reporting>.

The Reno County Sheriff's Office maintains a record management system to: record criminal activity; tabulate and report crimes to the Kansas Bureau of Investigation; and compile the crime statistics necessary for the Annual Security Report.

KLETC Regional Sites

Crimes on or around any of KLETC Regional Sites must be reported to the local law enforcement agency, in their respective locations. The local police departments maintain a record management system to: record criminal activity; tabulate and report crimes to the Kansas Bureau of Investigation; and compile the crime statistics necessary for the Annual Security Report.

Dodge City Police Department – **911** or **620-255-8126**

Hays Police Department – **911** or **785-625-1030**

Parsons Police Department – **911** or **620-421-7060**

Response to a Report

Dispatchers are available at these respective telephone numbers 24 hours a day to answer your calls. In response to a call, the local police agency will take the required action, either dispatching an officer or asking the victim to report to the police headquarters to file an incident report. All reported crimes will be investigated by the local police agency and may become a matter of public record. The local police agency Investigators will investigate a report when it is deemed appropriate. If assistance is required from the local fire department, the police agency with jurisdiction will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including local law enforcement, will offer the victim a wide variety of services.

Voluntary Confidential and Anonymous Reporting

KLETC Hutchinson

KLETC encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. The police do not have a voluntary confidential reporting process because police reports are public records under state law. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics can be made to any campus security authorities (the primary CSAs are indented in the Reporting and Disclosure Procedures above). However, some of the CSAs are also Responsible Employees under Title IX, and they are obligated to share reported information involving sexual misconduct, domestic/dating violence and stalking, including information about the identity of the victim and accused, with the Title IX Coordinator.

KLETC Regional Sites

Individuals who wish to make a voluntary and confidential report of a crime or safety concern at a KLETC Regional Site may contact the Program Coordinator or assigned instructor. While every effort will be made to maintain confidentiality, please note that circumstances may require disclosure to appropriate authorities for the safety and well-being of KLETC staff, contractors, and training participants.

Anonymous Reporting

Anonymous reporting is allowed at the University of Kansas, KLETC, or by calling the **Reno County Crime Stoppers Program at (620-694-2666)**. Reports filed anonymously to crime stoppers are counted and disclosed in the University of Kansas' annual crime statistics. A visual presentation of reporting options is available here at <https://sapec.ku.edu/resources>.

Crimes Disclosed to Pastoral or Mental Health Counselor

To be exempt from disclosing reported offenses, pastoral or mental health counselors must be acting in their roles of pastoral or professional counselor. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled or to make reports mandated by law.

Pastoral Counselor

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

Professional Counselor

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

When speaking to a victim or witness to a crime, counselors are encouraged, if and when they deem appropriate, to inform the individual of procedures to report crimes on a voluntary, confidential basis to any campus security authorities (the primary CSAs are identified in the Reporting and Disclosure Procedures above) for inclusion into the annual crime statistics.

Security and Access of Facilities

KLETC is committed to maintaining an environment in which students, faculty, staff, and guests can work without interference. KLETC is a public institution and as such access to many areas and facilities of the campus is open to the general public and their use is encouraged, during normal business hours. Access to some buildings are limited to authorized staff with proper identification or will need to be coordinated with the Administrative Staff at KLETC. After normal business hours and during breaks, these facilities are locked and only accessible to authorized individuals. Local police officers may conduct routine patrols of the KLETC locations during various times to monitor safety and security related matters.

Any concerns about, or suggestions for, campus safety improvements can be submitted to the KLETC Executive Director, or designee, by calling 620-694-1505, or emailing director@kletc.org.

KLETC Hutchinson

KLETC grounds are used for activities such as classroom training, scenario or practical training, performance testing, and graduations. Policies of the Board of Regents also limit the use of campus facilities for fundraising and political activity. Individuals designated to the KLETC Security Task Force are working on security updates to make the campus more secure. The campus is annually inspected by the Kansas Fire Marshal's Office. Night custodians are responsible for unlocking and locking designated buildings, and looking for fire or safety-related problems. Night custodians watch buildings and campus grounds to report suspicious activity and unsafe conditions. Local police officers may conduct routine patrols of the KLETC locations during various times to monitor safety and security related matters. KLETC has closed circuit security cameras located in many areas across the KLETC campus. Cameras are recording at all times and are monitored as necessary by select administrative staff who have access 24 hours a day.

Dormitories are secured and locked between the hours of 6 PM Friday to 6 PM Sunday evening and are open from 7 AM to 6 PM Monday through Friday. Only staff have access to the

dormitories during weekend hours. Students are not allowed to be in the dormitories during the weekend unless arrangements have been made.

Facilities for securing firearms of students and visitors are provided in many of the campus buildings. Examples include lockers in the Armory and a locker room near the cafeteria.

Students are able to keep personal property in their dorm rooms. Dorm rooms have the ability to be locked. For any commuter students' lockers are provided, however the student must furnish their own lock if they choose to secure items.

KLETC Regional Sites

Regional sites maintain a comprehensive security and access policy to ensure the safety of all participants and visitors. Access to the respective buildings is restricted to authorized personnel only and those registered to participate in coordinated training events. Security measures, including Closed Circuit TV Systems and controlled entry points are implemented to prevent unauthorized access and maintain a secure environment.

Security Considerations Used in the Maintenance of Campus Facilities

KLETC maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. KLETC Executive Director works closely with Facilities Management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the University community are helpful when they report equipment problems to Facilities Management.

Monitoring & Recording of Criminal Activity at Student Organization Locations

KLETC does not have officially recognized student organizations that own or control housing facilities outside of the KLETC core campus. Therefore, local PD is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

Crime Prevention and Security Awareness Programs

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of KLETC to inform students of good crime prevention and security awareness practices. Students receive some training about hazing, discrimination, and harassment during basic training. KLETC staff works closely with local law enforcement agencies to promote safety through joint initiatives, crime prevention programs, and information

sharing. KLETC's goal is to provide the training and tools law enforcement officers need to create a more secure and supportive environment in their respective communities.

KLETC participates in training programs as assigned by the University of Kansas. Office of Civil Rights and Title IX (OCTRIX) provides Mandatory Reporters/Responsible Employee Training to employees as prescribed by the University of Kansas. OCTRIX/HRM provides annual University of Kansas-wide required online training aimed to educate employees regarding their obligation to report discrimination, harassment, sexual misconduct, and sexual violence as prescribed by the University of Kansas.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious, involved, and advised to call local law enforcement to report suspicious behavior. For additional questions regarding crime prevention, contact the appropriate department directly at:

Reno County Sheriff's Office – **911** or **620-694-2800**
Dodge City Police Department – **911** or **620-255-8126**
Hays Police Department – **911** or **785-625-1030**
Parsons Police Department – **911** or **620-421-7060**

Anyone interested in having an officer speak to his or her classroom or group should contact the appropriate agency at the above listed phone number.

Missing Residential Student Policy and Procedure

The Missing Residential Student Policy describes the process to assist in locating students living in on-campus housing who, based on facts and circumstances known to the University, are determined to be missing. Suspected missing students should be reported immediately to the Reno County Sheriff's Office. If members of the KLETC Hutchinson community believe that a student has been missing for 24 hours, it is critical that they report that information to the Reno County Sheriff's Office by calling **620-694-2800**.

Students residing in campus housing will be informed at the beginning of each class, during new student orientation, that each student has the option to identify a person designated as a confidential missing person contact to be notified by KLETC no later than 24 hours after the time the student is determined to be missing by the designated University officials authorized to make that determination. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information 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.

KLETC will notify any missing student's confidential contact(s), if provided, within 24 hours of the determination that the student is missing. All KLETC students are over the age of 21. However, in the event that a student is under 18 years of age and not emancipated, KLETC must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, KLETC will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

A student is determined to be missing when KLETC staff have verified that the reported information is credible and circumstances warrant declaring the person missing. Should the Reno County Sheriff's Office investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within 24 hours of the determination that the student is missing by KLETC.

The Missing Student procedures describe the process to assist in locating students living in on-campus housing who, based on facts and circumstances known to KLETC, are determined to be missing. The following official notification procedure will be followed for a missing student who resides in on-campus housing. (Not in sequential order):

- KLETC Administrative Staff and Other Authorized Staff May:
 - Be asked to assist in physically locating the student by entering the student's assigned room and by talking with known associates.
 - Search on-campus public locations (classrooms, lounges, cafeteria, etc.) to find the student.

- KLETC Administrative Staff May:
 - Issue a picture ID to assist in identifying the missing student.
 - Try to contact the sponsoring agency, known friends, family, or faculty members for last sighting or for additional contact information.
 - Access card access logs to determine last use of the card and track the card for future uses.
 - Access vehicle registration information for vehicle location and distribute to authorities.

KLETC Regional Sites do not have on-site student housing.

Response to Sexual Violence and VAWA Policies

KLETC prohibits the crimes of sexual assault, domestic violence, dating violence, and stalking (as defined by the Clery Act), and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, University of Kansas – KLETC issues this statement of policy to inform the campus

community of our programs to address sexual assault, domestic violence, dating violence, and stalking as well as the procedures for institutional disciplinary action in cases of alleged sexual assault, domestic violence, dating violence, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

KLETC prohibits discrimination on the basis of race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, retaliation, gender identity, gender expression, and genetic information in the University's programs and activities. The Office of Civil Rights & Title IX has been designated as the entity to address inquiries regarding the University's non-discrimination policies and procedures. The Office of Civil Rights & Title IX may be contacted at civilrights@ku.edu; 1000 Sunnyside Avenue, Room 1082, Lawrence, KS 66045; **(785) 864-6414**.

Definitions

Sexual Assault under the Clery Act

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Sexual Assaults under Kansas State Law

"Sexual Assault" is not a defined term in Kansas criminal statute. The definitions of sex offenses under Kansas law are set forth in K.S.A. 21-5501 *et seq.*, including but not limited to:

"Rape" (K.S.A. 21-5503):

- (1) Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances:
 - (A) When the victim is overcome by force or fear; or
 - (B) when the victim is unconscious or physically powerless;
- (2) Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor,

narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender;

(3) sexual intercourse with a child who is under 14 years of age;

(4) sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or

(5) sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure within the scope of the offender's authority.

“Sexual Battery; aggravated sexual battery” (K.S.A. 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.

(b) Aggravated 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 and under any of the following circumstances:

(1) When the victim is overcome by force or fear;

(2) when the victim is unconscious or physically powerless; or

(3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.

Domestic Violence under the Clery Act

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

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

For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic Violence under Kansas State Law

Pursuant to K.S.A. 21-5111(i), “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. For the purposes of this definition:

- (1) "Dating relationship" means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.
- (2) "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. Family or household member also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

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

- (a) Domestic battery is:
 - (1) Knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or
 - (2) Knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner.
- (b) Aggravated domestic battery is:
 - (1) Knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck, or chest of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner; or
 - (2) Knowingly impeding the normal breathing or circulation of the blood by blocking the nose or mouth of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting, or angry manner.

Dating Violence under the Clery Act

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

consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

- For the purpose of this definition:
 - Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
- For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence under Kansas State Law

“Dating violence” is not separately defined under Kansas criminal statute. It is included within the crimes of “domestic violence”, “domestic battery”, and “aggravated domestic battery” cited previously.

Stalking under the Clery Act

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person’s safety or the safety of others; or
 - Suffer substantial emotional distress.
- i. For the purposes of this definition—
 - A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - ii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking under Kansas State Law

Pursuant to K.S.A. 21-5427, “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;

- (3) After being served with, or otherwise provided notice of, any protective order included in K.S.A. 21-3843, prior to its repeal or K.S.A. 21-5924, and amendments thereto, that prohibits contact with a targeted person, recklessly engaging in at least one act listed in subsection (f)(1) that violates the provisions of the order and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; or
- (4) Intentionally engaging in a course of conduct targeted at a specific child under the age of 14 that would cause a reasonable person in the circumstances of an immediate family member of such child, to fear for such child's safety.

Consent under University of Kansas policy

“Consent” is communicated, ongoing, and mutual. This means consent is gained through words or actions that show an active, knowing, and voluntary agreement to engage in mutually agreed-upon sexual activity. It is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity to make sure that the initiator has consent. Consent cannot be gained by force, by ignoring or acting without regard to the objections of another, or by taking advantage of the incapacitation of another, where the accused knows or reasonably should have known of such incapacitation. For example, a person who is intoxicated may not be capable of giving consent. Consent is also absent when the activity in question exceeds the scope of consent previously given or when the person from whom consent is sought is deemed incapable of giving consent under the law of the State of Kansas. A person always has the right to revoke consent at any time during a sexual act. Consent to one act does not constitute consent to another act. Consent on a prior occasion does not constitute consent on a subsequent occasion. Silence, lack of resistance, or failure to say “no” does not imply consent.

Consent under Kansas law

“Consent” is not a separately defined a defined term in Kansas criminal statute. However, K.S.A. 21-5503 (Rape) and K.S.A. 21-5505 (Sexual battery) provide that consent is absent under the following circumstances: (1) an individual is overcome by force or fear; (2) an individual is unconscious or physically powerless; (3) an individual is unable to give consent because of mental deficiency or disease; or (4) an individual is unable to give consent because of the effect of any alcohol liquor, narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender.

Procedures Victims Should Follow if a Crime of Sexual Assault, Domestic Violence, Dating Violence, or Stalking Occurs

Medical Assistance

After an incident of sexual assault, domestic violence or dating violence, the victim should consider seeking medical attention as soon as possible at the Hutchinson Regional Medical Center if at the [Hutchinson Campus](#) or the local area hospital for each of the [Regional Sites](#). These hospitals have forensic nurses and can assist in physical evidence recovery and collection. In Kansas, evidence may be collected even if you choose not to make a report to law enforcement. Kansas allows victims to not disclose their names when having a SANE completed.

Names are needed for the hospital, for medical care, and to connect any evidence collected to the victim as a person. But victims don't have to report to the police, and they can keep their kit "anonymous". In that option, the kit is given a number and the person gets the number - so if they ever decide to report and access an investigation, their number is how that kit is identified.

Preserving Evidence

When sexual violence such as sexual assault, dating violence, domestic violence, or intimate partner violence is alleged, it is important to preserve evidence when possible. Physical evidence is best collected within 120 hours of the assault. Evidence can be preserved by not showering/bathing or laundering your clothing to avoid washing away evidence. Evidence can also be preserved by saving text messages, social media communications, and other information that may be useful for the investigator. The Office of Civil Rights and Title IX provides written information of the importance of preserving evidence. Preserving evidence may assist in proving whether an offense occurred and be helpful in obtaining protective order from the court.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with KLETC Administrative staff or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Reporting Sexual Violence (including sexual assault, domestic violence, dating violence, and stalking)

If you have been the victim of sexual assault, domestic violence, dating violence, or stalking, you should report the incident promptly to one of the following:

Sexual Assault/Domestic Violence Center, Inc. **620-663-2522**;

Office of Civil Rights & Title IX (file a complaint with the university) **785-864-6414**

KLETC employees who are "mandatory reporters" are required to report incidents of sexual misconduct and sexual violence to the Office of Civil Rights & Title IX. The Office may be contacted at civilrights@ku.edu 1000 Sunnyside Ave, Room 1082, Lawrence, KS 66045, **785-864-6414**. Reports may be submitted online through the University's reporting portal: https://cm.maxient.com/reportingform.php?UnivofKansas&layout_id=20. Students and members of the community who are not mandatory reporters can submit reports anonymously through the reporting portal as well.

Once the Office of Civil Rights and Title IX has been informed of an incident, the office reaches out to the complainant directly, or through campus partners as appropriate, to provide information about resources and reporting options. The Office of Civil Rights and Title IX also

provides a written explanation of the individual's rights and options under University policy and the law. The Office of Civil Rights and Title IX will conduct this outreach and provide this information for all reports, regardless of whether the offense occurred on or off campus.

Notification to Law Enforcement Authorities

Although the university strongly encourages all members of its community to report violations of this policy to local law enforcement it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement.

KLETC Hutchinson Campus

Reno County Sheriff's Office – **911**;
Reno County Non-Emergency Dispatch - **620-694-2800**; or
KLETC Staff Contacts:

- Ron Gould, Deputy Executive Director, **620-694-1502**;
- Alvin Sowers, Associate Director for Basic Training, **620-694-1508**, or **620-257-8394** (cell); or
- Heather Buller, Associate Director for Professional Development, **620-694-1537**.

KLETC Regional Sites

Dodge City Police Department – **911** or **620-255-8126**
Hays Police Department – **911** or **785-625-1030**
Parsons Police Department – **911** or **620-421-7060**

The Office of Civil Rights & Title IX complaint investigation process is independent of any other complaint resolution process. A student, faculty, staff, or guest has the right to file a criminal complaint with the appropriate law enforcement authorities or to choose not to do so. These options may be pursued in addition to or instead of filing a complaint with the Office of Civil Rights & Title IX. KLETC and the Sexual Assault/Domestic Violence Center, Inc. (Reno County) are available to assist with reporting crime to the appropriate law enforcement agency if the victim so desires.

When someone chooses to file a report with Reno County Sheriff's Office or the appropriate law enforcement jurisdiction, OCRTIX will work in coordination with that office. If the complainant is in the OCRTIX, staff members will assist in contacting Reno County Sheriff's Office to facilitate that introduction or offering to have a Reno Co Sheriff's officer take a report in OCRTIX space. The Sexual Assault/Domestic Violence Center, Inc (Reno County, KS) will accompany a complainant to meeting with Reno Co Sheriff's Office and other law enforcement agencies. OCRTIX will be respectful of the criminal investigation and court processes by acknowledging delays when requested and requesting information when a criminal process had completed should it be relevant to the OCRTIX process.

Procedures KLETC will follow when a crime of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is reported

KLETC has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. KLETC will make such accommodations or protective measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Reno Co Sheriff's Office or local law enforcement. If the victim wishes that a report not be made to KLETC but would like supportive measures, students and employees should contact the Sexual Assault/Domestic Violence Center, Inc (Reno County, KS). If the victim is ok with a report being made to KLETC, students and employees can contact the Office of Civil Rights and Title IX and employees can contact KU Human Resources. The OCRTIX will provide support measures like those listed directly above regardless of whether the complainant would like to pursue a formal complaint and investigation.

The Sexual Assault/Domestic Violence Center, Inc (Reno County, KS)	Confidential assistance for students and employees	620-663-2522
KU Office of Civil Rights & Title IX	Non-Confidential assistance for students, employees, and third parties	785-864-6414
KU Human Resources	Non-Confidential assistance for employees	785-864-8374

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to KLETC, below are the procedures that KLETC will follow:

Sexual Assault

- 1) Depending on when reported (immediate vs delayed report), KLETC will assist complainant with access to medical care. KLETC will do this regardless of when the incident was reported, but it takes higher priority if the incident is very recent.
- 2) Assess immediate safety needs of the parties and possible witnesses.
- 3) Assist complainant with contacting local police if complainant requests. Regardless of whether the complainant request, KLETC will still provide the complainant with contact information for local police department and applicable jurisdiction when appropriate.
- 4) Provide complainant with referrals to on and off campus mental health providers as well as the name and contact information for Sexual Assault/Domestic Violence Center, Inc (Reno County, KS).

- 5) Assess need to implement interim or long-term supportive or protective measures, including but not limited to no contact orders or trespass warnings.
- 6) Provide the victim with a written explanation of the victim's rights and options, which includes instructions on how to get a Protection Order.
- 7) Provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution.
- 8) If an investigation occurs, KLETC will inform the complainant of the outcome of the investigation, whether or not the respondent will be disciplined and what the outcome of the hearing is.
- 9) Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

Domestic Violence and Dating Violence

- 1) Depending on when reported (immediate vs delayed report), KLETC will assist complainant with access to medical care. KLETC will do this regardless of when the incident was reported, but it takes higher priority if the incident is very recent.
- 2) Assess immediate safety needs of the parties.
- 3) Assist complainant with contacting local police. Regardless of whether the complainant request, KLETC will still provide the complainant with contact information for local police department and applicable jurisdiction when appropriate.
- 4) Provide written information to complainant on how to preserve evidence.
- 5) Assess need to implement interim or long-term protective measures to protect the complainant, including but not limited to no contact orders or trespass warnings.
- 6) Provide the victim with a written explanation of the victim's rights and options, which includes instructions on how to get a Protection Order.

Stalking

- 1) Assess immediate safety needs of complainant.
- 2) Assist complainant with contacting local police if complainant requests. Regardless of whether the complainant request, KLETC will still provide the complainant with contact information for local police department and applicable jurisdiction when appropriate.
- 3) Provide written information to complainant on how to preserve evidence.
- 4) Assess need to implement interim or long-term protective measures to protect the complainant, including but not limited to no contact orders or trespass warnings.
- 5) Provide complainant with referrals to on and off campus mental health providers as well as the name and contact information for Sexual Assault/Domestic Violence Center, Inc. (Reno County), KS.
- 6) Provide the victim with a written explanation of the victim's rights and options, which includes instructions on how to get a Protection Order.
- 7) Provide a copy of the policy applicable to Stalking to the complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution.

- 8) Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, KLETC will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- Information about how KLETC will protect the confidentiality of victims and other necessary parties;
- A statement that, KLETC will provide written notification to students and employees about victim services within the University and in the community;
- A statement regarding KLETC's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action.

Notification of Counseling, Mental Health, or Other Student Services

Employees in the Office of Civil Rights & Title IX can also help students find and explore options, emotional support, and medical care, both on and off-campus. KLETC and Sexual Assault/Domestic Violence Center, Inc. (Reno County, KS) support students who have experienced a sexual assault or other forms of sexual violence, intimate partner violence, and stalking. Students, staff, and faculty can also receive medical attention through the Hutchinson Regional Medical Center. KLETC provides written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victim-survivors both within KLETC and in the community.

Supportive Measures

Upon receipt of a report of sexual assault, domestic violence, dating violence, or stalking, the Office of Civil Rights & Title IX provides information and written notification about its ability to use supportive measures to assist either party. KLETC will provide these supportive measures if the party requests them and they are reasonably available, regardless of whether the reporting party chooses to file a criminal or civil rights complaint and regardless of whether the reporting party chooses to participate in a criminal or civil rights investigation. Examples of supportive measures include, but are not limited to, contact restrictions (“no contact order”), reassignment to a different supervisor or position, academic measures such as schedule change or extension of due dates, alternative housing placement, alternative work schedules/locations, course schedule changes, transportation, legal assistance, health and mental health support, and course withdrawal/load reductions. These remedies may be applied to one, both, or

multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by University of Kansas-KLETC.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the KLETC Executive Director at director@kletc.org or (620) 694-1505.

Campus & Community Support Resources

KLETC will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

University of Kansas Support Resources (On Campus) - KLETC Campuses

- Counseling and Legal Assistance for Employees is through the Employee Assistance Program, **1-888-275-1205**, <https://sehp.healthbenefitsprogram.ks.gov/benefits/eap>
- Office of International Programs for Visa and Immigration Assistance, **913-588-1480**.

Support Resources (Off Campus)

- The Sexual Assault/Domestic Violence Center, Inc (Reno County, KS), **620-663-2522**
- Kansas Legal Services, **1-800-723-6953**,

Student Financial Aid – Students attending KLETC are not eligible for Financial Aid.

National Resources

- Suicide and Crisis Lifeline: 988
- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- 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/>

Rights of Victims and the University’s Responsibilities for Orders of Protection or Similar Lawful Orders

The rights of parties and the institution’s responsibilities for orders of protection, “no-contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the institution are as follows: KLETC does not issue orders of protection but may issue no-contact or no trespassing orders as appropriate. If a reporting party has a court order of protection or restraining order, the Office of Civil Rights & Title IX can assist in making arrangements to accommodate and enforce the court order on campus. The Office keeps supportive measures confidential to the extent it does not impair KLETC’s ability to provide the measures and as permitted by law.

KLETC complies with Kansas state law in recognizing orders of protection by encouraging people holding the protection order as well as those who have a protection order against them to disclose this information to KLETC officials. KLETC officials can then assist all parties by determining if the parties have classes together and discussing strategies to enjoy campus life successfully without violating the order. KLETC will also assist parties in negotiating attendance at large scale events. A complainant may then meet with a KLETC staff member and the Sexual Assault/Domestic Violence Center, Inc (Reno County, KS), or the Office of Civil Rights and Title IX to develop a Safety Action Plan, which is a plan for KLETC and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but are not limited to: escorts, changing classroom location, etc.

Forms and instructions can be found at: <https://www.kansasjudicialcouncil.org/legal-forms/protection-orders>.

A Kansas “Protection Order Portal” is available at: <https://www.kspop.org/>.

Confidentiality and Anonymity

All information shared with the Office of Civil Rights & Title IX is treated with discretion and tact. Nevertheless, certain information provided to the Office may need to be disclosed to KLETC officials. Those who participate in an investigation are only provided with sufficient information to allow them to respond fairly to the alleged concern. People may request that directory information on file with KLETC be withheld by contacting the KLETC Registrar’s Office at registrar@kletc.org.

Regardless of whether someone has opted-out of allowing KLETC to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support

services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, KLETC will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of KLETC to provide the accommodations or protective measures.

KLETC will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of sexual assault, domestic violence, dating violence, and stalking who make reports of such to KLETC to the extent permitted by law. If a Timely Warning Notice is issued on the basis of a report of sexual assault, domestic violence, dating violence, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Investigation process in cases of alleged sexual assault, domestic violence, dating violence, or stalking.

From initial investigation to final result, the University is committed to providing a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with University policy and that is transparent to the complainant and the respondent, collectively “the parties.” Investigators and officials involved in the process receive annual training on investigation and hearing processes that protect the individuals involved, promote accountability, and preserve due process. Investigators receive annual training on issues related to sexual assault, domestic violence, dating violence, and stalking, as well as on how to conduct an investigation and hearing process, in accordance with the law. The Office of Civil Rights & Title IX strives to complete investigations within sixty (60) University working days of receipt of a Formal Complaint. However, this timeframe may be extended based on factors such as, but not limited to, schedule and availability of parties and witnesses, holidays or semester breaks including summer break, and complexity of the complaint. Each grievance procedure allows for extensions of timeframes for good cause with written notice to the parties of the delay and the reason for the delay. The parties will have timely notice for meetings at which the parties may be present. The parties and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings. The institutional grievance procedures will not be conducted by officials who have a conflict of interest or bias for or either party. Parties are encouraged to raise concerns of bias or conflict of interest as soon as they become aware of those concerns.

As part of the investigation and grievance proceedings, the parties have the same opportunities to present information, witnesses, and be accompanied by an advisor of their choice, which may include an attorney. The University 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.

Receipt of a Report. Upon receipt of all reports, the Office of Civil Rights and Title IX will send an outreach email to the complainant and/or reporter seeking additional information and providing a wide range of resources that are available on and off campus.

Initial Review. After the Title IX Coordinator or their designee reviews the formal report, they will make a decision if the allegations in the report should be referred to a different office because the information provided at that point does not appear to fall into the OCRTIX jurisdiction. The Title IX Coordinator will also review the information to determine if the alleged behavior requires the Title IX Coordinator to file a Formal Complaint on behalf of the University.

Receipt of a Formal Complaint. The complainant has the right to file a formal complaint. Upon receipt of which the assigned investigator, in consultation with the Title IX Coordinator, will determine if the complaint falls within the Sexual Harassment/Title IX Resolution Process jurisdiction, which would warrant a case evaluation or referral to the Discrimination Complaint Resolution Process (provided below).

Contact with Complainant. If the investigator did not speak with the complainant at the time that the formal complaint was received by the Office of Civil Rights & Title IX, then the investigator will most likely meet or speak with the complainant at the start of the investigation and will maintain communication throughout the investigation as appropriate.

Notice to Respondent. The respondent will be provided with the complaint in writing, and the complainant will be provided a copy of this notification. The notice will include:

- That the respondent is presumed not to be responsible for the alleged conduct and that a determination will be reached at the end of the investigation;
- The web address where the Title IX Resolution Process and Title IX Hearing Procedures can be found;
- The alleged conduct constituting a potential violation of University policies;
- The identities of parties and witnesses involved in the alleged incident (if known);
- The specific section of the University's policies allegedly violated;
- The date and location of the alleged incident (if known);
- The respondent's right to an advisor (who may be an attorney) of the respondent's choice;
- The respondent's right to review all evidence gathered prior to the conclusion of the investigation; and
- That University policies prohibit knowingly making false statement or submitting false information during the investigation process.

Respondents will be provided an opportunity to meet with the investigator(s) investigating the complaint, to respond to the allegation, and to meet or speak with the investigator throughout the investigation as appropriate. Respondents may respond in person or in writing within a reasonable time to be determined by the investigator(s). If a respondent chooses not to

participate or refuses to answer a complaint, the nonparticipation will not prevent the investigation from proceeding.

Review of Evidence and Preliminary Report. Upon completion of the preliminary investigative report, the Office of Civil Rights & Title IX will provide the complainant and respondent, as well as the advisor of each party, an opportunity to inspect and review all evidence collected during the course of the investigation to include summaries of investigative interviews, physical evidence, inculpatory evidence, exculpatory evidence, and evidence upon which the investigator has collected but does not intend to rely. The investigator will consider the written responses prior to the completion of the final investigative report.

Final Investigative Report. The investigator will objectively evaluate all relevant evidence – including both inculpatory and exculpatory evidence as well as feedback from the preliminary report and review of evidence – and will draft a final investigative report. The investigative report will accurately summarize relevant evidence. A copy of the final investigative report will be provided simultaneously to both parties, as well as the advisor for each party, and to the appropriate administrator(s).

Transfer to Appropriate Administrator. Upon completion of the final investigative report, the report and all evidence directly related to the allegations within the formal complaint will be forwarded to the appropriate administrator(s) for the scheduling of a live hearing. Live hearings will contain, at a minimum, the opportunity to cross exam parties through a party’s advisor. If a party does not have an advisor, one will be provided by the University for the live hearing. All live hearings will be subject to the [Hearing Procedures for Complaints of Sexual Harassment](https://policy.ku.edu/civil-rights/hearing-procedures-complaints-sexual-harassment) (<https://policy.ku.edu/civil-rights/hearing-procedures-complaints-sexual-harassment>). The appropriate administrator(s) are:

- Provost and Vice Chancellor Respondents: Office of the Chancellor
- Vice Provosts, Deans, and Faculty Respondents: Office of the Provost
- Student Respondents: Office of the Vice Provost for Student Affairs
- Staff and Other Respondents: Human Resource Management

The appropriate administrator will appoint an Administrative Officer who shall thereafter be responsible for coordinating the selection of a Hearing Chair and Hearing Panel, assisting the Hearing Chair in arranging the pre-hearing conference and hearing, and ensuring an appropriate record of the proceedings is made.

Review for Discretionary Dismissal. The Hearing Chair, in consultation with the Office of Civil Rights & Title IX and the Administrative Officer, will review the final investigative report with all evidence directly related to the allegations in the Formal Complaint, and determine whether the Formal Complaint should be dismissed for any one or more of the following grounds:

- The Complainant has provided the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled 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 any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Hearing Chair determines that a Formal Complaint should be dismissed pursuant to this section, the Hearing Chair will provide written notice of dismissal to the parties and advise them of their right to appeal.

Hearing Notice and Written Response to Investigative Report. After the Hearing Chair and Hearing Panel are selected, the Administrative Officer will send written notice to the parties notifying them of the deadline for the parties to submit any written response to the investigative report; a date for the pre-hearing conference; and a date and time for the hearing.

A party's written response to the investigative report must include:

- To the extent the party disagrees with the investigative report, any argument or commentary regarding such disagreement;
- Any evidence that a party did not have a reasonable opportunity to provide during the Office of Civil Rights & Title IX investigation or that the party believes was improperly excluded by the Office of Civil Rights & Title IX;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified herein, or for any other reason;
- A list of any witnesses that the party contends should be called to attend the hearing pursuant to an attendance notice issued by the Hearing Chair;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the Hearing Chair;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the prehearing conference and/or hearing;
- The name and contact information of the Advisor who will accompany the party at the pre-hearing conference and hearing; and
- If the party does not have an Advisor who will accompany the party at the hearing, a request that the University provide an Advisor for purposes of assisting the party in preparing for the hearing and conducting questioning at the hearing.

A party's written response to the investigative report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

Pre-Hearing Conference. Prior to the hearing, the Hearing Chair will conduct a pre-hearing conference with the parties and their Advisors. During the pre-hearing conference, the Hearing Chair will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigative report, as the Hearing Chair deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the Hearing Chair determines, in the Hearing Chair's discretion, should be resolved before the hearing.

Hearing. The purpose of the hearing is for the Hearing Chair and Hearing Panel to receive relevant testimonial and non-testimony evidence; to resolve disputed facts using a preponderance of the evidence standard; and to determine whether the facts so found substantiate one or more of the allegations in the Formal Complaint as a violation of the Sexual Harassment Policy.

- **Statement of the Investigator**
After convening the hearing, the Hearing Chair will call the investigator to give an overview of the investigation process. Thereafter, the investigator will be subject to questioning by the Hearing Chair and Hearing Panel, followed by questioning from each party's Advisor.
- **Statement of the Parties**
The Hearing Chair will then invite the Complainant to provide a statement regarding the events in question and identify and comment on any non-testimonial evidence the Complainant believes is relevant. After the Complainant has made a statement, or waived the right to make a statement, the Complainant will be subject to questioning by the Hearing Chair and Hearing Panel, followed by questioning from the Advisor for the Respondent. After questioning of the Complainant is complete, the Hearing Chair will invite the Respondent to provide a statement to the Hearing Chair regarding the events in question and to identify and comment on any non-testimonial evidence the Respondent believes is relevant. After the Respondent has made a statement, or waived the right to make a statement, the Respondent will be subject to questioning by the Hearing Chair and Hearing Panel, followed by questioning from the Advisor for the Complainant.
- **Testimony of Witnesses**
Then witnesses will be called to testify in the order determined by the Hearing Chair. Witnesses will not be invited to make a statement but, instead, will be subject to questioning from the Hearing Chair and Hearing Panel, followed by questioning from

each party's Advisor commencing first with questioning from the Advisor for the Complainant followed by questioning from the Advisor for the Respondent.

- **Investigative Materials**

The Hearing Chair will then provide the parties a final opportunity to raise any additional objections to inclusion of any other portions of the investigation record into evidence and resolve any such objections. All evidence from the investigation and hearing not specifically excluded by the Hearing Chair shall be deemed admitted into the hearing record and may be considered by the Hearing Chair and Hearing Panel as part of the deliberation.

- **Closing Arguments**

Then the Hearing Chair will invite the Complainant to make a closing argument. After the Complainant has made a closing argument, or waived the right to make a closing argument, the Hearing Chair will invite the Respondent to make a closing argument.

Deliberation. After the hearing is complete, the Hearing Chair and Hearing Panel will privately deliberate over the matter. The deliberation will include an objective evaluation of all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimonial and non-testimonial evidence received at the hearing. The Hearing Panel shall draw no inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. However, the Hearing Panel may consider in determining the weight of the evidence the extent to which the witness' testimony or other evidence has been subject to cross-examination, particularly on matters that are material to the outcome of the case. In the event the Hearing Chair and Hearing Panel determine that the Respondent is responsible for violating the Sexual Harassment Policy, the Hearing Chair will, prior to issuing a written decision, consult with the appropriate administrator with disciplinary authority over the Respondent and such administrator will determine any discipline to be imposed.

Issuance of Written Decision. After reaching a determination and consulting with the appropriate University administrator and the Title IX Coordinator, the Hearing Chair will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the University upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing;
- Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;

- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate University administrator and recommendations for any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the University's process and grounds for appeal, as specified herein.

The written determination will be signed by the Hearing Chair on behalf of the Hearing Chair and Hearing Panel. The written determination will then be transmitted by the Administrative Officer to the parties, the Administrative Officer, the Office of Civil Rights & Title IX, and other University officials, as appropriate.

Appeal. Either party may appeal the dismissal of a Formal Complaint or written determination. Appeal is permitted one or more of the following grounds:

- A procedural irregularity that affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
- The Title IX Coordinator, investigator, Hearing Chair, or Hearing Panel, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome; or
- The party was deprived of a right guaranteed by some other University policy or standard and the deprivation of that right affected the outcome.

The determination of a Formal Complaint becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the University has resolved all appeals, either by dismissal or by transmittal of a written decision from the appellate official. No further review or appeal is permitted beyond appeal to the University Judicial Board as specified herein.

Informal Resolutions. After submission of a Formal Complaint, either party may request an opportunity to resolve the complaint through an informal resolution process. If requested by one party, the other party must voluntarily agree to participate in order for the informal resolution process to proceed. The Title IX Coordinator can determine that a case isn't appropriate for an informal resolution. A successful resolution and agreement of the parties will result in dismissal of the complaint without further investigation or hearing. Prior to reaching an agreement, either party may withdraw from the informal resolution process and request that the grievance procedures pursuant to this policy resume. An informal resolution process will be facilitated by an individual who is trained, unbiased, and without conflict. The informal resolution process will be conducted in accordance with informal resolution procedures. The

informal resolution process is not available when the complaint alleges a violation by an employee against a student.

Anticipated Timelines. The Office of Civil Rights and Title IX (OCRTIX) strives to complete the entire process within 60 working days taking breaks, complexity of the case, and party/witness availability into consideration. The only established timeframes within this process are as follows:

- If the advisor is an attorney, the party must notify the OCRTIX in writing at least three (3) working days before the meeting date.
- The OCRTIX will provide sufficient time to prepare to participate by allowing at least three (3) working days notice unless the party requests a date and time allowing less than three (3) working days.
- The complainant, respondent, and advisor to each party, will have ten (10) calendar day to submit a written response to the evidence.
- Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than fourteen (14) calendar days from the date of transmittal of the written hearing notice.
- In a typical case, the written determination will be transmitted within fourteen (14) days of completion of the hearing, but this time period may vary depending on a range of factors including the complexity of the allegations at issue.
- A party must file an appeal within fourteen (14) days of the date they receive notice of dismissal or written determination appealed from.

Decision-Making Process and Evidentiary Review

- The investigator will review any written materials, e- mails, text messages, or other evidence that, at the investigator’s discretion, may provide relevant information regarding the complaint because the burden of gathering evidence rests on the Office of Civil Rights & Title IX.
- The investigation and hearing will operate from a presumption that the Respondent is not responsible for the alleged misconduct until a determination regarding responsibility is made final.
- The Hearing Chair oversees the hearing process, rules on questions of relevance and admissibility, resolves all procedural disputes, questions parties and witnesses, and deliberates and votes with the Hearing Panel to determine responsibility for the allegations in the Formal Complaint at the conclusion of the hearing process.
- The Hearing Panel reviews the investigative report and hearing files in advance of the hearing, questions parties and witnesses when invited to do so by the Hearing Chair, and deliberates and votes with the Hearing Chair to determine responsibility for the allegations in the Formal Complaint at the conclusion of the hearing process.
- The investigator, Hearing Chair, and Hearing Panel are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use the following types of records unless the party holding the privilege has provided prior, written consent:

- A party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; or
- Information or records protected from disclosure by any other legally recognized privilege, such as the attorney client privilege.

Standard of Evidence. The University uses the preponderance of the evidence standard for evaluating complaints of discrimination and sexual misconduct.

Notification of Final Results. In accordance with applicable policy, all parties to an investigation will be simultaneously informed of the imposition of disciplinary action. Specifically, the accuser and the accused will be notified simultaneously, in writing, of any initial, interim and final decision of any disciplinary proceeding; and the accuser and accused will be notified simultaneously in writing, of the opportunity to appeal cases involving sexual violence, including sexual assault, domestic violence, dating violence, and stalking. Parties will be simultaneously notified of any change to the result and when the result becomes final.

Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Disciplinary Procedures/Processes

Students

[Code of Student Rights and Responsibilities \(Student Code\) | Policy Library \(ku.edu\)](#)

Non-Academic Misconduct Procedures, Sanctions, Limitations

A. Procedures

1. The Office of the Vice Provost for Student Affairs has the authority to develop and implement [procedures](#) for enforcement of this Student Code.
2. Records related to incidents of non-academic misconduct are retained according to university policy. Non-academic misconduct records not resulting in suspension or expulsion are retained for seven years and then purged from the student's record. Non-academic misconduct records involving suspension or expulsion are retained indefinitely. See the [Student Records Policy](#) for further information.

- B. Sanctions: Students found responsible for instances of non-academic misconduct will be assigned sanctions. Sanctions are meant to educate the responsible student, repair harm when appropriate, and provide accountability. Students may be assigned both educational and accountability sanctions. When appropriate, more than one sanction and/or educational measure may be imposed. Listed in order of increasing severity are the accountability sanctions that may be applied to Non-Academic Misconduct offenses.
1. Warning: Notice in writing that continuation or repetition of conduct found wrongful, within a period of time stated in the warning, may be cause for more severe action.
 2. Restitution: Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
 3. Fine: A money payment to a designated University fund.
 4. Disciplinary Probation: Disciplinary probation shall have as its purpose the rehabilitation of the student or organization and may include suspension of specified privileges for a definite period not to exceed two years. Disciplinary probation may also require the student or organization to participate in specified activities, including one counseling information session, or may prescribe any program which is deemed just and fair under the circumstances of the incident. The authority imposing this sanction may assign any qualified person within the University community, other than an undergraduate student, to act as a probation supervisor. The probation supervisor shall report periodically to the appointing authority. If the probation supervisor reports the student is not fulfilling probation requirements, the case will be reviewed by the appointing authority and remaining members of the original hearing panel, who may recommend additional sanctions. Campus/Community Service: Students or organizations may be required to complete a specified number of service hours to an identified campus or community agency. The authority imposing this sanction may assign any qualified person to serve as the service supervisor. If the service supervisor reports the student or organization has not fulfilled the service requirements, the case will be reviewed.
 5. Interim Suspension: A student or organization may be immediately excluded from classes and/or other University privileges or activities when the student's continued presence on the campus constitutes a danger, or threat of danger, to property, the student, or others. The student will receive a written notice stating the reasons for the interim suspension and the time and place of a hearing to be held within five (5) days at which time the student has an opportunity to show why their continued presence on campus is not a danger. This hearing may also serve as the policy violation hearing.
 6. Student Suspension: Exclusion from classes and other University privileges and activities as set out in the order after a hearing, for a definite period not to exceed two years. The conditions of re-admission shall be stated in the order of the suspension.

7. Organization Suspension: Exclusion from University privileges and activities as set out after a hearing, for a definite period not to exceed two years. The conditions of reinstatement shall be stated in the order of suspension.
8. Student Expulsion: Termination of student status for a minimum of two years. The conditions of re-admission, if any, shall be stated in the order of expulsion.
9. Removal of Organization Registration: Termination of registered organization status for a minimum of two years. The conditions of renewal or admission, if any, shall be stated in the order of removal of registration.

C. Limitations

1. Any appeal of a hearing shall be directed to the University Judicial Board.
2. All complaints should be filed in accordance with University Senate Rules and Regulations 6.3.1 and 6.4.9. In general, the complaint must be made within six months of the date of the incident.
3. Students or applicants who gain admission to the University through false information may have their admission revoked by Director of Admissions, or by the Dean of the applicable School or College, or their designees.

Unclassified Professional Staff and University Support Staff

Disciplinary Action Policy for Staff [Disciplinary Action Policy for Staff | Policy Library \(ku.edu\)](#)

POLICY STATEMENT:

It is the responsibility of every employee to practice self-discipline, to adhere to the expectations and instructions outlined by the employee's supervisor and as provided in a position description and to perform duties in a manner consistent with the applicable laws, regulations, policies, minutes and resolutions of the State of Kansas, the Kansas Board of Regents, and the University of Kansas.

Initiating Disciplinary Action

When supervisors are considering disciplinary action, they should do so in consultation with their administrative channels and with Human Resource Management (HRM) before initiating disciplinary action.

Disciplinary action for misconduct or inadequate performance may include a written reprimand, suspension without pay, involuntary demotion, or dismissal. Work history, legitimate mitigating circumstances, and the nature and/or pattern of the misconduct or performance inadequacy may be taken into consideration when determining the appropriate disciplinary action.

The appropriate administrator, in consultation with HRM, may review a written reprimand and will review a recommendation for suspension, involuntary demotion, or dismissal from unit

heads. If it is agreed that disciplinary action is warranted, the written reprimand will be issued, and the administrator or delegate for Unclassified Professional Staff (UPS) or HRM for University Support Staff (USS) will issue the written notice of proposed suspension, involuntary demotion, or dismissal.

Disciplinary Action Notice

Only administrators (or their designees) as specified in the [Chancellor's Delegation letter](#) are authorized to issue written reprimands and disciplinary action letters for suspension, involuntary demotion, or dismissal to Unclassified Professional Staff (UPS). Written reprimands should be issued through the University's performance management system and are usually issued by supervisors or department heads.

Administrators may designate HRM to issue the disciplinary action notices for suspension, involuntary demotion, or dismissal to unclassified professional staff. HRM will issue those notices to university support staff.

The disciplinary action letter will provide the staff member with an opportunity to respond to the proposed suspension, involuntary demotion, or dismissal by a deadline specified in the letter before the final decision is made. A staff member may have duties reassigned or may be administratively relieved from duties with or without pay, depending on the circumstances, pending the outcome of these disciplinary actions. Duty reassignment and administrative relief from duty are not disciplinary actions.

Appeals

Staff may appeal a written reprimand to HRM within 5 working days of its issuance as measured by the appealing employee's work schedule.

University Support Staff (USS), not otherwise precluded, who are not within their probationary period may appeal a suspension, involuntary demotion or dismissal to the Disciplinary Action Hearing Board which serves in an advisory capacity to the Provost for a final agency action. <http://policy.ku.edu/provost/disciplinary-action-hearing-board-support-s...>

An Unclassified Professional Staff (UPS) member may, by the deadline specified in the notice letter, discuss the suspension, involuntary demotion, or dismissal with the administrator taking the disciplinary action. If the unclassified professional staff reports directly to the administrator taking these disciplinary action and has discussed the action with that individual, the employee may appeal that decision to an administrator designated by the Provost or Chancellor for that purpose.

An appeal of disciplinary action will not stop the action nor change the effective date of the action. Any adjustments will occur after the effective date of the action. The final disciplinary

decision made by the administrator or HRM represents the University's final agency action and is not subject to further review or subject to a grievance within the University.

Finalized Disciplinary Action

Staff whose employment is ending will be notified when the termination is finalized and if they are ineligible for rehire by the University for one or more years as determined by HRM.

EXCLUSIONS OR SPECIAL CIRCUMSTANCES:

Staff who are appointed to temporary positions and staff who are within their probationary period are "at will" employees and are therefore exempt from the provisions of this policy. Their appointments may end as specified or at any time earlier without recourse.

Resignation in lieu of termination may preclude eligibility for rehire as determined by HRM.

Non-reappointments of unclassified professional staff are not disciplinary actions. This policy does not apply to non-reappointments, or to terminations of "serve at the pleasure of" appointments.

This policy does not apply to staff covered by a Memorandum of Agreement whose provisions specify a disciplinary action process.

Faculty (All persons with a tenured, tenure-track, or non-tenured faculty appointment; unclassified academic staff; and any person hired by the University to conduct classroom activities.)

Article VI. Sanctions [Faculty Code of Rights, Responsibilities, and Conduct | Policy Library \(ku.edu\)](#)

Sanctions constitute disciplinary action. Sanctions therefore do not include written or verbal feedback from an administrator concerning one's performance or behavior such as those resulting from annual or other University performance evaluations. Faculty who fail to fulfill the responsibilities specified in Article IV of this Code may be subject to sanction. As stated in Article III.7 of this code, sanctions may not be imposed upon a faculty member without notice of the charges against him or her and the opportunity for a hearing or appeal before the Judicial Board or the Faculty Rights Board. The Judicial Board shall have jurisdiction if the recommended sanction is a "warning" or "restitution." The Faculty Rights Board shall have jurisdiction in all other cases. If the faculty member requests a hearing, the University will stay imposition of the sanction pending disposition of the request. Sanctions of censure, suspension, or dismissal shall be applied only after the faculty member has the opportunity for a hearing before the Faculty Rights Board.

1. Sanctions shall be commensurate with the severity of the offense. Accordingly, determination of appropriate sanctions should take into account whether a faculty

member intentionally and willfully failed to meet a responsibility or whether a faculty member made a good faith attempt to meet a responsibility. Repeated infractions of one's responsibilities are more serious than initial infractions of the same type.

2. One or more of the following sanctions may be imposed. Sanctions, listed below in order of severity, need not be applied serially, and a more serious sanction may be applied without a less serious one having been previously applied.
 - a. Warning. Notice in writing that continuation or repetition of conduct found wrongful, within a period of time stated in the warning, may be cause for more severe disciplinary action.
 - b. Restitution. Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
 - c. Recommendation of Censure. Recommendation to the Chancellor that a faculty member be formally reprimanded.
 - d. Recommendation of Suspension. Recommendation to the Chancellor that a faculty member be excluded from teaching and other specified privileges or activities without pay for a definite period not in excess of two years.
 - e. Recommendation of Dismissal. Recommendation to the Chancellor that a faculty member be dismissed from the University.

Section 3. Faculty Rights Board [Faculty Senate Rules and Regulations \(FSRR\) | Policy Library \(ku.edu\)](#)

7.3.1 Jurisdiction. The Faculty Rights Board shall have jurisdiction as provided in [Article XIII, section 3, of the University Senate Code](#) to consider disputes brought by faculty members alleging that an administrative action violates faculty rights as enumerated in [Article III of the Code of Faculty Rights, Responsibilities and Conduct](#). Such dispute shall be in writing and must be submitted and received by the Faculty Rights Board within thirty days of the administrative action being appealed. The timing to file an appeal from non-reappointment prior to tenure shall be governed by [Article VI, Section 4, of the Faculty Senate Rules and Regulations](#). Appeals from denial of promotion and tenure shall not be subject to these provisions but instead shall be governed by [Article VI, section 8 of the Faculty Senate Rules and Regulations](#). The Board shall provide for timely disposition of disputes, although it may also provide for deadline extensions in particular cases for good cause.

7.3.2 Procedures. The Faculty Rights Board shall develop written procedures to govern disputes within its jurisdiction, other than appeals from denial of promotion and tenure governed by [Article VI, section 8 of the Faculty Senate Rules and Regulations](#). To become effective, such procedures, and any subsequent amendments to them, require approval only by the Faculty Senate and the Chancellor. The procedures adopted by the Faculty Rights Board shall:

- a. Be in writing and publicly available.
- b. Provide an opportunity for informal settlement, including mediation if the parties agree.
- c. Require that the complainant state in writing a summary of the dispute and the specific rights alleged to be violated in [Article III of the Code of Faculty Rights, Responsibilities and Conduct](#). The opposing party shall have a reasonable opportunity to respond.

Administrative action includes action by tribunals formed within the University to hear and rule on faculty grievances.

- d. Provide to an complainant and opposing party a fair opportunity to present their cases and arguments in a hearing before the Faculty Rights Board if the Board has determined that the allegations in the dispute are sufficient to warrant a hearing. The Board may dismiss a dispute brought before the Board in accordance with the grounds and requirements listed in [USRR 6.5.3](#) for dismissal of grievances by the Judicial Board, and also may dismiss a dispute if the complainant fails to provide information requested by the Board within seven days of the Board's request. At a hearing, the evidence and testimony considered by the Board shall be limited to how the administrative authority's action violated a faculty member's right enumerated in [Article III of the Code of Faculty Rights, Responsibilities and Conduct](#). The Board shall not conduct a hearing to review factual issues that are not disputed or are not material to the dispute.
- e. Provide for the initiation of a hearing, if one is deemed necessary, within forty-five (45) days of the dispute being filed absent good cause for an extension of time.
- f. Provide that the burden of proof is on the complainant to prove by a preponderance of the evidence that there has been a violation of established faculty right as enumerated in [Article III of the Code of Faculty Rights, Responsibilities and Conduct](#).
- g. Provide for confidential treatment of matters that are at issue in a dispute. Before a hearing, the Faculty Rights Board members may not discuss the facts
- h. or issues in the case with a party, unless the Chair first notifies the opposing party and provides an opportunity for the opposing party to be present. In addition, Faculty Rights Board members may not discuss the facts or issues in the case with any non-party except to the extent that doing so may be authorized by applicable rules and regulations and with notice to both parties prior to any discussion.
- i. Be based on a presumption that any hearing shall be closed to the public if it requires consideration of confidential personnel matters. The Faculty Rights Board may make an exception, however, if the individual or individuals whose confidential information is involved request in writing that the hearing be open to the public.
- j. Stipulate that hearings will be electronically recorded.

7.3.3 Decision

7.3.3.1 After a hearing, the Faculty Rights Board shall deliberate and determine, by majority vote, whether the complainant has shown by a preponderance of the evidence that the administrative action adversely affected an established faculty right or rights. A written decision stating the conclusions of the Faculty Rights Board and the reasons for them, as well as any recommended actions to be taken, shall be provided to the parties, the Provost, the Chancellor, and any other administrative officials involved in the case no later than fourteen days after the hearing is completed.

7.3.3.2 The decision of the Faculty Rights Board constitutes a recommendation to the Chancellor, who has the final authority and responsibility for personnel decisions within the University, or to the Provost when the Chancellor has delegated such authority to the Provost.

The Chair of the Faculty Rights Board may respond to inquiries from the Chancellor or Provost to clarify the basis or intent of the Board's decision and recommendations. After review of the recommendation and supporting documents, the Chancellor, Provost, or other administrative official shall provide timely written notice of the final decision to the parties and to the President of the Faculty Senate and the Chair of the Faculty Rights Board. There is no appeal within the University from the decision of the Chancellor.

Judicial Board

[Judicial Board | University Governance \(ku.edu\)](#)

Appeals

This section applies to any case in which an Appeals Panel of the Judicial Board reviews the decision of a unit level proceeding, Judicial Board hearing panel, or specialized tribunal.

Guidelines for Appeal

1. Within 30 days following the rendering of a decision by any tribunal subject to review by an appeals panel of the Judicial Board, a dissatisfied party (the appellant) may file a written appeal with the Chair of the Judicial Board. The complaint must be received in the Governance office (33 Strong Hall). You may also email your request to sscales@ku.edu.
 - a. The appeal shall indicate the specific errors attributed to the hearing body and the grounds for appeal under [USRR 6.7.3](#). At the time of filing, the appellant shall provide the other party or parties with a copy of the appeal. The Judicial Board Chair shall verify that the other party or parties have received a copy of the appeal.
2. The other party or parties in a case that has been appealed (the appellee(s)) under this provision may file a written response to the appeal within 14 days of receiving the appeal. The appellee shall provide a copy of the response to the appellant and to any other parties to the appeal. The Judicial Board Chair shall verify that the appellant has received a copy of the response.
3. Upon receipt of an appeal from a hearing panel decision, the Judicial Board Chair shall determine whether there is a basis for dismissal of the appeal under [USRR 6.5.3.1](#).

Procedures for Appeal

1. The Judicial Board Chair shall promptly designate a hearing panel. Each side can, within 5 days of being notified of the membership of the panel, challenge any member who has a conflict of interest or has been previously involved in the matter.
2. The chair of the hearing panel shall schedule a hearing as soon as possible after receiving the record of the case. Every effort must be made to schedule the hearing

during regular working hours at a convenient time for the parties and the members of the hearing panel.

3. Each party to the appeal shall have an equal opportunity to present arguments to the appeals panel. The appellant shall present arguments first, followed by the appellee(s). The chair of the appeals panel shall determine the length of presentation of the parties, and the opportunity for rebuttal, if any. The hearing on appeal is not an evidentiary hearing, and neither party shall be entitled to submit evidence.
4. The hearing panel shall complete its hearing and prepare a recommendation within 30 days from the date on which the matter has been assigned to the panel. The hearing panel shall prepare a written decision that includes the panel's recommendation and a non-technical statement of the factual and legal basis for the decision. The chair of the hearing panel shall submit the written decision to the Judicial Board Chair, who shall provide copies to the parties and to such administrative or supervisory personnel as are appropriate in light of the hearing panel's recommendation.

Initial Hearing

This section applies to any case in which the Judicial Board holds an initial hearing. See [USRR 6.4](#) to see which situations fall under the jurisdiction of the Judicial Board.

Guidelines for Initial Complaint

1. You have 6 calendar months after an action or event to file a complaint. The period from May 15 to August 15 shall be counted for purposes of determining whether a complaint has been filed within the 6-month limit. The complaint must be received in the Governance office (33 Strong Hall). You may also email your request to sscales@ku.edu.
 - a. The complaint must contain a statement of the facts underlying the complaint and specify the provision(s) of the appropriate policy or other applicable *rule, regulation, or law* allegedly violated. The complaint must also indicate the witnesses or other evidence relied on by the complaining party, and include copies of any relevant documents.
 - b. The complaining party must provide a copy of the complaint to the respondent(s); i.e., the party or parties charged in the complaint. The chair of the hearing body shall contact the respondent(s) to verify that a copy has been provided.
2. A respondent must submit a written response to the hearing body within 2 weeks of receiving the complaint. The response must contain the respondent's statement of the facts underlying the dispute, as well as any other defenses to the allegations in the complaint. The response must also indicate the witnesses or other evidence relied on by the respondent, and include copies of any relevant documents.
 - a. The respondent must provide a copy of the response to the complaining party. Upon receipt of the response, the chair of the hearing body shall contact the complaining party to verify that a copy of the response has been provided.

3. The Judicial Board Chair receives the complaint and, based on [USRR 6.4](#), determines whether the matter falls under the jurisdiction of the Judicial Board. The Judicial Board Chair or any Judicial Board panel adjudicating a grievance or appeal may dismiss involuntarily or by summary judgment, without a hearing and upon the pleadings alone, any grievance or appeal on the grounds of USRR [6.5.3.1](#).

Procedures for Initial Hearing

1. The Judicial Board Chair shall promptly designate a hearing panel. Each side can, within 5 days of being notified of the membership of the panel, challenge any member who has a conflict of interest or has been previously involved in the matter.
2. The chair of the hearing panel shall schedule a hearing as soon as possible after receiving the record of the case. Every effort must be made to schedule the hearing during regular working hours at a convenient time for the parties and the members of the hearing panel.
3. Each party shall have an equal opportunity to present evidence and arguments. The complaining party shall present evidence or arguments first, followed by the responding party. The chair of the hearing panel has discretion to place reasonable time limits on each party's presentation of evidence and arguments. The availability and scope of any rebuttal is within the discretion of the chair of the hearing panel.
4. Each party shall have the right to introduce witnesses and documentary evidence but reasonable advance notice of such introduction must be given to the other party and to the hearing panel. Strict rules of evidence do not apply, but the chair of the hearing panel may exclude evidence as irrelevant, unnecessary, or unduly prejudicial. Statements or admissions made as part of the mediation process are not admissible.
5. All Judicial Board hearings shall be audio-recorded. All such recordings shall constitute part of the record of the hearing and shall be under the custody and control of the chair of the hearing panel until transmitted along with the record to the Judicial Board Chair.
 - a. Except when all parties agree that the hearing shall be public, all proceedings provided for in the Article shall be closed to all but the parties involved.
6. The hearing panel shall complete its hearing and prepare a recommendation within 30 days from the date on which the matter has been assigned to the panel. The hearing panel shall prepare a written decision that includes the panel's recommendation and a non-technical statement of the factual and legal basis for the decision. The chair of the hearing panel shall submit the written decision to the Judicial Board Chair, who shall provide copies to the parties and to such administrative or supervisory personnel as are appropriate in light of the hearing panel's recommendation.

KLETC Complaint Investigation

The process prescribed below shall address reports of misconduct which do not fall into the process above.

Types of Complaints to Be Investigated: It is the policy of KLETC to investigate any charge of misconduct alleged to have been committed by a staff member. All complaints, whether reported by telephone, in person, or by any other means, whether anonymous or not, shall be investigated and a finding made.

Positions Responsible for Conducting the Investigation: KLETC supervisors or administrators designated by the Deputy Executive Director to conduct misconduct investigations will investigate policy violations established by the Executive Director or the University of Kansas (KU).

The Types of Complaints to Be Reviewed by The Academy Governing Body: Complaints lodged against the Executive Director will be forwarded to KU. Depending on the nature of the complaint, the Office of Civil Rights and Title IX at KU may be notified.

Types of Complaints That Require Investigation by An Outside Agency: The Deputy Executive Director will review complaints involving an allegation of a crime to determine which agency to forward the complaint to.

Academy Review, Executive Director Notification, and Action: All complaints of misconduct will be forwarded to the AVC for Civil Rights and Title IX. The OCRTIX will review the information submitted to determine if an investigation is warranted; OCRTIX will work collaboratively with the Executive Director.

Time Limit for Completing an Investigation, With Provisions for Extensions: Investigations authorized by this policy will be completed within 20 days (about three weeks) of receipt of the complaint (excluding weekends and training center closures). Upon written request, the Deputy Executive Director may authorize a 10-day extension.

Complaint Processing Procedures: Upon receipt of the complaint information, the Executive Assistant will assign a control number to the incident. If the Deputy Executive Director authorizes an investigation, the Deputy Executive Director will:

- Ensure that a verification letter is furnished to the complainant informing them that the complaint has been received.
- To the extent permitted by law, the complainant should be kept up to date on the status of the investigation.
- The complainant will be informed of the investigation findings to the extent permitted by laws.
- If the complaint alleges criminal conduct, or at any point during the investigation, criminal behavior is uncovered, the case investigator will immediately notify the Deputy Executive Director.
 - If applicable, the criminal investigation should be completed before beginning a KLETC investigation.

- If criminal conduct is investigated and substantiated, appropriate information will be forwarded to the KU Department of Public Safety for inclusion in the annual Clery Report.

Notification of Allegations/Rights:

- The respondent will be issued a “Notice of Investigation” by the assigned investigator.
- Along with the respondent, the Deputy Executive Director, will ensure that any other KU personnel deemed necessary are notified at the discretion of the Executive Director.
- If the staff member resigns their position before the conclusion of the investigation, the investigator will complete the investigation to the best of their abilities.

Relieved from Duty (Staff). If the complaint is severe enough to warrant dismissal;

- Only the Executive Director may authorize an investigation of this nature. In the Executive Director’s absence, the Deputy Executive Director may authorize an investigation.
- The Deputy Executive Director may wish to receive a complaint form from the complainant before an investigation directive is issued.

Records, Maintenance and Security:

- **Security:**
 - KLETC staff assigned to conduct investigations are responsible for keeping the file in a secure location. Results of the investigation are confidential and shall not be released to any person or agency without the permission of the Executive Director or their designee.
- After the investigation, all documentation will be forwarded to the Executive Assistant, who will maintain the records for all complaints and professional standards investigations.
 - The files will be stored electronically in a secure and limited access location.
 - The Executive Assistant or their designee will keep hard copies in a secure location.
 - In case of a criminal investigation, the Deputy Executive Director will provide the appropriate records for the case file.

Maintenance. Findings made by the investigating supervisor may consist of one or more of the following categories:

- **Unfounded:** Allegation(s) is/are false or not factual; or
- **Exonerated:** Incident occurred but was lawful and proper; or
- **Not Sustained:** Insufficient evidence exists to either prove or disprove the allegation; or,
- **Sustained:** An allegation or part of an allegation supported by enough evidence to justify a reasonable conclusion of misconduct.

Administrative Review of Complaints: An annual review of all investigations, including findings in each case, will be conducted, and the results of that review shall be forwarded to the Executive Director or their designee.

Disciplinary Sanctions

Students who violate this policy will be subject to sanctions which include, reports to sponsor agency, disciplinary action, and up to dismissal from KLETC.

Employees who violate this policy will be subject to sanctions which include: warning; censure; reduction or elimination of merit salary increase; reassignment of duties; demotion; suspension without pay; and/or dismissal.

Prohibition of Retaliation

Retaliation against persons who file discrimination complaints or persons who participate in an investigation of a complaint, whether by an individual directly involved or by associates of the individual involved, is a violation of law and University policy. Complainants who utilize these procedures or persons who participate in an investigation of a complaint should not be subjected to retaliation. Retaliation may take the form of unwanted personal contact from the respondent or giving additional assignments that are not assigned to others in similar situations, poor grades, or unreasonable course assignments. Phone calls, e-mail, or other attempts to discuss the complaint may be perceived as retaliation under certain circumstances. Disciplinary action, harassment, unsupported evaluations, or other adverse changes in the conditions of employment or the educational environment may also constitute retaliation. Retaliation will not be tolerated and could result in suspension, reassignment, salary reduction, termination, expulsion, or other disciplinary action.

Bystander education and programs to prevent sexual assault, domestic violence, dating violence, and stalking.

There are no current education or programs offered to students at KLETC related to bystander education or the prevention of sexual assault, domestic violence, dating violence or stalking. Student officers are exposed to sexual violence laws throughout the curriculum. They will soon become the experts advising the citizens they serve in Kansas communities. A rule in the KLETC Basic Training Student Handbook about hazing, discrimination, and harassment is covered during orientation.

Primary Prevention and Awareness Programs

KLETC staff participates in training programs as assigned by the University of Kansas.

- Office of Civil Rights and Title IX (OCTRIX) provides Mandatory Reporters/Responsible Employee Training to employees as prescribed by the University of Kansas.

Ongoing Prevention and Awareness Campaigns

OCTRIX/HRM provides annual University of Kansas-wide required online training aimed to educate employees regarding their obligation to report discrimination, harassment, sexual misconduct, and sexual violence as prescribed by the University of Kansas.

How to Be an Active Bystander

Bystanders can play a critical role in the prevention of sexual and relationship violence. Active bystanders can always dial 911 for help when it could be unsafe for the bystander to personally intervene. Active bystanders are encouraged to utilize a variety of intervention strategies including being direct, delegating to someone in a position of authority, or creating a distraction.

Other positive options for bystander intervention include:

- If you see someone who looks like they could be in trouble or need help, ask the person if they are okay.
- Confront people who are taking advantage of someone in a drunk or incapacitated state. Help the person leave the situation.
- Speak out when you hear sexist comments or jokes or discussions about taking advantage of another person.
- Know the campus resources and make referrals. If you don't know the off-campus referral, contact KU Police Department for a referral.

Risk Reduction

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

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 (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **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.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.

6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **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 the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **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.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** 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 that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **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.

As part of its effort to maintain a safe environment, the University offers the following safety tips for consideration:

At Home

- Install quality locks on doors, windows, and sliding glass doors.
- Keep doors locked, even when at home.
- Install and use peepholes.
- Don't leave keys hidden under mats, above the door or near the door.
- Leave lights or a radio on a timer to give the appearance that someone is home.

On Campus

- If living on campus, don't leave rooms unlocked even if occupied or when nearby.
- Do not attach anything to key rings that indicate place of residence.
- If your instincts tell you something's wrong, trust them and get away.
- When in a public place, keep valuable possessions out of sight. If you must leave an area for any length of time, take personal items with you.

Relationships

- When going out with someone new, go on a group date or meet in a public place.
- Arrange your own transportation to and from dates.
- Alert friends/family to where you will be going.
- If drinking, be mindful of how alcohol can impair decision making.

On the Streets

- Walk in well-lit areas and be aware of surroundings.
- Walk with another person.
- Use your cell phone judiciously – don't let it distract you.
- Carry your car keys when approaching your vehicle so you can enter quickly.
- Call ahead when driving or walking to your hall or apartment late at night and have someone watch you walk from your car to the residence.

Registered Sex Offenders

Federal law, including section 121 of the Adam Walsh Child Protection and Safety Act of 2006 and the Campus Sex Crimes Prevention Act amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, pertains to the registration of and publication of information about sex offenders. Federal law requires registered sex offenders to indicate when they are enrolled or employed at institutions of higher learning. The law further requires the state law enforcement authority, the Kansas Bureau of Investigation, to provide

the KU Police Department with a list of registered sex offenders who have indicated that they are either enrolled, employed, carries on a vocation, or volunteers services at the University of Kansas.

A list of all registered offenders is available from the Kansas Bureau of Investigation at: www.kansas.gov/kbi/ro.shtml.

Alcohol and Drug Use Policy

KLETC prohibits the unlawful possession, use, sale, manufacture, purchase, or distribution of alcohol or illegal drugs, of any attempt thereof, by students or by employees on its property or as part of its activities. The following law enforcement agencies are responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws on the respective campuses:

Hutchinson Main Campus – The Reno County Sherriff’s Office
Dodge City Campus – The Dodge City Police Department
Hays Campus – The Hays Police Department
Parsons Campus – The Parsons Police Department

Any student or employee found to be using, possessing, selling, manufacturing, or distributing controlled substances or alcohol, or whose behavior evidences being under the influence of alcohol or controlled substances, in violation of the law on the University of Kansas property or at the University of Kansas events shall be subject to disciplinary action in accordance with policies of the State of Kansas, and KLETC.

For employees, the University of Kansas will take appropriate personnel action for alcohol or drug violations up to and including termination. See KUs Alcohol and Drug Policy on Substance Abuse: <http://policy.ku.edu/human-resources/alcohol-and-drug>. Students who violate this policy will be subject to sanctions which include, reports to sponsor agency disciplinary action, and up to dismissal from KLETC. Additional information is available in the KLETC Basic Training Student Handbook.

Students at KLETC are required to be 21 and to be a certified law enforcement officer. Under age drinking is not a concern with KLETC students. KLETC does have a no alcohol policy for its students during the time they are attending training on campus for related training events.

Students attending basic law enforcement training course at KLETC shall not possess, consume or be under the influence of alcohol from the arrival at KLETC each training week until their dismissal at the conclusion of each training week whether physically present on the KLETC campus or elsewhere during off-duty hours. Refusal to take a PBT test when requested by any KLETC staff member shall constitute conclusive evidence that a student has consumed alcohol in violation of this rule. Student Handbook Rule 601.

Alcohol Laws

It is illegal for anyone of any age to consume alcoholic liquor on state or University of Kansas property, except where specific exemptions are provided by law. Penalty: up to 6 months in jail and/or a \$50 to \$200 fine. (K.S.A. 41-719)

It is illegal for anyone under 21 years of age to possess, purchase, attempt to purchase or consume cereal malt beverage or alcoholic liquor except where specific exemptions are provided by law. Penalty: \$200 minimum fine (18-21 years of age), \$200 to \$500 fine (under 18 years of age); 30-day suspension of driving privileges on a first offense; and a court may order 40 hours of public service and/or attendance at an alcohol education program. (K.S.A. 41-727)

It is illegal for anyone to furnish cereal malt beverage or alcoholic liquor to another person under 21 years of age. Penalty: up to 6 months in jail; \$200 minimum fine. (K.S.A. 21-5607)

It is illegal for anyone to host a person under 21 in such a manner that permits the minor to consume alcoholic liquor or cereal malt beverages. Penalty: up to 1 year in jail; \$1,000 minimum fine; and possible performance of community service. (K.S.A. 21-5608)

In Kansas it is illegal for anyone to operate a vehicle under the influence of alcohol, drugs, or both alcohol and drugs, with a breath or blood alcohol content of .08 or more (or to the degree it renders the person incapable of safely driving a vehicle). (K.S.A. 8-1567) For anyone under 21, it is illegal to do so with a breath or blood alcohol content of .02 or greater. (K.S.A. 8-1567a) If convicted, you are subject to the following penalties:

First Conviction (Misdemeanor)

Penalty: 48 consecutive hours to 6 months in jail, or in the court's discretion 100 hours of public service; \$750 to \$1,000 fine; required completion of an alcohol education program; suspended driver's license for 30 days, then use of ignition interlock device for 180 days (1 year suspension and subsequent 1 year ignition interlock device if alcohol concentration is .15 or greater)

Second Conviction (Misdemeanor)

Penalty: 90 days to 1 year in jail; \$1,250 to \$1,750 fine; completion of alcohol treatment program; suspended driver's license for 1 year; then use of ignition interlock device for 1 year (2 years if alcohol concentration is .15 or greater)

Third Conviction (Misdemeanor; Felony if prior conviction within preceding 10 years) Penalty:

90 days to 1 year in jail; \$1,750 to \$2,500 fine; completion of alcohol treatment program; suspended driver's license for 1 year; use of ignition interlock device for 2 years (3 years if alcohol concentration is .15 or greater), with costs.

Fourth Conviction (Felony)

Penalty: 90 days to 1 year in jail; \$2,500 fine; participation in alcohol abuse program; required mental health evaluation; suspended driver's license for 1 year; use of ignition interlock device for 3 years (4 years if alcohol concentration is .15 or greater), with costs.

Fifth & Subsequent Convictions (Felony)

Penalty: 90 days to 1 year in jail; \$2,500 fine; participation in alcohol abuse program; required mental health evaluation; suspended driver's license for 1 year; and use of ignition interlock device for 10 years.

Refusal to Submit to Alcohol or Drug Testing (K.S.A. 8-1014)

Penalty:

- 1st time - suspended driver's license for 1 year; driving is restricted by ignition interlock device for two years.
- 2nd time - suspended driver's license for 1 year; driving is restricted by ignition interlock device for three years,
- 3rd time - suspended driver's license for 1 year; driving is restricted by ignition interlock device for four years,
- 4th time - suspended driver's license for 1 year; driving is restricted by ignition interlock device for five years,
- 5th time - suspended driver's license for 1 year; driving is restricted by ignition interlock device for ten years.

Drug Laws

Kansas Law

The illegal possession, use, or sale of drugs may subject individuals to criminal prosecution. The University will refer violations of proscribed conduct to appropriate authorities for prosecution. Kansas law also mandates for certain offenders a non-prison sanction of placement in drug abuse treatment programs. Certain other offenders, including habitual drug users and those convicted of unrelated felonies, remain subject to punishment of imprisonment.

The manufacture of a controlled substance is a drug severity level 2 felony, except under certain circumstances. Penalty: 99 months to 110 months presumptive imprisonment, and up to a \$500,000 fine. (K.S.A. 21-5703; K.S.A. 21-6611; and K.S.A. 21-6805)

Illegal possession of opiates, narcotic drugs, or other specific stimulants is a drug severity level 5 felony. Penalty: 14 to 16 months imprisonment with presumptive probation, and up to a \$100,000 fine. (K.S.A. 21-5706; K.S.A. 21-6611; and K.S.A. 21-6805)

Unlawful possession of specific depressants, stimulants, hallucinogenic drugs, or anabolic steroids starts as a Class A non-person misdemeanor. Penalty: up to 1 year imprisonment, and up to a \$2,500 fine. However, unlawful possession of marijuana is usually a Class B nonperson misdemeanor. Penalty: up to 6 months in jail, and up to a \$1,000 fine. (K.S.A. 21-5706; K.S.A. 21-6611; and K.S.A. 21-6602)

Subject to certain exclusions, the sale or distribution of these drugs starts as a drug severity level 4 felony and may escalate in severity. Penalty: 20 to 23 months possible imprisonment, and up to a \$300,000 fine. (K.S.A. 21-5705; K.S.A. 21-6611; and K.S.A. 21-6805)

Federal Law

The Federal Controlled Substances Act establishes federal U.S. drug policy under which the manufacture, importation, possession, use, and distribution of certain substances is regulated. The Act provides penalties for, among other things, the intentional unlawful distribution or possession with intent to distribute controlled substances, unlawful possession of a controlled substance, and unlawful distribution of a controlled substance, manufacturing, or employing or persuading a person under 18 to unlawfully distribute a controlled substance on or within 1,000 feet of a school. 21 U.S.C. Section 801 *et seq.*

Disciplinary Sanctions

Students who violate this policy will be subject to sanctions which include, reports to sponsor agency, disciplinary action, and up to dismissal from KLETC.

Amnesty Policy

KLETC will review the circumstances on a case by case basis. Law enforcement officers are held to a higher standard than the public. Such violations can be a detriment to the profession, to the agency and be inconsistent with fit for duty standards.

Alcohol and Drug Education Programs

Student officers are exposed to alcohol and drug education throughout the curriculum. They will soon become the experts advising the citizens they serve in Kansas communities.

KLETC students are sent to KLETC by a sponsoring agency. Each agency has its own policies and employee assistance programs. Each agency is responsible for administering and providing education for their employees. Reports of substance abuse would be made to the appropriate person in the sponsoring agency.

KLETC promotes employee assistance programs in accordance with the University of Kansas policy. Employees can receive assistance through Human Resources for a voluntary, confidential, and free service that provides employees and their immediate family with professional counseling and referral services. Additional information about the Employee Assistance Program can be found here:

[https://healthbenefitsprogram.ks.gov/sehp/healthquest/employee-assistance-program.](https://healthbenefitsprogram.ks.gov/sehp/healthquest/employee-assistance-program)

Timely Warning Notice Policies

KLETC will issue a campus wide timely warning as set forth below, to notify members of the campus community about Clery-reportable criminal incidents reported within the KU Clery Geography (On-Campus, Public Property and Non-campus property), that, in the judgement of KLETC Executive Director, or designee, that the incident represents a serious or continuing threat to community members.

Timely Warnings are typically issued for the following Uniform Crime Reporting (UCR)/National Incident Based Reporting (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another;
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger KU community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the KUPD Chief of Police or their designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the KUPD Chief of Police or their designee in his or her absence.

KLETC issues timely warnings as Crime Alerts. Crime Alerts may also be used to aid in the prevention of similar crimes, to alert the University community to crimes, and/or to seek information to aid in the investigation of a crime. Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Crime Alerts are typically written and distributed by the Associate Director, or their designee as soon as pertinent information is available, and a need is determined. Crime Alerts will be issued to the campus community via email blast to all KLETC assigned email accounts. Crime Alerts may also be issued using some or all of the following methods of communication: Wireless

Emergency Notification System (WENS). KLETC can directly message all users via SMS text messaging or email or both.

Additional WENS messaging may be produced to provide updated information or to announce the arrest or identification of a suspect or the resolution of the incident.

KLETC is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

Anyone with information warranting a Timely Warning should immediately report the circumstances to:

Associate Director, Alvin Sowers, asowers@kletc.org, 620-694-1508

KLETC partners with local law enforcement asking them to notify KLETC if it receives reports or information warranting a Timely Warning.

Emergency Response and Notification Procedures

Emergency situations are dynamic. Individuals seeking confirmation of an emergency situation or having questions regarding any emergency notifications should visit KLETC's website at: www.kletc.org.

Emergency Management Plan

KLETC has developed a Security Task Force of all departments within the agency. This task force meets every 3rd Monday and is currently in the process of developing an Emergency Management Plan which will outline incident priorities, campus organization, and specific responsibilities of particular units or positions. Emergencies occurring on campus should be reported to local law enforcement by calling 911. KLETC has recently acquired additional functionality with the WENS system to customize notification and response behaviors during emergency situations.

Response to Emergencies

KLETC has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

In the event of an emergency, local police should be contacted immediately by calling 911 to report emergencies occurring at any of the KLETC sites. All KLETC staff are certified to

administer emergency first aid, cardiopulmonary resuscitation (CPR), and are trained in the use of Automated External Defibrillators (AEDs) which are located in multiple locations on campus.

In the event of an emergency, KLETC will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

The local law enforcement officers with jurisdiction are responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center.

KLETC Executive Director, or designee, in conjunction with other KLETC Administrative Staff, local first responders, Public Health Officials and/or National Weather Service will confirm the existence of the dangerous situation or emergency that poses an immediate threat to the health or safety of some or all members of the KLETC community. The Executive Director, or designee, will determine the content of the message and will use some or all of the systems described below to communicate the threat to the KLETC community or the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Emergency Notification System

KLETC 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 the notification will, in the judgement of the first responders (including, but not limited to: Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

If there is an immediate threat to the health or safety of students or employees occurring on campus, KLETC must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, KLETC must provide adequate follow-up information to the community as needed. 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.

Methods of Emergency Notification

KLETC utilizes a range of tools to keep students, faculty, staff, and visitors informed in the event of an emergency that could affect their health and safety. These tools are comprised of KLETC's Emergency Notification System; text messaging, online, social media, public address speakers, e-mail, and other media outlets. Any combination of these notification tools may be used in a

given emergency situation. If any of these systems fail or KLETC deems it appropriate, in person communication may be used to communicate in an emergency.

KLETC tests the Emergency Public Address System and text message alerts twice annually.

Text Messaging: Text message alerts are sent by KLETC Executive Director or designee when there is an immediate threat to life or safety, when immediate action is required, or to announce class cancellation and campus closure.

- Students are automatically enrolled after KLETC confirms contact information the first day of class.
- Faculty and staff are enrolled upon employment.
- Onsite vendors & visitors can request enrollment.

Online: KLETC will use its home page (kletc.org) as the official online location for information updates.

Social Media: KLETC also utilizes social media to release information.

- On Twitter, follow <https://twitter.com/KLETC>;
- On Facebook, <https://www.facebook.com/kletc>.

Public Address Speakers: Approximately one third of campus buildings have a voice message capable Emergency Public Address System (EPAS) incorporated in the fire alarm system. This system is activated by KLETC in the event of an emergency situation in a building, such as a tornado, active threat, or when an evacuation with specific instructions is needed. KLETC Executive Director or designee, or ranking officer assuming incident command, may authorize use of the EPAS, compose the message to be broadcast, and confirm location(s) in which to broadcast the message.

Weather Radios and Digital Signage: If a tornado warning is issued for any of Reno County, including KLETC, the more than 30 weather radios located statically around campus and in select dorm rooms will activate. Students are encouraged to access and be situationally aware of dangerous weather while on campus. Designated storm shelter areas are identified with students during orientation. An “all clear” message will not be communicated. The warning condition is over when the warning is allowed to expire by the National Weather Service.

E-mail: Emails are sent via the WENS system to email addresses in the system in the event of an emergency alert by KLETC. The campus community may also receive e-mails about other types of incidents that do not necessarily require immediate action, such as when law enforcement is seeking assistance from members of the public who may have information about a crime.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm). The local news media may be utilized to disseminate emergency

information to members of the larger community, including neighbors, parents and other interested parties. The large community can also access emergency information via the KLETC homepage and/or social media.

Evacuation and Relocation Procedures

An evacuation may be necessary if there is a power failure, lack of water, hazardous material release, structural damage, bomb threat or other terrorist act, flood, or any other situation that makes the facility unsafe or uninhabitable. An evacuation may be initiated by the building fire alarm, by notice from a police or fire official, or by administrative decision. If the fire alarm sounds, or if any KLETC staff or fire official gives an evacuation notice everyone must leave the building.

- New students and staff are trained on evacuation and relocation procedures during new student/staff orientation, to ensure that all people in their building are aware of exit routes and the location of the building Emergency Assembly Area(s).
- Unless otherwise notified by the local police agency, local fire department and/or medical personnel, building occupants may briefly delay evacuating if they need time to shut down electrical equipment.
- All building occupants will follow instructions issued in accordance with the KLETC Basic Training Student Handbook. Students are acquainted with handbook procedures during orientation, day one.
- After exiting the building, occupants are to go directly to their designated Emergency Assembly Area(s) and follow guidance provided by the KLETC staff and/or local emergency responders. The building may not be reentered until authorized by the KLETC Executive Director or designee and/or incident commander from the responding emergency services.

KLETC conducts evacuation drills four times per year under varying conditions. The purpose of the evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At KLETC evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

KLETC Facilities Services performs regular maintenance checks on building fire alarm systems, but it is not run as a drill (building occupants normally stay in place).

Testing Emergency Response

KLETC does not currently test its emergency response with drills and/or exercises. KLETC is working on plans to conduct such exercises.

General Evacuation Procedure

At the sound of a fire alarm or if instructed to evacuate, leave the area immediately, proceed to the nearest exit, and leave the building. The first to recognize a fire situation should activate the alarm, evacuate to a safe location using the nearest exit, and notify KLETC Administrative Staff and dial 911.

1. Remain calm.
2. Do NOT use elevators, use the stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator secure a safe location near a stairwell, and immediately inform 911 or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

Shelter in Place

During certain emergency conditions, it may be safer to seek protection inside the building instead of leaving. Examples of such occasions include severe weather, tornados, hazardous materials releases, or active threats.

General Shelter in Place Procedures:

1. Immediately obey warning messages or orders to take shelter.
2. If possible, move to the lowest level of the building to an interior room.
3. Move away from doors and windows.
4. **Active Threat Emergencies:** Lock and barricade the door. Turn off lights and silence phones or other noise making devices.
5. **Severe Weather Emergencies:** Put as many walls between you and the outdoors as possible. Use a blanket or furniture to provide extra protection against debris.
6. **Hazardous Materials Emergencies:** Seal all doors, windows, and vents with tape, plastic or rugs. Turn off ventilation systems.

Evacuation/Rescue Plan for Persons with Disabilities

KLETC prohibits discrimination in its programs and activities, in accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, 1990. University of Kansas procedures require everyone, including people with disabilities or other conditions, to evacuate the facility when the fire alarm is activated or when otherwise instructed to do so. The University of Kansas is committed to assisting with the development of personal action plans and training its employees to identify and assist people who may need assistance in an emergency. KLETC also recognizes that not everyone with a disability needs assistance.

People needing assistance in an emergency, including those with disabilities, should develop a personal action plan. The plan will include identification of their evacuation methods, identification of at least two individuals who are willing to serve as evacuation assistants in the event of an evacuation, if necessary, and any additional steps to assist with evacuation. KLETC students with disabilities can receive assistance in completing their personal action plan with their assigned Class Coordinator or Basic Training Administrator.

It is recognized that people with disabilities or other conditions may require assistance with evacuation in the event of an emergency. Therefore, people needing assistance in an emergency are encouraged to voluntarily self-identify to KLETC's HR representative as an individual with a temporary or permanent disability or other condition and make a request for assistance in advance of an emergency.

Notwithstanding submission of this plan to KLETC, individuals remain responsible for their own evacuation. If an individual needs assistance evacuating, it is the individual's responsibility to identify evacuation assistants and request the assistance, in advance if possible, of those individuals.

Class Coordinators or Basic Training Administrators will assist students with disabilities and other conditions in developing a plan for evacuating their housing residence. KLETC employees with disabilities and other conditions should work with their supervisor. The ADA Resource Center for Equity & Accessibility will serve as a resource for KLETC employees, including their supervisors in the development of personal action plans.

Crime Statistics

Crime statistics are a specific list of offenses identified by the Clery Act known as Clery Act Crimes which were reported to have occurred within certain geography the University of Kansas owns or controls.

Note: Statistics are based on reports of alleged criminal offenses and are counted regardless of whether or not the crime has been investigated, or whether a finding of guilt or responsibility has been made. Statistics are based on the date the Clery Act Crime was reported, not the date it allegedly occurred.

Clery Act Crimes are grouped into four categories:

Criminal Offenses: Murder/Non-Negligent Manslaughter, Manslaughter by Negligence, Rape, Fondling, Statutory Rape, Incest, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.

Hate Crimes: Includes any of the Criminal Offenses and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias

VAWA Offenses: Offenses in this category were added to the Clery reportable crimes list from another federal act titled the Violence Against Women Act (VAWA). Those offenses include: Domestic Violence, Dating Violence, and Stalking. Sexual Assault is also a VAWA Offense but is already included in the Criminal Offenses category.

Arrests and Referrals for Disciplinary Action: Includes arrests and referrals for Weapon, Drug, and Alcohol Law violations.

Geography locations:

On-Campus Property: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendor).

On-Campus Residential Housing: A subset of On-Campus Property location. Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

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

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

KLETC Hutchinson – Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Fondling	2022	1	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Incest	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Burglary	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Note: There were no reported hate crimes for 2020, 2021, and 2022.

Note: There were no crimes determined to be unfounded in 2020, 2021, and 2022.

KLETC Hutchinson – VAWA Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	1	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

KLETC Hutchinson – Arrests and Referrals for Disciplinary Action

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Weapon Law Violation Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Weapon Law Violation Referrals	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug Law Violation Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug Law Violation Referrals	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Liquor Law Violation Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Liquor Law Violation Referrals	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

KLETC Dodge City – Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Manslaughter by Negligence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Rape	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Fondling	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Statutory Rape	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Incest	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Robbery	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Aggravated Assault	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Burglary	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Motor Vehicle Theft	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Arson	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

Note: There were no reported hate crimes for 2020, 2021, and 2022.

Note: There were no crimes determined to be unfounded in 2020, 2021, and 2022.

KLETC Dodge City – VAWA Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Domestic Violence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Dating Violence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Stalking	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

KLETC Dodge City – Arrests and Referrals for Disciplinary Action

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Weapon Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Weapon Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Drug Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Drug Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Liquor Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Liquor Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

KLETC Hays – Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Manslaughter by Negligence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Rape	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Fondling	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Statutory Rape	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Incest	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Robbery	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Aggravated Assault	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Burglary	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Motor Vehicle Theft	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Arson	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

Note: There were no reported hate crimes for 2020, 2021, and 2022.

Note: There were no crimes determined to be unfounded in 2020, 2021, and 2022.

KLETC Hays – VAWA Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Domestic Violence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Dating Violence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Stalking	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

KLETC Hays – Arrests and Referrals for Disciplinary Action

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Weapon Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Weapon Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Drug Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Drug Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Liquor Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Liquor Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

KLETC Parsons – Criminal Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Murder/Non-Negligent Manslaughter	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Manslaughter by Negligence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Rape	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Fondling	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Statutory Rape	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Incest	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Robbery	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Aggravated Assault	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Burglary	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Motor Vehicle Theft	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Arson	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

Note: There were no reported hate crimes for 2020, 2021, and 2022.

Note: There were no crimes determined to be unfounded in 2020, 2021, and 2022.

KLETC Parsons – VAWA Offenses

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Domestic Violence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Dating Violence	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Stalking	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

KLETC Parsons – Arrests and Referrals for Disciplinary Action

Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Residential Housing	Non-Campus Property	Public Property
Weapon Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Weapon Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Drug Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Drug Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Liquor Law Violation Arrests	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0
Liquor Law Violation Referrals	2022	0	N/A	N/A	0
	2021	0	N/A	N/A	0
	2020	0	N/A	N/A	0

Fire Safety Report

January 2022 through December 2022

This report complies with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act." Institutions with "on-campus student housing facilities" must annually publish a Fire Safety Report, and the report must be published by October 1 each year. The Fire Safety Report must include certain statements regarding policies, procedures, and programming related to the housing facilities and statistics for fires that occurred in those facilities.

This report is for the *Hutchinson* campus. The *Dodge City*, *Hays*, and *Parsons* campuses do not have on-campus student housing facilities.

Policy Information

The following are prohibited items: microwaves, stoves, hot pads, space heaters, air conditioners and coffee makers and any open flame devices, such as candles. Prohibited activities include (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.).

Computers, stereos, televisions, radios, non-commercial hairdryers, and other similar appliances are permitted unless specifically prohibited by KLETC. All electrical appliances must be used responsibly and be in good working order, free of wiring defect, and approved for use by KLETC. All cords and plugs must be grounded and free of frays. Do not overload circuits or extension cords. It is the student's responsibility to maintain a clean and non-hazardous living space.

Fire Safety Education and Training

Fire safety education programs for all students living in on campus and all employees that have any association with housing is provided in orientation and in the student handbook. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on KLETC fire safety policies. Everyone is also made familiar with evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them. Fire safety education and training programs are taught by Administrative Staff.

Procedures in Case of a Fire

In the event of a fire, KLETC expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911. Students and/or staff are

informed where to relocate to by staff or established procedures in the Basic Training Student Handbook if circumstance warrants at the time of the alarm.

In the event fire alarms sound, KLETC policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity, as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

- If you hear the fire alarm, immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
- Awaken any sleeping roommates or suitemates if safe to do so. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob by the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- When the alarm sounds, shout and knock on doors as you make your way to the nearest exit and out the building.
- When exiting in smoky conditions, keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- DO NOT USE ELEVATORS. Elevator shafts may fill with smoke or the power may fail leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. KLETC staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

Reporting a Fire

Per federal law, KLETC is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911. Once the emergency has passed, you should notify a KLETC Class Coordinator or the KLETC Maintenance Manager or designee to investigate and document the incident for disclosure in the University of Kansas' annual fire statistics.

If a member of the KLETC community finds evidence of a fire that has been extinguished, and the person is not sure whether KLETC Maintenance Manager has already responded, the

community member should immediately notify KLETC Maintenance Manager to investigate and document the incident for disclosure in the University’s annual fire statistics.

Fire Log

A fire log is available for review at KLETC-Hutchinson, from 8 AM – 5 PM Monday through Friday, excluding holidays. The information in the fire log includes information about fires that occur in residential facilities, including the nature, date, time, and general location.

Plans for Improvement to Fire Safety

KLETC does not have any planned improvements in fire safety at this time.

Fire Safety Systems

Building Name and Address	Fire Alarm Monitoring	Smoke Detectors	Heat Detectors	Sprinklers	Strobes	Audible Alarm Speakers	Number of Fire Drills Each Calendar Year
Pavey Hall 11009 S Hornet Rd	x	x		x	x	x	4
Welch Hall 11009 S Hornet Rd	x	x		x	x	x	4

Fire Statistics 2022

Residential Facility	Total Fires in Each Facility	Fire #	Cause & Category of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Pavey Hall 11009 S Hornet Rd	0	0	N/A	N/A	N/A	N/A
Welch Hall 11009 S Hornet Rd	0	0	N/A	N/A	N/A	N/A

Fire Statistics 2021

Residential Facility	Total Fires in Each Facility	Fire #	Cause & Category of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Pavey Hall 11009 S Hornet Rd	0	0	N/A	N/A	N/A	N/A
Welch Hall 11009 S Hornet Rd	0	0	N/A	N/A	N/A	N/A

Fire Statistics 2020

Residential Facility	Total Fires in Each Facility	Fire #	Cause & Category of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Pavey Hall 11009 S Hornet Rd	0	0	N/A	N/A	N/A	N/A
Welch Hall 11009 S Hornet Rd	0	0	N/A	N/A	N/A	N/A