

Annual Security Report
January 1, 2022 to December 31, 2022

Wichita Campus
Southwestern College

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Southwestern College will comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and this report is prepared for that purpose. Any questions related to the implementation or the compliance of this public law (34 CFR Part 668) should be directed to the Dean of Students, located in the Sutton Center at the main campus of Southwestern College in Winfield, KS. The dean has been designated by the College to coordinate the institution's efforts to comply with the regulations effecting the implementation of the Clery Act.

Southwestern College Professional Studies in Wichita, is a safe, education-orientated and community-minded campus that maintains an academic and social environment, conducive to intellectual and personal development of students and promotes the safety and welfare of all members of the campus community. Southwestern College is concerned for the safety and well-being of its students, employees and citizens. Southwestern College will cooperate with authorities in the enforcement of all applicable laws.

Professional Studies operates as a satellite of Southwestern College, whose main location has been serving students in Winfield, KS since 1885. Professional Studies offers eight sessions per year of six week on-line classes. The four categories of educational programs include undergraduate, graduate, certificate and military education.

Procedure for Preparing and Distributing the Report

The Safety and Security Department has been designated by the College to gather the information and statistics related to the Act. The Dean of Students and the Lead Security Officer will oversee the preparation and distribution of the annual report. The Security Department works with other administrative departments and law enforcement agencies, such as the Professional Studies Department and the Wichita Police Department to compile the information and crime statistics. We encourage the campus community to use this report as a guide for safe practices on and off campus. The report will include crime statistics from the previous three calendar years. The report will be distributed to the College community by email and on the security web site and can be accessed at <http://ps.sckans.edu/>

The report will be published and made available by the start of the fall semester each academic year. The Director of Safety and Security will ensure that the annual report is submitted to the Department of Education by October 1st each year. Also, brochures will be available on site at Professional Studies containing information about the report and how it can be found on line. The report is also distributed to Professional Studies students, staff and faculty.

Statement from the Lead Security Officer

At Southwestern College, the safety and well-being of our students, faculty, and staff is always our top priority. Everyone on campus is involved in keeping the campus safe and secure. A truly safe campus can be achieved only through the cooperation of all students, faculty and staff. This report is part of our effort to ensure this collaborative endeavor is effective. We hope that you will read this carefully and use the information to help foster a safe environment for yourself and others for the Professional Studies campus. *Teresa Nichols*

Reporting of Criminal Actions or Emergencies

Southwestern College Professional Studies does not employ security personnel. Although no formal Memorandum of Understanding has been executed, the Wichita Police Department is the agency in full charge of law enforcement and investigation of criminal incidents for the Professional Studies campus in Wichita. Any individual on the Professional

Studies campus, who is a victim of or observes any criminal activity should report the incident immediately to 911. Persons reporting criminal incidents should provide as much information as available. If possible, this should include the location, nature of incident, the description of possible criminals, and briefly what happened. Wichita Police Officers will respond to protect the victims, investigate the incident, and make arrests when necessary.

Conduct which may include criminal activity can be reported to a staff member at the Professional Studies Office. They will notify the Wichita Police Department of any reported criminal activity occurring on campus or in the contiguous area.

Although names, addresses, etc. and personally identifiable information can be restricted, the fact of the incident occurring itself cannot be held in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to the Dean of Students and/or the Lead Security Officer. Employees in a supervisory role have a duty to report crimes or conduct which may be tracked for inclusion in the Annual Security Report. Confidential reporting can also be made to <http://www.sckans.edu/student-services/safety-and-security/>

Crime Reporting

Numerous efforts are made to advise members of the campus community, on a timely basis, about campus crime and crime related problems. These efforts include the following:

- 1) Annual Report- a comprehensive annual report of crime related information is compiled, published, and widely distributed. This annual report is available to the media and any member of the campus community and is distributed on October 1 each year. Crime statistics are updated monthly on the Safety and Security Department website.
- 2) Special Alerts- if circumstances warrant, special printed crime alerts can be prepared and distributed for special informational meetings.
- 3) Mass Emails and Cell Phone and Text Messaging- if circumstances warrant, mass emails and/or cell phone text messages can be issued to the campus community.

Responsibility and Cooperation for Reporting Incidents

Any person who feels that he or she or another person has been the victim of an incident or involved in a questionable situation involving a Southwestern College student, employee on College property, at any Southwestern College activity or at any activity that an observer would associate with a Southwestern College student, employee, must immediately report the incident to the appropriate staff member or complete the online reporting form to <http://www.sckans.edu/student-services/safety-and-security/>

Students and employees are required to cooperate fully with any investigation by or at the request of Southwestern College or the Wichita Police Department. Full cooperation is defined as complying with the requests of the College at the time of the incident and throughout the duration of the investigation. These requests include, but are not limited to: Being available for formal questioning relating to the incident, releasing relevant information to the College and allowing College officials access to information surrounding the incident which may directly impact the safety and security of Southwestern College students and employees.

Access to Facilities

Access to campus facilities for Professional Studies are accessible to members of the campus community, guests and visitors during normal business hours, Monday through Friday.

Maintenance and Security of Campus Facilities

Professional Studies in Wichita does not have any on-campus residences. The College maintains a strong commitment to campus safety and security. Exterior lighting is a very important part of this commitment. Members of the campus community are encouraged to report any exterior lighting deficiencies to a staff member at Professional Studies.

Professional Studies in Wichita has a good and fully established working relationship with the Wichita Police Department, as well as other federal, state and county law enforcement agencies.

Professional Studies in Wichita does not have security personnel therefore criminal investigations are done by the Wichita Police Department.

Professional Studies in Wichita does not have an officially recognized student organizations with non-campus locations.

Response to Sexual Violence

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act (VAWA), the College prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, and acts of domestic violence, dating violence, sexual violence (including sexual assault) and stalking. The College also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individual exercising their rights or responsibilities pursuant to these laws and institutional policy. The College's Title IX- Sexual Misconduct Policy is used to address complaints of the types of conduct mentioned above. This policy and the procedures for filing, investigating and resolving complaints for violations of that policy may be found at www.sckans.edu/policy.

When a student or employee reports to the College that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense happened at Professional Studies or off site, the College will provide the student or employee a written explanation of his or her rights and options.

Southwestern College Title IX Policy & Procedures

Any reports of dating violence, domestic violence, sexual assault or staking based on gender or intimate partner relationship will be managed through the Title IX Sexual Misconduct Policy and Procedures located in Section 7.8.7 of the Southwestern College Policy Manual.

1) Scope

- A. This policy applies when Southwestern College has actual knowledge of allegations of Sexual Harassment in any of Southwestern College's educational programs or activities against persons present in the United States.
- B. When a person alleges both sex discrimination and Sexual Harassment committed against a person while in the United States, Southwestern College will follow its rules, procedures, and processes for responding to a Formal Complaint of Sexual Harassment. If the Formal Complaint is dismissed at any point in the process, Southwestern College will follow its rules, procedures, and processes used for sex discrimination allegations.
- C. Allegations of discrimination, Sexual Harassment, or other sexual misconduct outside the scope of this policy may be addressed under other Southwestern College policies.

2) Title IX Coordinator

Contact Information:

The Title IX Coordinator for Southwestern College is: Lonnie Boyd, Director of Human Resources- located in the Business Office in the Christy Administration Building.

Contact Information: Mailing Address- Lonnie Boyd, Director of Human Resources, Southwestern College, 100 College Street, Winfield KS 67156. Telephone- 620-229-6136 and email-Lonnie.boyd@sckans.edu

Campus Hotline for reporting safety and Title IX concerns: 866-943-5787

Safety and Security Concerns Form: <https://www.sckans.edu/student-services/safety-and-security/>

The Title IX Coordinator will ensure that applicants for admission and employment, students, employees, and any professional organizations holding professional agreements with Southwestern College are provided with the contact information for the Title IX Coordinator listed above.

Responsibilities: The Title IX Coordinator shall coordinate Southwestern College's efforts to comply with this policy and Title IX.

3) Definitions

- A. Actual Knowledge. Notice of Sexual Harassment or allegations of Sexual Harassment to any of the following:

1. Title IX Coordinator: The Title IX coordinator's primary responsibility is to coordinate the College's compliance with Title IX, including the school's grievance procedures for resolving associated complaints. In addition, the following responsibilities apply:

- Understand Title IX to ensure that procedural requirements of the legislation are being met. This means developing a working knowledge of Title IX, having a copy of the law available and understanding its requirements. To meet this responsibility, coordinators need to keep informed of current research and legal and judicial decisions related to Title IX.
- Ensure Southwestern College is complying with Title IX. This involves reviewing the College's policies to ensure that it is not discriminating based on sex and that information about the College's practices, including counseling, are non-discriminatory.
- Coordinate the grievance procedure for Title IX complaints which includes assisting students in filing and investigating the concerns or issues.

2. Any official who has authority to institute corrective measures on behalf of Southwestern College. This includes the Dean of Students, Assistant Dean of Students, Director of Security, Assistant Director of Residence Life and the Wallingford Hall Director. The Actual Knowledge standard is not met when the only official of Southwestern College with actual knowledge is also the Respondent. These individuals may become aware of Sexual Harassment if they witness Sexual Harassment; hear about Sexual Harassment or Sexual Harassment allegations from a Complainant (i.e., a person alleged to be the victim) or a third party (e.g., the Complainant's parent, friend, or peer); receive a written or verbal complaint about Sexual Harassment or Sexual Harassment allegations; or by any other means.

B. Complainant. An individual who is alleged to be the victim of conduct that could constitute Sexual Harassment. Complainant does not mean the Title IX Coordinator when the Title IX Coordinator signs a Formal Complaint or is not otherwise an alleged victim of Sexual Harassment.

C. Conflict of Interest. Any individual designated by Southwestern College as the Title IX Coordinator, investigator, decision-maker, or any person designated by Southwestern to facilitate an informal resolution process will not have a conflict of interest or bias against complainants or respondents generally or individually.

D. Consent. An informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep, unconscious, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent.
Consent can be withdrawn at any time.

E. Deliberately Indifferent. A response that is clearly unreasonable in light of the known circumstances.

F. Education Program or Activity. Locations, events, or circumstances over which Southwestern College exercises substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred. Conduct that occurs outside of Southwestern College's Program or Activity as defined in this policy may be subject to other student conduct policies.

G. Formal Complaint. A document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that Southwestern College investigate the allegation of Sexual Harassment. The phrase "document filed by a Complainant" means a document or electronic submission (such as by email that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under these procedures and must comply with the requirements of this policy.

H. Decision Maker. The person who is the decision-maker with respect to the determination of responsibility after a live hearing. The Decision Maker cannot be the same person(s) as the Title IX Coordinator or the Investigator(s).

I. Party. Either Complainant or Respondent. References to the plural "parties" includes Complainant and Respondent.

J. Process Manager- Student Affairs staff member who is responsible for coordinating the Title IX process- including meeting days, hearing times,, investigations, evidence review, etc.

K. Respondent. An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

- L. Sexual Harassment. Conduct on the basis of sex that satisfies one (1) or more of the following:
1. An employee conditioning the provision of an aid, benefit, or service of Southwestern College on an individual's participation in unwelcome sexual conduct (quid pro quo)
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Southwestern College's education program or activity; or
 3. Any of the following offenses:
 - a. Sexual Assault. An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- (1) Forcible Sex Offenses.** Any sexual act directed against the Complainant, without the consent of the Complainant including instances where the Complainant is incapable of giving consent. Forcible sex offenses include:
- i. Rape. The carnal knowledge of the Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - ii. Sodomy. Oral or anal sexual intercourse with the Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
 - iii. Sexual Assault with an Object. To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of the Complainant, without the consent of the Complainant including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" as defined in this section is anything used by the offender other than the offender's genitalia (e.g., a finger or bottle).
 - iv. Fondling. The touching of the private body parts of the Complainant for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- (2) Non-forcible Sex Offenses.** Non-forcible sex offenses include:
- i. Incest. Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

ii. Statutory Rape. Non-forcible sexual intercourse with a person who is under the statutory age of consent.

b. Dating Violence. Violence committed by a person: (1) who is, or has been, in a social relationship of a romantic or intimate nature with the Complainant; and (2) where the existence of such a relationship shall be determined based on a consideration of the following factors: i. The length of the relationship. ii. The type of relationship. iii. The frequency of interaction between the persons involved in the relationship.

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

d. Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for their safety or the safety of others; or (2) suffer substantial emotional distress.

M. Supportive Measures. Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to Southwestern College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties and/or the educational environment, or deter Sexual Harassment.

Supportive Measures may include counseling, extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

N. Written Notice. Notice to a student to their official Southwestern College email account as well as a hard copy delivered by the Southwestern College Security Department. The notice is effective on the date that the notice is mailed. When notice is hand delivered to the student from the institution, notice is effective on the date that the notice is delivered to the student to whom the notice is addressed. When notice is sent by email, the notice is effective on the date that the email is sent to the student's institution-provided email account.

4. Reports and Formal Complaints of Sexual Harassment

A. Making a Report to the Title IX Coordinator. Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number, online reporting portal, or email address, or by mail to the office address, listed for the Title IX Coordinator.

On-Line Reporting Form: <https://www.sckans.edu/student-services/safety-and-security/>
Campus Hotline: 866-943-5787

The following Southwestern College employees are expected to report sex discrimination, including Sexual Harassment, of which they are aware, to the Title IX Coordinator.

1. Security Personnel
2. Resident directors, and resident assistants;
3. President, Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents;
4. Department Chairs/Heads;
5. Faculty;
6. Student Success Staff
7. Student Affairs Staff
8. Advisors for student organizations
9. Head Athletic Coaches, assistant coaches
10. Athletic Trainers
11. Athletic Director and Assistant/Associate Athletic Directors
12. Campus Security Authorities
13. All Graduate Assistants

B. Response to Actual Knowledge of Sexual Harassment. If Southwestern College has actual knowledge of sexual harassment in an education program or activity committed against a person while in the United States, Southwestern College will respond promptly in a manner that is not deliberately indifferent and follow its Grievance Process.

C. With or without a Formal Complaint, after receiving actual knowledge of Sexual Harassment, the Title IX Coordinator will:

1. Will contact the Complainant to discuss the availability of Supportive Measures;
2. Consider the Complainant's wishes with respect to Supportive Measures;
3. Inform the Complainant of the availability of Supportive Measures, with or without the filing of a Formal Complaint; and
4. Explain to the Complainant the process for filing a Formal Complaint.
 - a. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by email, by using the Title IX Coordinator Contact Information
 - b. At the time of filing a Formal Complaint, a Complainant must be participating in, or attempting to participate in, the education program or activity of Southwestern.
 - c. In response to a Formal Complaint, Southwestern College will follow the Grievance Process.

D. Southwestern College's Response to a Report of Sexual Harassment. Southwestern College's response to receiving actual knowledge of Sexual Harassment will treat Complainants and Respondents equitably by offering Supportive Measures to a Complainant, and by following the Grievance Process before the imposition of any disciplinary sanctions or other actions that are not Supportive Measures, against a Respondent.

E. No Contact Order: College administrators are authorized to issue a No Contact Order (NCO) prohibiting contact between students when there exists a reasonable concern that physical or psychological harm may result from such contact. The College will consider all facts and circumstances that may be relevant to whether an NCO should be issued, including, but not limited to, the following factors:

- When there are allegations, threats, or evidence of physical violence by one student against another;
- When there are allegations, threats, or evidence of emotional abuse or harassment by one student of another;
- When there is a substantial risk of emotional harm from continued contact between students;
- When continued contact between students may have a material impact on campus disciplinary proceedings;
- When requested or agreed to in good faith by both students involved; and
- When there are of allegations of serious college policy violations.

All NCOs shall provide that neither student may have contact with the other. "Contact" includes, but is not necessarily limited to, in-person contact, telephone calls, email, texts and other forms of electronic communication, social media-based messages or postings, and third party communications including through proxies.

NCOs may include additional protective measures or other terms specific to the safety, well-being, or other needs of either or both students subject to the NCO, when deemed necessary by the college. Any additional terms shall be expressly stated in the NCO. Additional protective measures or other terms need not be reciprocal. They may include, but are not limited to, the following:

- Restricting a student from being in close proximity to the other student;
- Restricting a student's access to certain campus locations, including the other student's residence hall;
- Restricting the times a student may be present in on-campus dining facilities;
- Requiring that the students not be enrolled in the same academic course(s); and
- Requiring that the students not participate in the same co-curricular or extra-curricular activities.

Interim Suspension of Student. Southwestern College may remove a Respondent from its' education program or activity on an emergency basis, with a Grievance Process pending, or the status of a No Contact Order, provided that Southwestern College undertakes an individualized safety and risk analysis. The analysis needs to determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, and provides the Respondent with written notice and an opportunity to challenge the decision immediately following the removal. The procedure for the removal of a student in an emergency basis is set forth in 7.8.1 Interim Suspension.

5. Grievance Procedures

A. Purpose. The grievance procedures set forth below are intended to provide for the prompt and equitable resolution of a Formal Complaint by any student alleging any action that would be prohibited by this policy.

B. Notification of Grievance Procedures. Southwestern College will provide notice to applicants for admission and employment, students, employees, and any professional organizations holding professional agreements with Southwestern College of these grievance procedures and Grievance Process, including how to report or file a complaint of sex discrimination, how to report or file a Formal Complaint of Sexual Harassment, and how Southwestern College will respond.

C. Basic Requirements. The following shall be required during Southwestern College's Grievance Process:

- 1. Equitable Treatment.** Southwestern College will apply its grievance procedures and requirements equally to both parties. During any proceeding under this policy, Southwestern College will treat Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent, and by following the Grievance Process set forth below before the imposition of any disciplinary sanctions or other actions that are not Supportive

Measures against a Respondent. Remedies must be designed to restore or preserve equal access to the education program or activity. Such remedies may be disciplinary or punitive in nature and need not avoid burdening the Respondent and may include the same individualized services set forth in Supportive Measures.

2. Presumption of Non-Responsibility. Throughout the Grievance Process set forth in this policy, the Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Grievance Process.

3. Objective Evaluation. Any grievance pursuant to these procedures will include an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.

4. Conflicts of Interest Prohibited. The Title IX Coordinator, Investigator(s), Hearing Officer, decision-maker on appeal, or any person designated to facilitate an informal resolution process, shall be free from any conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. The intent of this provision is to provide protections analogous to, and no less protective than, the conflict of interest provisions. If any party believes that any of these individuals has a conflict of interest, that party must submit a written explanation of the reason for that belief to the Vice President for Business and Finance. The explanation must be submitted within three (3) business days, absent good cause, of the time when the party knew or should have known the facts that would give rise to the alleged conflict of interest. The Vice President for Business and Finance will determine if the facts warrant the appointment of a different Title IX Coordinator, Investigator, Hearing Officer, decision-maker on appeal, or informal resolution facilitator and will respond to the requesting party in writing within three (3) business days, absent good cause. The decision of the Vice President for Business and Finance shall be final.

5. Training.

a. Southwestern College will provide annual training that satisfies the requirements of Title IX and will be developed or conducted consistent with the requirements of the Department of Education. Training materials must not rely on sex stereotypes and must promote impartial investigations and adjudications of Formal Complaints of Sexual Harassment.

b. The Title IX Coordinator, Investigators, Hearing Officers, decision-makers on appeal will be trained on the following matters:

(1) The definition of Sexual Harassment;

(2) The scope of Southwestern College's education program or activity: Locations, events, or circumstances over which Southwestern College exercises substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred. Conduct that occurs outside of Southwestern College's Program or Activity as defined in this policy may be subject to other student conduct policies.

- (3) How to conduct an investigation and Grievance Process including hearings and appeals.
- (4) How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- (5) How to utilize a trauma informed approach
 - c. Hearing Officers will receive training on the matters listed above as well as:
 - (1) Any technology to be used at a live hearing; and
 - (2) Issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.
 - d. Investigators will receive additional training on issues of relevance to create an Investigative Report that fairly summarizes relevant evidence.
 - e. All materials used to train Title IX Coordinators, Investigators, Hearing Officers, decision-makers on appeal, and any person who facilitates an informal resolution process will be publicly available on Southwestern College's website.

D. Time Frames. Southwestern College will endeavor to complete the Grievance Process set forth herein within 60 school days of the filing of the Formal Complaint. This time-frame and others set forth in this policy are guideposts and may be extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The Complainant and Respondent shall be promptly notified of the need for any delay.

E. Available Sanctions and Remedies. The possible disciplinary sanctions (Student Policies 7.8.6) and remedies that Southwestern College may implement following any determination of responsibility will vary based on the status of the Respondent:

F. Standard of Evidence. The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.

G. Privileged Materials. Neither the University nor any party will be required or allowed to rely upon, or otherwise use questions or evidence that constitute or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

7) Notice of Allegations

A. Upon receipt of a Formal Complaint, an Investigator or campus authority will provide the following written notices to the parties who are known:

1. Notice of Southwestern College's Grievance Process

2. Notice of the allegations of conduct potentially constituting Sexual Harassment, including sufficient details known at the time. This notice shall be provided with sufficient time to prepare a response before any initial interview.

Sufficient details include:

a. The identities of the parties involved in the incident, if known. b. The conduct allegedly constituting Sexual Harassment. c. The date and location of the alleged incident, if known.

3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Grievance Process.

4. Notice to the parties that they may have an advisor of their choice; The advisor may be any person of the party's choosing, If the party does not choose an advisor, however, the institution may select an individual to serve in this role for the limited purpose of conducting the cross-examination.

5. Notice that the parties may inspect and review evidence as set forth.

6. Notice to the parties that knowingly making false statements or knowingly submitting false information during the Grievance Process is prohibited.

B. If, in the course of an investigation, Southwestern College decides to investigate allegations about the Complainant or Respondent that are not included in the original written notice discussed above, Southwestern College will provide written notice of the additional allegations to the parties whose identities are known.

8) Dismissal of a Formal Complaint

A. Mandatory Dismissal. Southwestern College must dismiss the Formal Complaint with regard to any alleged conduct that:

1. Would not constitute Sexual Harassment under this policy;

2. did not occur in Southwestern College's education program or activity; or

3. did not occur against a person present in the United States at the time of the alleged conduct.

If appropriate, the Title IX Coordinator will forward allegations of misconduct dismissed under this section to the Office of Student Affairs for review and, if appropriate, additional action under other College rules and procedures may be taken.

B. Permissive Dismissal. Southwestern College may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

1. Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;

2. Respondent is no longer enrolled at Southwestern College; or

3. Specific circumstances prevent Southwestern College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

C. Following a mandatory or permissive dismissal set forth above, the Title IX Coordinator must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

9) Consolidation of Formal Complaints

Southwestern College may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

10) Investigation of a Formal Complaint

Southwestern College will investigate, to the extent necessary or possible, the allegations in a Formal Complaint. When investigating a Formal Complaint and throughout the Grievance Process, the investigator will observe the following requirements:

A. Burden of Proof. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on Southwestern College and not on the parties;

B. Prohibition on Use of Privileged Documents. Southwestern College may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's 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, unless Southwestern College obtains that party's voluntary, written consent to do so for a Grievance Process under this section.

C. Southwestern College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

D. Southwestern College will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

E. Use of an Advisor. The parties are permitted to have an advisor present during any Grievance

Proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. Southwestern College does not place any limits on the choice or presence of advisor for either the Complainant or Respondent in any meeting or Grievance Proceeding, except for participation in cross-examination; the advisor's role in any other meeting or proceeding shall be limited to an advisor role only and the advisor may not otherwise participate in the meeting or proceedings.

F. Notice to Parties. The Process Manager will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare or participate.

G. Access to Evidence. Southwestern College will allow both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which Southwestern College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the Investigative Report, the College will send to each party and the party's advisor (if any), the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have ten (10) school days to submit a written response, which the Investigator will consider prior to completion of the Investigative Report. Southwestern College must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

H. Final Investigative Report. The Investigator will create an Investigative Report that fairly summarizes relevant evidence. At least ten (10) school days prior to a hearing or other time of determination regarding responsibility, the Investigator will send to each party and the party's advisor (if any), the Investigative Report in an electronic format or a hard copy, for their review and written response.

II. Hearings

A. Hearing Procedures. At least ten (10) days after the completion of the Investigative Report and distribution to the parties and their advisors (if any), Southwestern College will convene a live hearing for any Formal Complaint not dismissed pursuant to this policy. The Hearing Officer maintains authority to set the procedures and control the conduct of

the hearing provided that the Hearing Officer must observe the procedures required by this policy, Title IX, and other applicable Southwestern College rules or policies.

- 1. Location of Hearing.** Live hearings pursuant to this section may be conducted with all parties physically present in the same geographic location or, at Southwestern College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- 2. Availability of Evidence.** The Hearing Officer will make all evidence that was subject to review and inspection during the investigation phase available to the parties during the hearing. The parties will have equal opportunity to refer to that evidence, including for purposes of cross-examination.
- 3. Extensions of Time.** The Hearing Officer may allow a temporary delay of the Grievance Process or the limited extension of time-frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include but is not limited to considerations such as the absence of a party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.
- 4. Separation of Parties.** At the request of either party, the Hearing Officer will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Hearing Officer and parties to simultaneously see and hear the party or the witness answering questions.
- 5. At least seventy-two (72) hours prior to a live hearing, Southwestern College will provide both parties with written notice of the following:**
 - a.** The time, place, and date of the hearing, and electronic access information, if applicable;
 - b.** The name of each witness Southwestern College expects to present at the hearing and those Southwestern College may present if the need arises;
 - c.** The right to request a copy of the investigative file; and
 - d.** The right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence that Southwestern College has in its possession, custody, or control and may use to support claims or defenses.
- 6. Cross-examination.** Each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor and never by a party personally. If a party does not have an advisor present at the live hearing, Southwestern College will provide an advisor of its choice to conduct cross-examination on behalf of that party without fee or charge to that party.
- 7. Relevance.** Only relevant questions may be asked of a party or witness on either direct or cross-examination. Before a Complainant, Respondent, or witness answers a question, the Hearing Officer must first determine

whether the question is relevant. The Hearing Officer must explain any decision to exclude a question as not relevant.

8. Complainant's Prior Sexual Behavior. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, except as follows:

a. If such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or

b. If the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

9. Exclusion of all evidence not subject to cross-examination. If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer must not rely on any statement of that party or witness in reaching a determination regarding responsibility; the Hearing Officer cannot draw an 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.

10. Recording of Hearing. Southwestern College will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review.

B. Determination Regarding Responsibility

1. The Hearing Officer must issue a written determination regarding responsibility under the standard of evidence

2. The written determination must include the following:

a. Identification of the allegations potentially constituting Sexual Harassment;

b. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

c. Findings of fact supporting the determination;

d. Conclusions regarding the application of Southwestern College's rule, policy, and, if applicable, code of conduct to the facts;

e. A statement of, and rationale for, the result as to each allegation, including:

(1) A determination regarding responsibility;

(2) Any disciplinary sanctions Southwestern College imposes on the Respondent;

(3) Whether remedies designed to restore or preserve equal access to Southwestern College's education program or activity will be provided by Southwestern College to the Complainant; and

- f. The procedures and permissible bases for the Complainant and Respondent to appeal.
- 3. Southwestern College will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that Southwestern College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.
- 4. If remedies were provided in the written determination, the Title IX Coordinator is responsible for effective implementation of any remedies.

12. Appeals

- A. Availability of Appeal. Both parties may appeal the following:
 - 1. A determination regarding responsibility; or
 - 2. The dismissal of a Formal Complaint or any allegations therein.
- B. Decision-maker on Appeal. The appeal will be decided by the Vice President for Finance or their designee.
- C. Bases for Appeal. The bases of appeal shall be as follows:
 - 1. Procedural irregularity that affected the outcome of the matter;
 - 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
 - 3. The Title IX Coordinator, Investigator(s), or Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.
- D. Timeframe for Appeal. A party wishing to appeal a determination regarding responsibility or the dismissal of a Formal Complaint or any allegations therein must file a written appeal with the Title IX Coordinator within (3) school days of the date of the determination or the dismissal. The written appeal must identify the basis or bases for the appeal and explain with specificity the facts supporting the basis or bases of the appeal.
- E. In the event of an appeal filed by the other party, the non-appealing party will be permitted to submit a written statement in support of the outcome within three (3) school days after the Title IX Coordinator notifies the party of filing of the written appeal.

F. Appeal Procedure. For any appeal made under this policy, the Title IX Coordinator or designee will:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker for the appeal is not the same person as any Investigator(s) or the Hearing Officer that reached the determination regarding responsibility or dismissal, the Investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker for the appeal meets the requirements of training, bias, and conflicts of interest; and
4. The decision-maker for appeal will:
 - a. Give both parties a reasonable, equal opportunity to submit a written appeal statement in support of, or challenging, the outcome; and
 - b. Issue a written decision describing the result of the appeal and the rationale for the result within ten (10) school days upon receipt of all appeal documents; and
 - c. Provide the written decision simultaneously to both parties.

13. Retaliation

A. The procedures set forth Policy 2.2.6 Anti-Retaliation statement, Retaliation of any kind against anyone filing a complaint of harassment or discrimination is prohibited. Initiating a complaint of harassment or discrimination will not affect students', grades, class selection, or any other matter pertaining to student status. Distinguishing between harassing or discriminatory conduct and conduct that is purely personal or social without a harassing or discriminatory work or educational effect requires a determination based on all of the facts pertaining to the situation. False accusations of harassment or discrimination can seriously injure innocent people. Initiating a false harassment or discrimination complaint or initiating a harassment or discrimination complaint in bad faith may result in disciplinary action. However, a finding for the accused does not constitute a finding that the complaint was acting in bad faith.

B. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this policy.

C. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this Policy does not constitute retaliation prohibited by this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

15. Confidentiality

Southwestern College will maintain the confidentiality of the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the FERPA or as required by law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding.

Southwestern College will keep confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality does not impair Southwestern College's ability to provide the Supportive Measures.

16. Recordkeeping

A. The recordkeeping requirements in this policy supersede the record keeping requirements set forth in Policy 129 Records Retention and Disposal of Records.

B. Southwestern College will retain the following records for a period of seven (7) years:

1. Each Sexual Harassment investigation, including any determination regarding responsibility and any recording or transcript of any live hearing, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to Southwestern College's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom;
4. All materials used to train Title IX Coordinators, Investigators, Hearing Officers, decision-makers on appeal, and any person who facilitates an informal resolution process, will be publicly available on Southwestern College at <https://www.sckans.edu/student-services/safety-and-security/>
5. For each response to actual knowledge of Sexual Harassment, Southwestern College must create, and maintain for a period of seven (7) years, records of any actions, including any Supportive Measures, taken in response to a report or Formal Complaint of Sexual Harassment.
 - a. In each instance, Southwestern College must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to Southwestern College's education program or activity.
 - b. If Southwestern College does not provide a Complainant with Supportive Measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known

circumstances. The documentation of certain bases or measures does not limit Southwestern College in the future from providing additional explanations or detailing additional measures taken.

Available Victim Services

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

- Wichita Area Sexual Assault
 - Crisis Line: 316-263-3002
 - Toll Free: 1-877-927-2248
 - Office Line: 316-263-0185
- RAINN (Rape Abuse Incest National Network)
 - 1-800-656-4673
 - www.rainn.org
- Wichita Police Department
 - 455 North Main Street, Wichita KS
 - 316-268-4111
- Lonnie Boyd- Southwestern College Title IX Coordinator
 - Lonnie.boyd@sckans.edu
 - 620-229-6136
- Dan Falk- Dean of Students
 - Dan.Falk@sckans.edu
 - 620-229-6267

Accommodations and Protective Services

The College will provide written notification to victims about options for, and available assistance in, changing academic conditions, living situations, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them,

regardless of whether the victim chooses to report the crime to campus staff members or law enforcement. Requests of this nature should be made to the Title IX Coordinator, and the Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented. When determining the reasonableness of such a request, the Title IX Coordinator may consider, among other factors, the following:

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

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

Southwestern College can provide a great deal of emotional support to a victim of sexual assault. If a victim would like to speak with a professional social worker about the sexual assault incident, Mary Ann Smith is available to talk.

Mary Ann is considered a confidential resource for students to speak with and she will not report the incident unless it is the student's wishes.

Mary Ann can be contacted at:
(620) 222-4311 or at
MaryAnn.smith@sckans.edu

Molly Just
Campus Minister-620-229-6362
Molly.Just@sckans.edu

Employee Policy and Procedures

Southwestern College Policy 2.2.2 Definition of Sexual Harassment

Sexual harassment is a form of prohibited harassment requiring special mention. Sexual harassment is defined as unwelcome sexual conduct of any nature that creates an offensive or hostile work environment or unwelcome sexual conduct that is made a condition of working at the College. It also may be in the form of non-sexual, offensive conduct that is directed at an employee because of his or her gender. Sexual harassment, like other forms of prohibited harassment, will not be tolerated.

Examples of prohibited sexual harassment include unwelcome sexual conduct such as:

- Verbal harassment (e.g., sexual requests, comments, jokes, slurs);
- Physical harassment (e.g., touching, kissing) and;
- Visual harassment (e.g., posters, cartoons or drawings of a sexual nature.)

Sexual harassment is not limited to conduct motivated by sexual attraction. It may occur between members of the opposite sex or members of the same sex, regardless of their sexual orientation. It also includes offensive non-sexual conduct directed at an employee because of his or her gender.

The legal standards and consequences of unlawful sexual harassment are still evolving. The College's policy is more all-encompassing than what the law prohibits. This is because the College's policy rests on the fundamental precept that each employee must treat all others with respect, dignity and professionalism. Deviation from that standard will not be tolerated.

Southwestern College Policy 2.2.4 Complaint Procedure

Complaints that may be addressed under this policy include complaints based on the conduct of college students, faculty, administrative and staff members and other persons acting in official college capacities. Individuals who believe that they have been harassed or discriminated against should address their concerns to the appropriate administrative official at the College as set forth below:

Complainant	Appropriate Administrator	Alternative Administrator
Faculty Administrator	Human Resources	VP of Finance
Student	VP of Student Affairs	Associate Dean of Students
PS Learner	Executive VP	Senior VP

B. Conduct—Rules and Regulations

Employees are required to comply with basic standards of conduct and professionalism as members of the College community. Failure to comply with the Employee Code may result in disciplinary action up to and including termination as outlined in [Volume IV, 4.11.6-4.11.8 and Volume V, 5.9.1.5 Discipline/Termination policy]. This list is non-exhaustive and the College reserves the right to discipline employees for conduct not listed below.

1. Neglect of duty and/or lack of due care and/or diligence in the performance of duties.

2. Unsatisfactory job performance or failure to maintain reasonable standards of performance.
3. Inappropriate appearance including failure to maintain personal appearance or dress, including uniform or style of dress, according to departmental standards.
4. Poor attitude and discourtesy toward others (for example, rudeness or lack of cooperation).
5. Excessive absenteeism or tardiness, or an unacceptable pattern of absences.
6. Insubordination, including refusal to comply with a supervisor's instructions unless the instructions are illegal, endangering, or unethical.
7. Gambling while on duty.
8. Unauthorized use of the College's name or letterhead for personal business.
9. Theft, misappropriation, and/or unauthorized possession or removal of property belonging to the College, members of the College community, or other persons with whom the College has a business relationship.
10. Concealing, falsifying, altering, misusing, or removing records, including electronic data records.
11. Direct or indirect misuse of College resources, including property leased to the College, for other than officially approved activities (including, but not limited to, employees, facilities, mail service, supplies, equipment, and college computing and communication resources, including computers, networks, electronic mail services, electronic information sources, voicemail, telephone services, and other communication resources).
12. Smoking in unauthorized areas.
13. Sleeping while on duty.
14. Failure or refusal to cooperate in or interference with College disciplinary proceedings.
15. Violation of the Conflict of Interest Policy.
16. Unauthorized use of alcohol or being under the influence of alcohol while on College premises or working for the College.
17. Providing alcoholic beverages to any student under twenty-one (21) years of age.
18. Violation of safety rules and policies.
19. Employees must comply with all federal laws, state laws, agreements with third parties, and College policies and principles pertaining to the use, protection, and disclosure of various types of confidential, proprietary, and

private information. Such policies apply even after the employee relationship with the institution ends. Refer to the Confidentiality and Privacy Policy.

20. Discrimination, including harassment, against another community member, including but not limited to students, faculty, staff, administrators, and independent contractors on political grounds, or for reasons of race, religion, sex, age, disability, and any other basis prohibited by state, federal, and/or local law, or for other arbitrary or personal reasons. Where actions are found to have occurred that violate this standard, the College will take prompt action to cease the offending conduct, prevent its recurrence and discipline those responsible. Refer to the College's Discrimination and Harassment Policy.
21. Harassment of any person, including, but not limited to, violation of the Sexual Harassment Policy.
22. Violation of the Sexual Misconduct Policy. [Volume II, 2.3]

5.7.1.5 Discharge from Employment; Disciplinary Action

Discharge is a separation initiated by the college. The college has the right to terminate any employee at-will, with or without cause, with or without notice. The college reserves the right to use progressive discipline on a case-by-case basis. The following warning procedures may be used by supervisors to alert employees as to unsatisfactory behavior, performance or record:

A. Oral Warning: A private explanation and discussion of the deficiency, including how this deficiency is to be rectified and indication of time by which the deficiency must be corrected. The delivery of this oral warning should be documented by the supervisor even though it was not presented in writing to the employee.

B. Written Warning: This second warning will be in writing and may be accomplished either through the annual performance appraisal or the performance improvement plan. In either instance there must be written reference to the date of the oral warning and must clearly identify the problem and outline a course of corrective action within a specified time frame. The employee must date and sign this warning.

Suspension without pay may be an additional consequence to the written warning process. Such suspension will be at the sole discretion of the college for not less than five days and be administered on a case-by-case basis. Length of

suspension will be determined by the severity of the conduct, record, action or performance. This will also be signed by the employee, as evidence that the employee has seen the document.

C. Final Action: termination: Notice of Termination will be given if the performance deficiency was not rectified within the specified time frame.

All written warnings will be retained in the employee's personnel file in the Business Office.

The college retains the right to take disciplinary action up to and including termination for serious infractions, misconduct, violations of rules or safety measures, or for other serious performance issues.

Actions which may result in immediate dismissal include, but are not limited to:

1. Falsification of personnel records, including time records and applications for employment and altering the time card of another employee.
2. Incompetence or inefficiency.
3. Inexcusable neglect of duties, insubordination, or disobedience.
4. Unauthorized possession of or drinking of any alcoholic beverages or the use, sale, dispensing, or possession of narcotics, barbiturates, hallucinogens, amphetamines or marijuana on college owned or operated property. (The use, as prescribed, of appropriately prescribed medication is accepted.)
5. Unexcused absence for three (3) consecutive days without notification or reasonable cause.
6. Theft, including unauthorized use or removal of college property and stealing from fellow employees, students or others on college owned or operated property.
7. Unauthorized possession firearms, knives, or explosives or any other item that could be considered a dangerous weapon.
8. Immoral or indecent conduct on college premises or conviction by a court of law of such conduct off the job.
9. Threatening, intimidating, coercing, or interfering with fellow employees on college owned or operated property.
10. Conviction of a serious criminal offense, including, but not limited to murder, armed robbery, arson, or assault, whether or not on college owned or operated property.
11. Any act of fighting or physical altercation on college owned or operated property.
12. Refusal to perform assigned duties or follow instructions of a supervisor.
13. Failure to correct conditions covered in written warnings.
14. Release of confidential information to unauthorized persons.
15. Abusive or threatening language directed toward students, faculty, staff, administrators or visitors to the college.

16. Violations of the college's equal opportunity policies (see Vol.3) including but not limited to sexual harassment, misconduct or other discriminatory behavior (see Vol.2).

17. Any other serious violation of any other policy of the college and/or term of the contract.

Non-Title IX Policy & Procedures

Southwestern College Policy Manual- Volume 7- Student Policies

7.1.1 College Regulations

All students are expected to follow the policies and regulations of the college including those published in the policy manual, catalog, and student handbook. When a student enrolls in the College, it means that they have accepted that they are subject to the college's policies and regulations. Therefore, all students have the responsibility to be familiar with Southwestern Community Standards. Actions or behavior inconsistent with the College's policies and procedures, which are based on Christian and academic traditions of the institution may result in conduct sanctions, campus housing restrictions or suspension, or academic suspension or expulsion as set forth in this Volume.

Any reports of dating violence, domestic violence, sexual assault or staking based on gender or intimate partner relationship will be managed through the Southwestern College Title IX Sexual Assault Policy and Procedures located in 7.8.7.

7.1.2 Residential Campus

All full-time students are required to live on campus except those who are married, veterans, twenty-one years old or older AND reached senior status, or live with their parents or legal guardians (within 50 miles of campus). One large dining hall, a snack bar, and mail center, are located in the student center and serves the main campus in Winfield. Students who live in a residence hall on campus are required to purchase a meal plan subject to the exclusions below. Residents who do not select a meal plan will be assigned the meal plan with the highest allotted of meal credits. No meal purchase is required for Honor or Warren Avenue Apartments. Rooms for new students are assigned by the director of housing during the summer. The college reserves the right to make changes in room assignments and living accommodations. Studios, one-bedroom, and two-bedroom apartments are available as well as residence halls with suites consisting of two rooms and a common bathroom.

7.1.3 Room Deposits

All resident students are required to make and maintain a \$150 room deposit upon entering the college. Damages will be charged against this deposit as described by the housing policies of the college. The room deposit remains permanently on account until the student withdraws from college, graduates, or is given permission to move off campus. At that time a refund check will be issued after the student account balance has been adjusted for any damages or fines. A student who requests a room for a forthcoming term and then cancels that reservation may lose the housing deposit. Students who move in and then decide to leave are charged the full room rate, but the room deposit is refundable.

7.1.3.1 Family in the Classroom or Workplace

Generally, family members should not be present with students in the classroom or in a place of student employment. The only exceptions should be occasional visits or emergency situation.

7.1.3.2 Responding to a College Employee

Students will comply with the directions of college officials and will not interfere with an official acting in the performance of his/her duties.

7.1.3.3 Obstructing College Activities or Procedures

Students will not knowingly disrupt or obstruct the college's activities or procedures in the pursuit of the college's mission.

7.1.3.4 Providing False Information to an Employee

Students will not knowingly or recklessly furnish false written or oral information to college officials including forgery, alteration, misuse of college documents or records, and providing false identification.

7.2 Student Affairs Personnel Vice President of Student Affairs

Dean of Students—provides administrative leadership for student affairs.

Director of Residence Life-Assistant Dean of Students—oversees campus housing, retention, assists with student concerns.

Assistant Director of Residence Life—assists with campus housing.

Director of Security/Safety—oversees a safe and secure campus community.

Director of Campus Life- provides leadership for the Student Government Association and Student Foundation. Creates and manages student activities.

Security Officers—helps to maintain a safe and secure community Resident Directors—live in the residence areas on campus. Their tasks include maintaining a safe and secure housing environment.

The resident directors are available to students to listen, answer questions, and provide guidance and support when necessary. Resident Assistants—live on designated floors and help advise new students with a transition to residential life.

Apartment Manager—lives in the apartment areas on campus. Their tasks include assisting residents in their housing environment. They are available to answer questions and provide

7.2.1 Student Organizations and Activity Program

Student organizations are formed to meet the social, academic, and service needs of the students. They give the incentive and opportunity for student leadership and interaction.

7.2.1.1 Student Government Association

The objective of student government is to involve the student directly in the formulation of campus concerns and policy. The Student Government Association is the main student governing body and concerns itself with all phases of campus life. Representatives from the student body, appointed by the SGA, hold positions on a wide variety of committees throughout the institution. SGA maintains its own budget and allocates fees to student campus projects. Additional information regarding the SGA is provided in Volume I of this policy manual.

7.2.2.2 Student Foundation

The Student Foundation is responsible to the student body to direct and plan a range of activities, supported by the association's budget, to meet the entertainment needs of the student body.

7.2.2.4 Academic and Honor Societies

The college has active chapters in national honor societies. Membership in these organizations is in recognition of good scholarship and effective participation in the respective fields. Each year, those seniors who have been academically outstanding in college are honored by being named members of the Order of the Mound. Ten percent of the graduating class may be named. Transfer students must complete at least 60 semester hours on campus in order to receive consideration.

The Masterbuilder Award is the highest honor students can confer upon a senior. Selection is completed through a general student election prior to commencement. The college also elects members to Who's Who Among Students in American Universities and Colleges. Selection of no more than ten percent of the senior class is based upon total leadership, including scholarship, campus activities, contribution to college life, and future promise.

7.4 Policy on Alcohol and Drugs

The possession, use, or distribution of alcoholic beverages or illicit drugs by students or employees is strictly prohibited on the property of the college or as part of any college activity taking place off college property. Additionally, the possession, use, or distribution of alcoholic beverages or illicit drugs is strictly prohibited as part of any activity taking place on college property, even if that activity does not involve students or employees.

No college funds will be expended for the purchase of alcoholic beverages or illicit drugs at any group activity taking place on or off college property (e.g. alumni event, campaign reception, etc.)

Students who violate the terms of this policy may be reported to the appropriate law enforcement officials if local, state, or federal statutes are involved and will be subject to the following sanctions:

1. Placement on probationary status
2. Temporary suspension from classes and activities
3. Suspension for a semester from classes and activities
4. Expulsion

Students subject to these penalties will be afforded all due process rights to which they are entitled by law or under current policies affecting student discipline. In addition to the above sanctions, a student may be required to meet with a campus counselor. In lieu of suspension or expulsion, a student may be required to complete a drug or alcohol abuse education or treatment program as a condition of continued enrollment. The cost of completing such a program will be the responsibility of the student.

Students who host, participate or attend activities where alcohol or illicit drugs are present on campus property violate the college's code of conduct and may result in discipline. They may be reported to the appropriate law enforcement officials if local, state, or federal statutes are violated in addition to facing college action.

7.5 Hazing

Hazing by any group or organization is not allowed at Southwestern College. The college defines hazing as any action or activity taken or situation intentionally created, whether on or off campus, which produces psychological abuse, physical abuse, improper obligations or time restrictions. Consent of pledge does not exempt any organization from this regulation. Therefore, any instance of

physical abuse, psychological abuse, improper obligations, requirements, or time restrictions involving new members and their activities associated with an obligation for membership shall therefore be understood to be incidents of hazing.

7.5.1 Physical Abuse

Physical abuse is understood to be any action taken or situation created which may foreseeably cause pain, injury, or undue physical stress, fatigue or discomfort where such act has the purpose or effect of humiliating, degrading, or embarrassing the recipient without legitimate purpose. Examples of physical abuse include but are not limited to the following:

- Forced consumption of alcohol
- Forced or required consumption of non-alcoholic beverages or substances
- Forced or required consumption of spoiled foods, raw onions, goldfish, or any unpalatable foods which an individual normally refuses to eat
- Dropping food in mouths as part of any initiation
- Calisthenics such as push-ups, sit-ups or runs that are not for the purpose of healthy exercise
- Tying individuals to chairs, poles or other objects
- Simulated or actual branding
- Causing excessive fatigue through physical or psychological shocks, such as forced participation in extreme exercise beyond normal ability
- Paddle swats of any nature, including the trading of swats with activities
- Pushing, shoving, tackling or any other kind of physical abuse
- Throwing anything, such as whipped cream, garbage, water, paint, etc., at an individual.

7.5.2 Psychological Abuse

Psychological abuse is understood to be any action taken by an individual, club or organization to create a situation which may foreseeably produce embarrassment, ridicule, harassment, mental or emotional discomfort, or be threatening or frightening in nature. Examples of psychological abuse include but are not limited to the following:

- Line ups, any form of verbal abuse, or any other activity which serves no constructive purpose
- Deception, prior to the ritual, which is designed to convince a pledge/associate member that the person will not be initiated or that the person will be hurt during the ritual ceremony
- Yelling or screaming at pledge/associate member

- Calling pledge/associate members demeaning names
- Any audible harassment
- Any individual or group interrogations of a negative or demeaning nature.
- Creating areas that are uncomfortable due to temperature, noise, size or air quality.

7.7 Meeting and Time Restrictions (General Program Restrictions)

All students at the college are recognized to have academic and collegiate obligations which must be supported by campus groups and activities.

Examples of improperly restrictive time requirements imposed by an individual, club or student organization include but are not limited to pre-initiation and initiation periods and are as follows:

- Any activity or requirement which is so time consuming as to significantly interfere with class work or study time. This includes but is not limited to pre-initiation and initiation periods.
- Conducting a new member-related activity between the hours of 12:00 midnight and 6:00 a.m. Sunday–Thursday.
- Permitting less than six continuous hours of sleep for pledges/associate each night between 12:00 midnight and 9:00 a.m.
- Conducting any non-academic pledge/associate activity within one complete week prior to final examinations each semester.

7.7.1 Improper Requirements or Obligations

All membership requirements or obligations must in some way enhance the individual's emotional, spiritual or intellectual development. Examples of improper requirements or obligations include but are not limited to the following:

- Endorsing pranks such as panty-raids, harassing another organization, etc.
- Endorsing an activity that violates Federal, State and/or local laws as well as campus policies or that is objectionable.
- Endorsing an activity which is disruptive to classes or other student areas.
- Defacing trees, grounds, buildings, or objects.
- Conducting quests, treasure hunts, or little sister hunts that include illegal activity, physical abuse or psychological abuse.
- Requiring pledge/associate members to march in formation.

- Requiring memorization of non-fraternity related materials.
- Not permitting pledge/associate members to talk for extended periods of time.
- Endorsing public stunts or buffoonery.
- Encouraging pledge/associate members to act like animals or other objects.
- Intentionally messing up a room for pledge/associate members to clean.
- Encouraging total or partial nudity at any time.
- Encouraging pledge/associate members to run personal errands or any other form of personal servitude.
- Encouraging pledge/associate members to participate in the act of flouring and/or showering other members.

7.7.1.1 Clubs & Organization Sponsors

All organizational activities must have a sponsor (who is a Southwestern Employee) present. If no sponsor is present at an event, the club or organization risks being put on probation or suspension. The director of campus life will meet with the leaders of the club or organization to determine the next steps in helping the organization be successful and utilizing a sponsor effectively.

7.8 Student Code of Conduct

Student Affairs has developed the following code of conduct to provide direction for students attending Southwestern College. It should be understood that the Southwestern College disciplinary system is not a court of law and strict rules of evidence do not apply.

This code of conduct applies to all conduct occurring on the college's campus, in its programs and activities or at college sponsored events. Incidents off campus will be reviewed by the vice president of student affairs or designee, and students may be subject to this code of conduct and held responsible for their behavior for off-campus actions as well.

Each school year, students, staff and faculty of the college join together out of a mutual commitment to promote each person's personal and corporate development. Every attempt needs to be made by all participants in our learning community to assure that intellectual, spiritual, social, emotional, and physical growth is maximized. All members of our community work together to provide a positive and safe community. All college policies and procedures are designed to be fair, respectful, and non-discriminatory.

7.8.1 Interim Suspension

The vice president of student affairs or designee may interim suspend a student from the college for an interim period pending disciplinary or criminal proceedings or for medical evaluation. An interim suspension may be imposed whenever there is information that the presence of the student at the college poses a substantial and immediate threat to him/herself, to others, or to the continuation of college functions.

The vice president of student affairs or designee will notify the student in writing as soon as possible after being notified of the alleged misconduct. The notice will include: The basis for the Interim Suspension, the process for appeal and review of the Interim Suspension and the information on how to contact the security office for questions about the terms of the Interim Suspension and for permission to enter college property for limited purposes. Other relevant staff and faculty may be informed of the Interim Suspension.

A student may appeal the interim suspension to the vice president of student affairs or designee within two (2) business days. The interim suspension remains in effect during any appeal. The student will be given the opportunity to meet with the vice president or designee in person (if appropriate) within 2 business days of submission of appeal. Only the following issues may be discussed during the meeting: The reliability of the information concerning the student's conduct and whether the conduct and circumstances reasonably indicate the continued presence of the student on college property poses a significant risk to the health or safety of any member of the college community, operations or educational process.

During the period of Interim Suspension, the student may explore opportunities for continued academic progress remotely. Decisions regarding continued academic progress are made at the sole discretion of each faculty member. It is the responsibility of the student to communicate with each faculty member.

Students subject to Interim Suspension may be restricted from accessing the college campus, as well as events on or off campus, pending the outcome of a disciplinary hearing. The student may request access by contacting the vice president of student affairs or designee. If access is granted and a student violates the terms of that access, the student may be denied all access to the college campus and on or off campus events and may be subject to disciplinary action for non-compliance.

The Interim Suspension shall not exceed a reasonable time, assuming the student's response to notice is timely. A disciplinary hearing on the alleged violation(s) of the code of conduct will be promptly scheduled. If a student is formally suspended, the effective date will be the date of the interim suspension.

7.8.2 Definitions

1. College means Southwestern College
2. College premises includes all land, buildings, facilities, and property in the possession of or owned, used or controlled by the college.
3. Excessive means three or more violations of the code of conduct, policies, rules, and regulations during a student's matriculation at Southwestern College.
4. Organization means any number of persons who have complied with the formal requirements for college recognition as stated in the student government association constitution.
5. Appeal means the process used to evaluate the decision made by a student affairs administrator.
6. Incident means behavior by students that violates the official policies, rules and regulations of the college.

7. Sanction means the penalty or restriction placed on a student as a result of being found in violation of the policies, rules, and regulations of the college.
8. Hearing means the formal process used to hear facts and determine if a violation has occurred.
10. Business days refers to those days when offices are open to conduct business, excluding Saturday and Sundays.

7.8.3 Policy Violations

Violations of the college policies could include, but are not limited to:

- Visitation
- Quiet Hours
- Inappropriate Decorations
- Care of the room
- Pets
- Improper disposal of trash
- Prohibited electrical appliances
- Smoking
- Vaping
- Hazing
- Alcohol possession
- Unauthorized guests
- Vandalism
- Providing false information to an employee
- Not completing assigned sanctions
- Not responding to a college employee
- Threatening behavior
- Propping open any locked door

- Obstructing college activities or procedures
- Unauthorized entry or use of campus housing and/or property
- Failure to comply with instructions from an college employee
- Endangering, disorderly, and/or disruptive conduct
- Stalking
- Intimidation both physical and verbal
- Theft
- False fire alarm or tampering with fire equipment
- Use, production, distribution, sale, or possession of alcohol or drugs in a manner prohibited under state or federal law
- Possession of weapons including firearms, knives, or explosives or any item that could be considered a dangerous weapon
- Incidents where the student has been considered a subject by local, state, or federal law enforcement.
- Racial comments
- Hate crimes
- Harassment
- Bullying

This list is representative but not all-inclusive

7.8.4 Procedure

1. A potential violation of policy may be reported to any of the following student affairs administrators: Resident Advisor (RA), Residence Director (RD), Apartment Manager (AM), Student Affairs administrative assistant, director of safety and security, director of campus life, director of residence life and dean of students/vice president of student affairs.
2. The student affairs administrator will submit an incident report with the student affairs office. An incident review committee, consisting of student affairs staff, will determine if there is reason to proceed to meeting with a hearing officer. The hearing officer will be a student affairs staff member.
3. If there is no reason to proceed or if there is insufficient information to proceed, no action will be taken.
4. If reason to proceed is found, the involved parties will receive notice of a meeting scheduled with a hearing officer(s).
5. At this meeting the hearing officer(s) will discuss the incident with the involved parties. The hearing officer(s) may determine if the involved students are responsible for any policy violations. However, if more information or witnesses are needed, that process may take additional time.
6. After a decision is made by the hearing officer(s), any appropriate sanctions will be given to the student who has been accused of violating the college's policy.

7. If an accused student fails to appear at the meeting and refuses to participate in the student conduct process, the hearing officer(s) will make a decision regarding their responsibility with the available information.
8. The student is responsible for completing their assigned sanction by the given deadline.

7.8.5 Appeal

A student may appeal the decision or sanction resulting from any violation within three (3) business days from the date of the decision letter. The appeal is requested by completing an Appeal Form in the student affairs office. A student affairs administrator not previously involved in the student's conduct hearing will review the appeal.

A student must provide detailed justification for the appeal that goes beyond mere dissatisfaction. Appeals may be made and considered using the following categories:

- A procedural error was made that had a significant influence on the decision
- New information or relevant facts have surfaced were not available at the original hearing. The absence of this information has significant influence on the decision
- The sanction imposed was inappropriate for the violation

The appealing student is responsible for proving grounds for the appeal exist. If the appeal is granted from the above guidelines, the case will be remanded to the initial hearing officer(s) to take into account new information.

7.8.6 Sanctions

The college recognizes that each individual is unique and each incident occurs under varying conditions. Therefore, specific sanctions for each violation are not established. If a student fails to complete his or her assigned sanction, he or she will incur a fine between \$50 to \$150 fine and other possible disciplinary action. The following sanctions may be implemented individually or in any combination by the appropriate disciplinary authority. This list is representative and is not inclusive. Cases that involve dating violence, domestic violence, sexual assault, and stalking that are processed under this policy because they are not covered by the college's Title IX policy, are subject to the sanctions listed in the college's Title IX policy.

- Parental Notification

Subject to the limitations of FERPA, parents or guardians may be notified when a student is charged with a more serious incident or multiple policy violations. They may also be notified when a student is suspended or expelled during the discipline process. Parents or guardians may also be notified about other disciplinary actions and serious concerns at the discretion of the Vice President of Student Affairs/Dean of Students (or designee). Parents or guardians also may be notified about other disciplinary actions or serious concerns at the discretion of the vice president of student affairs, dean of students (or designee).

- Warning

A student may receive an oral or written warning after the hearing process that engaging in continued violation of the college code of conduct, policies, rules, and regulations may result in increased sanctions.

- **Alternative Forms of Discipline**

A student may be subject to procedures designed to fit the discipline to the individual and to the circumstances surrounding the particular case such as a research paper, letter of apology, reflection paper, and/or educational seminar.

- **Dining Hall Suspension**

A student may be removed from the dining hall for an assigned period of time and under such conditions as deemed necessary with regard to the terms of the student's re-admission to the dining hall. Meals may not be obtained through the dining hall in any manner during this period. A refund of charges shall not be given.

- **Evaluation/Counseling**

A student is required to obtain an alcohol and/or drug evaluation, and/or receive counseling for a designated number of sessions.

- **Community Service**

A student may be required to spend one or more hours volunteering, under supervision of an appropriate individual.

- ***Fine***

A student may be fined an amount not exceeding \$500 per semester, in addition to paying for restitution.

- **Disciplinary Probation**

This sanction is usually in combination with one or more other sanctions. If another incident occurs while on disciplinary probation, the student may be suspended from the college.

- **Individual Student Suspension**

A student may be removed from the college for an assigned period of time and under such conditions as deemed necessary with regard to such factors as the student's campus visiting privileges and terms of the student's re-admission to the college. A refund of tuition, fees, and room/board charges is dependent on the college's financial aid policy.

- **Restitution Compensation**

A student may be required to pay restitution compensation for damages to persons or property caused by the student's actions.

- **Suspension from Campus Facilities**

A student may lose privileges of entering selected campus facilities for a specific period of time. A refund of tuition, fees, and room/board charges is dependent on the college's financial aid policy.

- **Expulsion**

A student may be expelled from the college. This penalty results in an immediate and permanent ban from enrollment. A refund of tuition, fees, and room/board charges is dependent on the college's financial aid policy.

7.8.7 Readmission for Administrative Withdrawn Students

A student wishing to be considered for readmission after being administratively withdrawn must contact the vice president of student affairs or designee. This policy does not supersede any other college policies regarding admissions, academic performance, student code of conduct, or international immigration requirements.

To begin the readmission process, the petitioning student must have completed the following steps by July 15th for the fall semester and December 1st for the spring semester.

- Submit a letter of readmission to the student affairs office with details of activities since leaving Southwestern College that explain why the student was removed, what they have done to correct the issue since that time, and their plan for avoiding behavior or other incidents if readmitted.
- The student must meet all previous financial obligations before an evaluation of readmission will be determined.
- Provide an official transcript showing satisfactory academic work and behavioral conduct if they attended school elsewhere.

The decision on readmission will be conducted by the vice president of students or designee and the vice president of academic affairs or designee. They will gather pertinent information, consult with campus personnel, and evaluate the readmission letter and supporting documents from the student. Each individual case will be evaluated by:

- Consulting the student's academic and behavioral records
- Contacting the student's parents, if appropriate
- Investigating and examining relevant documentation
- Meeting with the student to discuss readmission

If the student is readmitted, they will be provided the written conditions regarding their enrollment and relevant policy that apply to the student's readmission. The student will also be given instructions as how to register for classes. If they are denied, written documentation will specify when and if the next request for readmission will be considered.

7.8.6 Medical Leave/Medical Withdrawal

Students who experience health problems may request a **medical leave** or medical withdrawal from the college. A medical leave may be requested for an upcoming semester, or up to and until the last day to enroll for the semester. After this date, registered students can request a **medical withdrawal** from classes up to and until the date that final grades are due.

Such requests must be accompanied by medical documentation from an appropriate medical professional (i.e., M.D., D.O., Psy.D, LPC), indicating that

the leave or withdrawal is recommended. Students should note that the preparation of this statement will require their formal consent to release relevant information from appropriate medical professionals to the college, and for the college to release relevant information, as needed, to those medical professionals. If a medical withdrawal is approved, the student will be withdrawn from all classes by the Registrar and will receive a "WD" on their transcript for each class, so that they receive no credit or grade for these courses, leaving their GPA unaffected.

Students may not withdraw from selected classes, but only from their entire class schedule of coursework. Students may choose to pursue a medical leave or withdrawal from the college must start the process with the vice president of student affairs. Official withdrawal from the college can also have specific financial and academic implications. It is recommended that students also meet with their academic advisor and director of financial aid. Federal and state financial aid regulations do not allow students to be on any type of official leave from the college, including medical leave, for more than two consecutive semester or 180 days, without applying for re-admission to the college. Therefore, students who are on leave for more than two semesters will be withdrawn from the college, and must reapply through the office of admissions. Readmitted students have their financial aid re-evaluated at the time of admission, and follow the academic catalog of the year of readmission, which may change the range of academic programs they may pursue. A student who wishes to return to campus following a medical leave must furnish the appropriate documentation from a medical professional, stating that the student has received the appropriate medical attention and is, in the professional's opinion, ready to resume studies to the college.

Under certain circumstances, the college may require a student to withdraw from the college for medical reasons, or take a medical leave of absence. Such action is warranted if, in the judgement of a team of professional Southwestern College staff members, the student poses a threat to the lives of others or exhibits behavior that seriously interferes with his or her ability to function and/or with the educational environment and pursuits of others.

Registered Sex Offenders

When a person has been convicted or adjudicated of a crime that requires registration under the Kansas Offender Registration Act, K.S.A. 22-4901 et seq., hereafter referred to as "the Act", and must honor all duties specified by the Act.

At the time of conviction or adjudication, the court will complete a notice of duty to register if they are released prior to sentencing. Within three (3) business days, they will report to the registering law enforcement agency in the county or tribal land of conviction or adjudication and to the registering law enforcement agency in any place where they reside, maintain employment or attend school, to complete the registration form.

For more information or to complete an offender search, please go to the Kansas Bureau of Investigation's website at <http://www.kbi.ks.gov/registeredoffender/FAQ.aspx>

Policy on Alcohol and Drugs

The possession, use, or distribution of alcoholic beverages or illicit drugs by students or employees is strictly prohibited on the property of the college or as part of any college activity taking place off college property. Additionally, the possession, use, or distribution of alcoholic beverages or illicit drugs is strictly prohibited as part of any activity taking place on college property, even if that activity does not involve students or employees.

Southwestern College affirms its long-standing support of abstinence from both alcohol and illegal drugs. Southwestern supports the strict administration of regulations governing these substances and will enforce the guidelines set forth by various college programs. The program guidelines include but are not limited to: student life regulations, study abroad travel policy, Southwestern College travel policy, alumni relations policy, policies as set forth in the staff handbook, etc. Copies of the guidelines that govern each program are available from the college services office. The possession, use, or distribution of alcoholic beverages or illicit drugs by students or employees is strictly prohibited on the property of the college, even if that activity does not involve students or employees. No college funds will be expended for the purchase of alcoholic beverages or illicit drugs at any group activity taking place on or off college property (e.g. alumni event, campaign reception, etc.).

Students

Students who violate the terms of this policy may be reported to the appropriate law enforcement officials if local, state, or federal statutes are involved and will be subject to the following

Sanctions:

1. Placement on probationary status;
2. Temporary suspension from classes and activities;
3. Suspension for a semester from classes and activities;
4. Expulsion.

Students subject to these penalties will be afforded all due process rights to which they are entitled by law or under current policies affecting student discipline. In addition to the above sanctions, a student may be required to meet with a campus counselor. In lieu of suspension or expulsion a student may be required to complete a drug or alcohol abuse education or treatment program as a condition of continued enrollment. The cost of completing such a program will be the responsibility of the student.

Employees: Drug-Free Workplace

Employees of the college are required as a condition of employment to abide by the terms of this policy. Employees are further required to notify the college in writing of any criminal drug statute conviction for a violation occurring in the work place no later than five calendar days after such conviction. Employees are prohibited by law and by college policy from providing alcohol to persons under the age of 21 at any time or in any location. Employees are also prohibited from possession of alcoholic drinks on college property. The law prohibits the possession and distribution of any kind of illegal drugs at any time. The possession of illegal drugs or alcohol by an employee on college property is grounds for discipline or dismissal. Employees are required to notify the college in writing of any criminal drug statute conviction for a violation occurring in the work place no later than five calendar days after such violation. Employees are also required to notify the college of any conviction relating to the illegal use of drugs or alcohol (e.g. driving under the influence, transporting liquor in opened containers, obtaining prescription-only drugs by fraudulent means, possession or sale of illegal drugs, etc). Employees who observe a co-worker under the influence of alcohol or drugs on the job should report the incident to the director of human resources. Employees who violate the terms of this policy will be reported to the appropriate law enforcement officials and will be subject to the following

sanctions:

1. Short term suspension with pay;
2. Short term suspension without pay;
3. Long term suspension without pay;
4. Required participation in a drug and alcohol education, treatment, counseling, or rehabilitation program;
5. Termination or dismissal from employment. In addition to any suspension imposed as discipline, the employee may be required to participate in a drug and alcohol education treatment, counseling, or rehabilitation program. The cost of participation in such a drug or alcohol program is the responsibility of the employee. Failure to participate and complete a program, if required, will be grounds for termination or dismissal from employment. Prior to applying sanctions under this policy, employees will be afforded all due process rights to which they are entitled under their contracts, if applicable. Nothing in this policy is intended to diminish the right of the college to take any other disciplinary action which is provided for in college policies.

Sanctions

Local, state, and federal statutes prohibit furnishing alcohol to a minor, purchase or consumption of alcohol by a minor, driving while under the influence of alcohol or drugs, vehicular homicide, vehicular battery, transporting liquor in opened containers, obtaining a prescription-only drug by fraudulent means, and possession, use, sale of illegal drugs, stimulants, or anabolic steroids. Penalties range from fines through misdemeanor and felony charges.

Health Risks

The risks of using alcohol include but are not limited to impaired judgment, alcoholism, liver damage, pancreatitis, and congestive heart failure. The risks of using sedatives, hypnotics, and tranquilizers include but are not limited to nausea, vomiting, anxiety, blurred vision, respiratory depression, addiction, and death from overdose or unsupervised withdrawal. The risks of using narcotics include but are not limited to AIDS, hepatitis, and skin infections from non-sterile injections, endocarditis, addiction, and coma or sudden death from overdose. The risks of using inhalants include but are not limited to psychosis, accidental suffocation, heart failure, kidney failure, and bone marrow disorders.

Legal Penalties Relating to Drugs and Alcohol

Local, state, and federal statutes prohibit furnishing alcohol to anyone under the age of 21, purchase or consumption of alcohol by a minor, driving while under the influence of alcohol or drugs, vehicular homicide, vehicular battery, transporting liquor in opened containers, obtaining a prescription-only drug by fraudulent means, and possession, use, sale of illegal drugs, stimulants, or anabolic steroids.

Penalties range from fines through misdemeanor and felony charges.

Help and Information

The college will provide information and educational programs that attempt to keep the campus community informed about the consequences of using and misusing intoxicating alcohol and illegal drugs. Help is available for those persons who seek

it. Employees and students are encouraged to initiate contact with their supervisor, counselor, a faculty member, or administrator who will work with them confidentially or refer them to an off-campus source of help.

Emergency Procedures

Employees that have concerns of safety, individually or for the campus community, should report their concerns to one of the following members of the emergency management team:

- Executive Vice President for Southwestern College
- Associate Vice President of Academic Affairs for Professional Studies
- Director of Enrollment Services & Marketing

Any employee that is in an immediate situation should attempt to alert a co-worker and then contact a member of the emergency management team listed above.

Any employee that is in a situation that requires a stronger response should contact 911 or the Wichita Police Department.

Any and all such incidents should be formally reported to a member of the emergency management team.

In the event that a situation arises, either on or near campus, and has been reported to the emergency management team, both the Vice President of Communications and the Dean of Students will be informed. The Dean of Students will determine if a Timely Warning will be issued or a Campus Community Alert.

Employee Actions:

1. Call 911 for Wichita Police
2. Ensure the physical safety of person (s) involved, and take appropriate immediate emergency care steps.
3. Notify the emergency management team listed below.
4. Remain on Site until emergency personnel arrive.

Tornado Warning

1. Take shelter in classroom 600, or either men's restroom.
2. Notify the notification team listed below.

Bomb Threat

1. Call 911 for Wichita Police Department
2. Evacuate building and site.
3. Notify emergency management team listed below

If community members report crimes or serious incidents to other College administrators, those administrators should notify the Wichita Police and the Executive Vice President for Southwestern College. The Vice President will collaborate with the Associate Vice President of Academic Affairs and Professional Studies, Director of Enrollment Services and Marketing, as well as the Dean of Students and Vice President of Communications.

Distribution of Timely Warnings/Campus Security Alerts

The Dean of Students and the Vice President of Communications distributes timely warnings, once the College determines that an alert will be issued. The timely warning will be issued through the College Professional Studies email distribution system and a Builder Alert (text/voice/email messaging system may be used) as well as the information posted on the web site at www.sckans.edu

The Vice President of Professional Studies, the President, Vice President of Communications and the Dean of Students will determine the content of the notification. The College has prepared a wide range of template messages addressing several different emergency situations. The four administrators will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident.

Southwestern College recognizes the need to be prepared for critical incidents. The Emergency Response and Evacuation Plan establishes policies and procedures that will be employed upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Emergency Response

Southwestern College recognizes the need to be prepared for critical incidents. The Staff Emergency Plan focuses on minor facility issues, major injury, collapse, death and assault, tornado warnings, bomb threats and fire incidents. The plan establishes policies and procedures that will be employed upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, staff or faculty occurring on the Professional Studies campus.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene will be the Wichita Police Department and the Wichita Fire Department. All of those departments respond and work together to manage the incident. There is no student campus housing at the Wichita location, so there are no students living at the facility. Therefore, there is no fire report.

The Vice President of Professional Studies will consult with local law enforcement or state and local emergency personnel as necessary to confirm the existence of an emergency or dangerous situation that poses an immediate threat to the health and safety of some or all members of the College community. Once confirmed, the Vice President of Professional Studies will collaborate as necessary with the appropriate College and municipal partners to determine the content of the message and will use some or all of the systems below to communicate the threat to the campus community. The Vice President of Professional Studies, in conjunction with the President, the Vice President of Communications, Professional Studies of Academics and if necessary, the Dean of Students, will, as quickly as possible, taking into the account of the safety of the community, determine the content of the notification and initiate the notification system, and email system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

- 1) Builder Alerts- (Re-Group Messaging System) is an emergency voice/text/email mass notification system that allows authorized Southwestern College officials to send news and instructions to students, staff and faculty within minutes of the incident.
- 2) Email System- The College has the ability to send information to students, staff and faculty through the SC.KANS email system and has the ability to send an email to different segments of the campus community- students, staff, faculty, part time faculty.
- 3) The VP of Communication will then work with area news agencies to effectively inform the community of the emergency.

Procedures to annually test (via regularly scheduled drills, exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities) the emergency response and evacuation procedures.

Tests of the building fire alarms are done monthly. Tests are done along with drills twice a year. The department director coordinates the test and drills to ensure follow through activities are done and understood so that in the event of a real fire or emergency, staff are aware of the procedures. Each test and drill is assessed on effectiveness of getting people out of the building in a timely manner. The main goal is quickness and efficiency.

In regards to pro-social bystander intervention programs, there are no students on the professional studies campus. All individuals on site are full time employees. As full time employees, they are expected to be fully supportive of each other and to help each other in case of an emergency. All employees are adults who have been hired because of their professionalism. It is assumed they will be supportive of each other and work together in an emergency.

With regards to crime prevention and awareness campaigns, the school encourages employees to stay informed through reading this annual security report and by contacting the Wichita Police South Substation. Wichita Police can also educate employees on risk reduction.

Active Shooter Plan

ALERRT Mission: To provide the best research-based active shooter response training in the nation.

ALERRT Vision: Training and research that saves lives and protects communities.

The ALERRT Center at Texas State University was created in 2002 as a partnership between Texas State University, the San Marcos, Texas Police Department and the Hays County, Texas Sheriff's Office to address the need for active shooter response training for first responders. In 2013, ALERRT at Texas State was named the National Standard in Active Shooter Response Training by the FBI.

Training Capacity

Since 2002, ALERRT has successfully delivered training across the nation with more than \$136 million in federal and state funding. More than 303,928 state, local, and tribal first responders (over 246,129 law enforcement) have received ALERRT training to date, all at no cost to first responders or agencies.

While much of the training is delivered on-site in cities around the country, ALERRT also has a multimillion-dollar training facility in San Marcos for advanced active shooter response training.

Research

In addition to in-depth after-action lessons learned through partnerships with agencies who have been involved in headline-making active shooter situations, ALERRT has established a criminal justice research department to evaluate and enhance the overall understanding of active shooter events and assist in improving law enforcement best practices.

Train-the-Trainer

Utilizing the train-the-trainer model, the ALERRT curriculum has been adopted by numerous states and agencies as their standard active shooter training. These states include Mississippi, Alabama, Oklahoma, Texas, Iowa, Louisiana, Maryland, Georgia, and Virginia, to name a few. In addition, the New York City Police Department, Miami Police Department, Dallas Police Department, Houston Police Department, San Antonio Police Department, Memphis Police Department, and the Atlanta Police Department are among the major cities across the nation, who have adopted the ALERRT curriculum as their standard.

National Integrated Response Conference

ALERT hosts a national integrated response conference each fall. The ALERT Active Shooter Integrated Response Conference is the only national conference bridging the law enforcement, Fire and EMS responses to active shooter / attack events. The 2018 conference merged the three disciplines (Police, Fire and EMS), and for the first time, included emergency room physicians to build integration and coordinated command centers, creating stronger local, regional, state and national active shooter response preparedness. Based on recent active shooter / intentional mass injury events in the United States, the reality is that saving victims' lives does not end in an ambulance or at the doors of the emergency department. ALERTConference.org.

Crime Statistics

Category	Venue	Wichita			Ft. Riley		
		20	21	22	20	21	22
Criminal Homicide Murder & Non Negligent Manslaughter	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Negligent Manslaughter	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Rape	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Fondling	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0

	Public Property	0	0	0	0	0	0
Incest	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Statutory Rape	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Robbery	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Aggravated Assault	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Burglary	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Arson	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Motor Vehicle Theft	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0

Arrests for Weapons Possession	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Judicial Referrals for Weapons Violations	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Arrests for Liquor Law Violations	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Judicial Referrals for Liquor Law Violations	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
Arrests for Drug Law Violations	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Judicial Referrals for Drug Law Violations	On-Campus	0	0	0	0	0	0

	In Residence Halls	0	0	0	0	0	0
Domestic Violence	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Dating Violence	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0
Stalking	On-Campus	0	0	0	0	0	0
	In Residence Halls	0	0	0	0	0	0
	Non Campus	0	0	0	0	0	0
	Public Property	0	0	0	0	0	0

Hate Crimes

Southwestern College identifies the following categories of bias that motivates for a crime. For the purposes of this report, the categories of bias include actual or perceived:

- Race
- Gender
- Gender Identity
- Religion
- Sexual Orientation
- Ethnicity
- National origin
- Disability

Hate Crimes

There were no hate crimes reported in 2020, 2021 or 2022 at the Wichita location or the Ft. Riley and McConnell Air Force Base locations.