Annual Crime and Fire Safety Report

Introduction

Ottawa University was founded in 1865 after receiving a 20,000-acre land grant of Kansas prairie from the Ottawa Indians in recognition of the service provided by early Baptist missionaries. Ottawa University continues to serve on the frontier of learning through innovative, high-quality, personalized programs of study.

Ottawa University is a comprehensive, not-for-profit educational institution affiliated with the American Baptist Churches USA. Ottawa’s educational mission brings together a residential College in Ottawa, Kansas, adult campuses in Overland Park, Kansas; Phoenix, Chandler and Surprise, Arizona; Brookfield and Oak Creek, Wisconsin; Jeffersonville, Indiana; as well as online. Ottawa University has more than 8,500 students worldwide.

Ottawa University is a private coeducational institution affiliated with the American Baptist Churches of America. Ottawa University at the campus in Ottawa, Kansas, focuses on undergraduate students in a residential campus community. Located in Ottawa, Kansas, a community of approximately 12,500 residents, Ottawa University serves approximately 600 undergraduate students, and is committed to providing a safe and secure environment for students, faculty, staff and guests to her campus.

The Annual Security and Fire Safety Reports are prepared by the Dean of Student Affairs, or his/her designee. The Dean of Student Affairs, or his/her designee, also prepares the statistics for the crime statistics for the Annual Security and Fire Safety Report. This report is based on all reported crime at Ottawa University’s residential campus. The Annual Security and Fire Safety report is available on the Ottawa University website (www.ottawa.edu), MyOttawa, and by request in the Office of Student Affairs. Notice of the report is sent to all students, faculty and staff via email. All students, faculty and staff also have access to the report on their MyOttawa page.

Mission Statement

The mission of Ottawa University is to provide the highest quality liberal arts and professional education in a caring, Christ-centered community of grace which integrates faith, learning and life. The University serves the students of traditional age, adult learners and organizations through undergraduate and graduate programs.

Equal Employment Opportunity

Ottawa University is committed to equal employment opportunity and does not unlawfully discriminate in recruitment or employment on the basis of race, age, sex, color, religion, disability, national origin, sexual orientation, genetic information or any other characteristic protected by law.

Campus Safety and Security

Ottawa University is committed to providing student, faculty, staff and visitors with as safe and enjoyable a college experience as possible. Your safety is a joint effort between students, faculty, staff, campus security and you. This document includes important security information that will help promote your safety while attending or visiting Ottawa University. If you have any concerns or questions, please contact the Director of Security and College Facilities or the Office of Student Affairs.

Providing for the safety and well-being of members of the Ottawa University community is a responsibility of campus security personnel. Campus Security officers at Ottawa University are not official law enforcement officers and do not have powers of arrest. The officers patrol campus on foot as well as in University vehicles. OU security officers will contact the City of Ottawa Police and/or Franklin County Sheriff’s department when local, state or federal regulations are violated or when their assistance is appropriate. Campus security officers and services are available 24-hours per day, seven days per week, 365 days per year. In addition, campus security personnel provide safety/security coverage for sports events, concerts, and other special events. During duty hours, they check all buildings including residence halls and the University apartments by foot or by vehicle. Campus security personnel are equipped with cell phones so they can respond to emergencies. In an emergency situation, call 9–911 (from campus) to connect with the Franklin County dispatcher or Campus Security on-call phone at 785-214-0070.

Campus Security is charged by the Ottawa University administration with enforcing policies and regulations as well as cooperating with state and local law enforcement. Ottawa University also provides full time professional on-call residence life staff 24 hours a day, seven days a week, and 365 days a year. The emergency on-call number is 785-248-6428. Security provides an escort service within
the campus grounds. To use this service, students should contact Security at extension 1075 at least 30 minutes before they need to be escorted. Campus Security is available 24/7, 7 days a week.

Ottawa University facilities are strictly for the use of OU students, faculty, staff and the guests of OU. Security escorts unauthorized individuals off campus, and these individuals may face criminal action. Security also escorts OU students, faculty, staff or guests who are found in unauthorized locations out of that location. If students need access to a facility, arrangements must be made in advance with the Office of Facilities and Plant Operations to gain proper authorization. The residence halls are locked 24 hours a day and can be accessed with a student ID card by residents of each hall. A security keypad is located in the foyer of each hall for emergencies.

The Office of Facilities and Plant Operations maintains The University’s buildings and grounds. They routinely inspect the facilities and make the necessary repairs as well as lock and unlock the buildings at appropriate times.

Security officers are responsible for:
- promoting a safe environment on campus,
- upholding all University rules and regulations,
- locking and unlocking buildings as directed,
- maintaining contact with the residence hall staff,
- providing escort service, and
- contacting after-hours maintenance personnel.

Ottawa University requires all students, faculty and staff to report all incidents involving criminal activity and/or emergencies to Residence Life professional staff, campus security, the Office of Student Affairs and/or the City of Ottawa Police Department immediately.

Upon notification, the appropriate individual completes an incident report and conducts a preliminary investigation. Ottawa University encourages individuals to report all crimes to the City of Ottawa Police Department.

**Access and Security in Residential Areas**

The residence halls are locked 24 hours a day with access by card. Each resident is issued a card to his/her building and a key to his/her room. Students are responsible for upholding the integrity of the residence hall security system by not permitting use of their cards and keys to others, not propping doors, and by entering and exiting through marked entrances and exits. The University Apartments, a residential apartment complex, has building key card access, and each resident of an apartment unit is issued a card to access the apartment and a key to access the resident’s individual room.

The residence halls are staffed by professional staff and paraprofessional staff. The Assistant Dean of Student Affairs is a professional staff member who oversees the Residence Life program and services. Each hall has a professional staff member, or Resident Director. Each hall also has a full staff of paraprofessional Resident Assistants who are trained by the residence life professional staff. Residence Life staff are available 24 hours a day, and serve to provide campus residents with information and support regarding campus policies and procedures. Resident Assistants have the authority to enforce campus procedures and practices. Emergency numbers are provided to residents via the Student Handbook and posting in the residence halls. Residents are an integral part of the security of the residence halls at Ottawa University, and are directed to report criminal or policy-violating activities to their Resident Assistant, Resident Director, or to the Office of Student Affairs.

**Alcohol and Other Drugs Policy**

**I. Introduction**

Ottawa University is a dry campus. Possession, consumption, being under the influence of, or the providing of beverages containing alcohol or the possession of alcoholic beverage containers, either full or empty, on property owned or supervised by the University or at University functions is prohibited. Disruptive or disrespectful behavior, property damage, or personal harassment as a consequence of alcohol consumption is also prohibited. Any person, regardless of age, found in violation of the alcohol policy is subject to University disciplinary action that may include sanctions, fines, mandatory counseling, suspension or dismissal and possible legal action for those who do not meet the legal age for alcohol.

Ottawa University is committed to providing a safe, healthy learning community for all its members. The University recognizes that the improper and excessive use of alcohol and other drugs may interfere with the University’s mission by negatively affecting the health and safety of students, faculty and staff. Problems such as vandalism, assault, harassment, sexual misconduct, and disruption of sleep and study space increase in relation to misuse. It is due to the harm caused by excessive and illegal use that the University has a vested interest in establishing polices to
prohibit unlawful behavior and sanctions to address policy violations by members of the University community. Under the **Drug-Free Workplace Act** and the **Drug-Free Schools and Communities Act**, the University is required to have an alcohol and other drug policy and distribute this policy annually to all employees and students. This Policy must outline the University’s prevention, education and intervention efforts, and consequences that may be applied by both the University and external authorities for policy violations. The law also requires that individuals be notified of possible health risks associated with the use and abuse of alcohol and other drugs, and sources of assistance for problems that may arise as a result of use.

**II. University Alcohol and Other Drugs Policy**

For the purpose of this Policy, the term “drug” includes:

1. controlled substances, as defined in 21 USC 802, which cannot be legally obtained
2. legally obtainable controlled substances which were not legally obtained, including:
   - Prescribed drugs when prescription is no longer valid (e.g. use of medication after a course of treatment is completed);
   - Prescribed drugs used contrary to the prescription;
   - Prescribed drugs issued to another person.

All members of the campus community also are governed by laws, regulations and ordinances established by the state and local municipalities, and will be held accountable by law enforcement representatives of those entities for any illegal activity. It is the responsibility of all campus members to be aware of these laws.

Kansas, Wisconsin, Indiana, and Arizona law prohibits the dispensing, selling or supplying of illegal drugs to any person or alcoholic beverages to a person under 21 years old. Employees, students, faculty and campus visitors may not unlawfully manufacture, consume, possess, sell, distribute, transfer or be under the influence of alcohol, illicit drugs or controlled substances on University property, while driving a University vehicle or while otherwise engaged in University business. University property, as defined in this Policy, includes all buildings and land owned, leased, or used by the University, and motor vehicles operated by employees, including personal motor vehicles, when used in connection with work performed for or on behalf of the University unless exempted by the Board.

Any person taking prescription drugs or over-the-counter medication is personally responsible for ensuring that while taking such drugs or medications, he or she is not a safety risk to themselves and others while on University property, while driving a University or privately owned vehicle, or while otherwise engaged in University business. It is illegal to misuse prescription medication, i.e. continue to use medication when the prescription is no longer valid, use prescribed drugs contrary to the prescription, and give or sell prescribed drugs to another person. Misusing prescription drugs can result in conviction with jail time.

**III. Ottawa University Alcohol and Other Drug Prevention Strategies**

The University uses evidenced-based strategic interventions, collaboration, innovation and the incorporation of the wellness dimensions to reduce harmful consequences of alcohol and other drug use.

- Providing education and awareness activities.
- Offering substance-free social, extracurricular, and public service options.
- Creating a health-promoting normative environment.
- Restricting the marketing and promotion of alcohol and other drugs.
- Limiting availability of alcohol and other drugs.
- Developing and enforcing campus policies and enforce laws to address high-risk and illegal alcohol and other drug use.
- Providing early intervention and referral for treatment.

For more detailed information on the University alcohol and other drug prevention strategies contact Student Affairs at 785-248-2312.

**IV. Health Risks**

The use or abuse of alcohol and other drugs increases the risk for a number of health-related and other medical, behavioral and social problems. Below is a general description of the health risks associated with drug use.

**ALCOHOL** Can cause short-term effects such as loss
of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; long-term effects include risk of liver and heart damage, malnutrition, cancer and other illnesses; can be highly addictive to some persons.

**AMPHETAMINES** Can cause short-term effects such as rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion; tolerance increases rapidly; long-term effects include physical and psychological dependence and withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition and death.

**CANNABIS** Can cause short-term effects such as slow reflexes; increase in forgetfulness; alters judgment of space and distance; aggravate pre-existing heart and/or mental health problems; long-term health effects include permanent damage to lungs, reproductive organs and brain function; can interfere with physical, psychological, social development of young users.

**COCAINE** (crack) Can cause short-term effects such as impaired judgment; increased breathing, heart rate, heart palpitations; anxiety, restlessness, hostility, paranoia, confusion; long-term effects may include damage to respiratory and immune systems; malnutrition, seizures and loss of brain function; highly addictive.

**DESIGNER DRUGS/SYNTHETIC CANNABINOIDS** (bath salts, K2, spice) Can cause short-term effects such as elevated heart rate, blood pressure and chest pain; hallucinations, seizures, violent behavior and paranoia; may lead to lack of appetite, vomiting and tremor; long-term use may result in kidney/liver failure, increased risk of suicide and death.

**HALUCINOGENS** (PCP, LSD, ecstasy, dextromethorphan) Can cause extreme distortions of what’s seen and heard; induces sudden changes in behavior, loss of concentration and memory; increases risk of birth defects in user’s children; overdose can cause psychosis, convulsions, coma and death. Frequent and long-term use can cause permanent loss of mental function.

**INHALANTS** (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons) Can cause short-term effects such as nausea, dizziness, fatigue, slurred speech, hallucinations or delusions; may lead to rapid and irregular heart rhythms, heart failure and death; long-term use may result in loss of feeling, hearing and vision; can result in permanent damage to the brain, heart, lungs, liver and kidneys.

**OPIATES/NARCOTICS** (heroin, morphine, opium, codeine, oxycodone, china white) Can cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest and death; long-term use leads to malnutrition, infection and hepatitis; sharing needles is a leading cause of the spread of HIV and hepatitis; highly addictive, tolerance increases rapidly.

**SEDATIVES** Can cause reduced reaction time and confusion; overdose can cause coma, respiratory arrest, convulsions and death; withdrawal can be dangerous; in combination with other controlled substances can quickly cause coma and death; long-term use can produce physical and psychological dependence; tolerance can increase rapidly.

**TOBACCO** (cigarettes, cigars, chewing tobacco) Can cause diseases of the cardiovascular system, in particular smoking being a major risk factor for a myocardial infarction (heart attack), diseases of the respiratory tract such as Chronic Obstructive Pulmonary Disease (COPD) and emphysema, and cancer, particularly lung cancer and cancers of the larynx and mouth; nicotine is highly addictive.

For an extensive list of health-related risks please visit The National Institute on Drug Abuse: [http://www.drugabuse.gov/](http://www.drugabuse.gov/)

**V. Counseling and Treatment Programs**
The University encourages individuals with alcohol- or other drug-related problems to seek assistance.

Non-Emergency Services for Individual Students
785-248-2312

University Counseling Services
785-248-2317

University Health Services
785-248-2319

Emergency Services for Faculty and Staff
785-248-2350

Non-Emergency Services for Individual Faculty and Staff
785-248-2350

EAP Program
1-888-238-6232 or visit [www.AetnaEAP.com](http://www.AetnaEAP.com)
• Brief confidential counseling and consultation service for University faculty, staff, and their families.

• Serve as an early intervention resource when work, health, and life related issues arise.

• Offer 24-hour availability for consultation and intervention on issues relating to substance use disorders, both for leaders with questions on how to handle workplace situations, as well as for faculty and staff who want assistance, assessment, referral, and post-treatment monitoring.

VI. University Sanctions

The use or abuse of alcohol and other drugs also increases the risks for behavioral and social problems such as negative effects on academic work performance; conflicts with co-workers, classmates, family, friends and others; conduct problems resulting in disciplinary action, including loss of employment or dismissal from an academic program; and legal problems resulting in ticketing, fines and imprisonment.

The laws of the state of Kansas prohibit the consumption or possession for personal consumption of alcoholic beverages by persons under the age of 21 years. Further, they also prohibit the sale, service or giving of alcoholic beverages to persons under the age of 21.

University policies, local ordinances, state laws and federal laws also prohibit the unlawful possession, use and/or distribution of illicit drugs and alcohol.

Violation of University policies will be subject to campus disciplinary review and action, as follows:

• Students: The University community has established expectations for nonacademic student conduct under the Student Handbook that specifically addresses the illicit use of alcohol and other drugs as follows:

  ♦ Illegally possessing or using alcohol
  ♦ Illegally distributing, manufacturing, or selling alcohol
  ♦ Illegally possessing or using drugs
  ♦ Illegally distributing, manufacturing, or selling drugs

The following behaviors contradict the values of the University community and are subject to action under this Statement:

The Statement is administered by the Office of Student Affairs. Student Affairs is charged with facilitating the resolution process used to determine responsibility. Student Affairs staff work with parties to determine appropriate educational measures and sanctions. These measures cover a wide range of educational assignments and obligations, including but not limited to suspension and expulsion from the institution. Student Affairs may delegate portions of the Conduct Process to other units of the University who have a vested interest in the conduct of smaller student communities (adult campuses or online population).

• Staff and Faculty: Sanctions for violations by faculty and staff are governed by the Employment Policies Handbook. Appropriate sanctions may include: verbal or written warnings, a mandated rehabilitation program, probation, suspension, and termination. In each case, there are likely to be different circumstances that are relevant for understanding the situation and determining the appropriate sanction.

VII. External Sanctions

Violations of laws and ordinances may result in misdemeanor or felony convictions accompanied by the imposition of legal sanctions, which include, but are not limited to, the following:

• Fines as determined under local, state, or federal laws;

• Imprisonment, including up to life imprisonment, for possession or trafficking in drugs such as heroin, cocaine, marijuana and prescription drugs;

• Forfeiture of personal and real property;

• Denial of federal benefits such as grants, contracts and student loans;

• Loss of driving privileges;

• Required attendance at substance abuse education or treatment programs.

A full description of federal sanctions for drug felonies can be found at: http://www.justice.gov/dea/druginfo/ftp3.shtml. This section is not intended as legal advice; individuals should seek independent legal counsel for advice.

ALCOHOL: Under state law, it is illegal for anyone under the age of 21 to purchase, consume or possess, or have any bodily content of alcohol. A first-time conviction may result in a fine, substance abuse education and treatment, community service and court-ordered drug screenings. There also is a provision for possible imprisonment or
probation for a second or subsequent offense. Use of false identification by minors in obtaining alcohol is punishable with a fine, loss of driver’s license, probation and community service.

Individuals can be arrested and/or convicted of operating a vehicle while intoxicated with a blood alcohol concentration (BAC) level at .08 or higher. If a student is under 21, there is a “zero tolerance” law in the state of Kansas and any blood alcohol level of .01 or higher can lead to a minor in possession (MIP) citation as well as being cited for operating a vehicle while intoxicated, if applicable. This is in addition to suspension of driving privileges in the state of Kansas.

MARIJUANA: The laws of the state of Kansas make the possession of marijuana (for the first two infractions) a misdemeanor, punishable by a fine up to $2,000 and/or imprisonment of up to one year.

VIII. Employee Reporting Requirement
Under the Drug-Free Workplace Act, in addition to the other requirements of this Policy, the University requires all employees who work in any capacity under a federal grant or contract to notify his or her University supervisor or department head in writing of his or her conviction for a violation of any criminal drug statute occurring in the workplace or on work-related activities no later than five (5) calendar days after such conviction. The supervisor or department head will notify University Human Resources, who will consult with the appropriate staff in the regarding satisfying the University’s reporting obligations.

IX. Alcohol Marketing Standards
The University will refuse advertising inconsistent with the fundamental missions of the University, or in conflict with the image the University seeks to project or the well-being of the University community. Examples of advertisements that will not be accepted include:
- Alcoholic beverages
- Tobacco products
- Sex as a product
- Gambling
- Paraphernalia associated with illegal drugs
- Dishonest, deceptive, or illegal advertising.

X. Distribution of Policy
A copy of this Policy statement will be distributed to all faculty, staff and students annually via email at the beginning of fall semester and/or at the time a student enrolls during the year if outside of the fall semester.

XI. Review of University Prevention Program and Policy
Biennially the University shall review its “Alcohol and Other Drugs Prevention Program and Policy” to determine effectiveness and implement changes, if needed, and to ensure that the University’s disciplinary sanctions are consistently enforced.

XII. Sanctions
Alcohol and other drugs are prohibited on the University campus. Ottawa University seeks to educate students about responsible drinking behaviors. To clearly note, a total of three (3) alcohol violations are deemed the maximum number that a student may accumulate throughout his/her career at Ottawa University. The fourth violation at any tier or combination of any of the tiers is grounds for suspension or dismissal. As part of the readmissions process, all students who are suspended based on cumulative alcohol violations must provide evidence that they may successfully engage in their education at Ottawa University without further issues with alcohol.

A. Below is the list of alcohol-related sanctions

Tier 1 Violations
Examples of Tier 1 Violations include but are not limited to:
- Being in the presence of alcohol
- Possessing drinking or drinking game paraphernalia

Sanctions of Tier 1 Violations include but are not limited to:
- Disciplinary Warning for a semester
- Fine of $50-$150
- A minimum of five (5) community restitution hours
- Alcohol Education program
A student may only have one (1) Tier 1 Violation during his/her time at Ottawa University. A second Tier 1 violation moves the violation to a Tier 2 status.

Tier 2 Violations
Examples of Tier 2 Violations include but are not limited to:
- More than one (1) Tier 1 violations
- An individual possessing or consuming alcohol
- Use of drinking game paraphernalia resulting in destruction of property

Sanctions of Tier 2 Violations include but are not limited to:
- Disciplinary Warning or Probation for a semester/year
♦ Fine ranging from $150-$300
♦ A minimum of ten (10) community restitution hours
♦ Alcohol Education program
♦ Additional Education sanction
♦ Counseling. Following the recommendations of the internal/external counselor.
♦ If a student is under 21 at the time of the violation, a parent notification letter will be sent by the student.

_A student may only have two (2) Tier 2 Violations during his/her time at Ottawa University. A third Tier 2 violation moves the violation to a Tier 3 status._

**Tier 3 Violations**

Examples of Tier 3 Violations include but are not limited to:

♦ More than two (2) Tier 2 violations
♦ An individual of age providing alcohol to underage individuals
♦ Alcohol consumption to the point of severe intoxication that manifests in the destruction of property or harm to oneself or others
♦ Inducing or forcing another individual to consume alcohol

Sanctions of Tier 3 Violations include, but are not limited to:

♦ Disciplinary Probation up to suspension or dismissal
♦ Fine ranging from $300-$600
♦ A minimum of twenty (20) community restitution hours
♦ Alcohol assessment and treatment as deemed necessary by University Counselor or a University affiliated counselor. Following all recommendations of the internal/external counselor.
♦ A minimum of two additional educational sanctions

_A student may only have one (1) Tier 3 Violation during his/her time at Ottawa University. A subsequent violation will lead to suspension or dismissal from Ottawa University._

Student-athletes are also subject to additional sanctions from the Athletic Department. The Director of Athletics will be notified of any alcohol-related issue/violation. Additional sanctions may be recommended for any level of violation based upon the circumstances of each individual incident. These additional sanctions may include but are not limited to:

♦ Referral to Counseling Services
♦ Parent notification for students under age 21
♦ Restitution for damage incurred due to the incident
♦ Being placed on probation
♦ Suspension of co-curricular activities
♦ Removal from housing
♦ Required involvement with a student organization
♦ Other educational sanction as developed and assigned by the Office of Student Affairs

**OTHER DRUGS**

The possession, use, sale, manufacturing, or distribution of illicit drugs and/or paraphernalia is a violation of the law and is prohibited. In accordance with the Drug-Free Schools and Communities Act, Ottawa University has determined that the following behaviors violate this policy:

♦ The use or possession of non-prescribed controlled substances.
♦ Possession and trafficking (manufacturing, dispensing, or selling) of controlled substances.
♦ Improper use of prescription medications.
♦ Possession of drug related paraphernalia (i.e. water bongs, bongs, bowls, and other common containers) is not permitted.

Disruptive or disrespectful behavior, property damage or personal harassment as a consequence of illicit drugs or controlled substances is strictly prohibited. Any person found in violation of this policy will be subject to various applicable University disciplinary actions which could include suspension or dismissal and will be reported to the appropriate local, state and Federal authorities. _To clearly note: Students can only have two drug-related policy violations in total with the exception of a Tier 3 violation in which the student faces immediate suspension/dismissal._

_B. Below is the list of drug-related sanctions_

**Tier 1 Violation**

Examples of Tier 1 Violations include but are not limited to:

♦ In the presence of drugs (illegal, non-prescribed (to you), synthetic, etc.)
♦ Possessing of drug paraphernalia

Sanctions of Tier 1 Violations include but are not limited to:

♦ Disciplinary Probation up to a year
♦ Fine ranging from $100-$300
♦ A minimum of ten (10) community restitution hours
♦ Drug assessment and treatment as deemed necessary by University Counselor
Educational sanctions
Students will notify their parent(s) in writing regarding their violations

A student may only have one (1) Tier 1 Violation during his/her time at Ottawa University. A subsequent violation will be applied as a Tier 2 Violation.

Tier 2 Violation
Examples of Tier 2 Violations include but are not limited to:
♦ Use or possession of drugs

Sanctions of Tier 2 Violations include but are not limited to:
♦ Disciplinary Probation up to a year/Suspension/Dismissal
♦ Fine ranging from $200-$400
♦ A minimum of twenty (20) community restitution hours
♦ Drug assessment and treatment as deemed necessary by University Counselor
♦ Educational sanctions
♦ Students will notify their parent(s) in writing regarding their violations

A student may only have one (1) Tier 2 Violation during his/her time at Ottawa University. A subsequent violation will result in suspension or dismissal.

Tier 3 Violation
Examples of Tier 3 Violations include but are not limited to:
♦ Dealing, selling, trafficking

Sanctions of Tier 3 Violations include but are not limited to:
♦ Suspension/Dismissal

Student-athletes are also subject to additional sanctions from the Athletic Department. The Director of Athletics will be notified of any drug-related issue/violation.

Additional sanctions may be recommended for any level of violation based upon the circumstances of each individual incident. These additional sanctions may include but are not limited to:
♦ Referral to Counseling Services
♦ Parental notification
♦ Restitution for damage incurred due to the incident
♦ Being placed on probation
♦ Suspension of co-curricular activities
♦ Removal from housing

Required involvement with a student organization

Sanctions for alcohol and drug violations may be more severe if the incident includes the following aggravating factor(s) including but limited to: public intoxication, provision of alcohol/drugs to minors, driving a vehicle under the influence of alcohol/drugs, damage to property, obstructions of a peace officer, or failure to cooperate with a University official. Sanctions may also be more severe if the incident is accompanied by other violations of the Student Code of Conduct.

GOOD SAMARITAN CLAUSE
Any student who seeks assistance for him/herself or another student from Campus Security, Residence Life, or professional medical personnel, for intoxication or overdose shall not be subject to the formal conduct process.

This refers to isolated incidents only and does not excuse or protect those who flagrantly and/or repeatedly violate the Ottawa University alcohol policy. It applies only to cases of suspected extreme intoxication or other life-threatening circumstances due to alcohol and does not extend to related infractions such as assault or property damage. Although formal disciplinary action may not be invoked, mandatory referrals for educational sessions and/or assessment at the student’s own expense may be made.

Alcohol and Drug Resources

On-Campus:
Office of Student Affairs
Administration Building, Room 201 Ext. 12313
Donna Washington, Campus Counselor
785-248-2317

Off-Campus:
Elizabeth Layton Center
204 East 15th Street
785-242-3780 Weekdays • 785-242-3781 Emergencies

Narcotics Anonymous
785-242-5806 • 785-566-8439

Alcoholics Anonymous
PO Box 281
Ottawa, KS 66067
785-242-3030 • 785-566-8874
Ottawa University, through various departments and organizations, provides programs related to public safety. Upon request, campus security personnel will provide escort services across campus. Residence life staff, University organizations, local police and outside groups provide programs covering topics such as personal safety awareness, sexual assault prevention and resources, alcohol and other drug education, and self-defense. Informational reminders regarding campus safety and security is sent through the University email system, posted on the video boards, alerts, newsletters, and posted on MyOttawa. Some of the major programs are as follow:

- **Alcohol and Other Drug Awareness.**
  - Prior to arrival all new first-year students are required to complete an online alcohol education course, AlcoholEdu. New first-year students are not permitted to move in and engage in academic classes until the course is completed.
  - Braves Camp (aka New Student Orientation) provides a number of heavy-hitting speakers related to alcohol and the effects of alcohol on personal and educational endeavors.
  - Alcohol Awareness Week. The Counseling Center works with the Student Activities Office to offer an alcohol education and prevention week with various activities and presenters.
  - Student Activities office and the Campus Activities Board (CAB) offer a plethora of alcohol and drug-free events available to all students on and off campus.
  - Ottawa University has a comprehensive Alcohol and Other Drug policy that works to provide educational sanctions to students who use alcohol and other drugs on and off campus.
  - Ottawa University has a comprehensive athletic drug testing policy designed to monitor and ensure that student-athletes are not using alcohol and other drugs particularly to the detriment of their physical health as it relates to their athletic performance.

- **By-stander Intervention Training.**
  - Ottawa University has trained personnel in bystander intervention. The curriculum adopted at Ottawa University is the StepUp! Program developed and implemented by The University of Arizona and the NCAA.
  - Prior to arrival all new students are required to complete an online bystander intervention education course focusing on alcohol and sexual related issues, Haven. New students are not permitted to move in and engage in academic classes until the course is completed.
  - Braves Camp (aka New Student Orientation) provided an opportunity to provide bystander education training sessions in person by trained staff to all new students.

- **Residence hall security**
  - Residence hall units are locks 24 hours per day, seven (7) days per week, 365 days per year.
  - Card access to halls is centralized, and students are educated at orientation, check-in, and in an ongoing manner about reporting lost or stolen cards. Cards are deactivated immediately.
  - The Residence Life program staffs the residence halls with paraprofessional staff trained to detect and report security-related issues. A professional staff member resides in each residence hall and at the apartment units.

- **Self defense**
  - Self-defense programs are offered at various times during the year.

- **Sexual assault awareness**
  - Prior to arrival all new students are required to complete an online bystander intervention education course focusing on alcohol and sexual related issues, Haven. New students are not permitted to move in and engage in academic classes until the course is completed.
  - Braves Camp (aka New Student Orientation) offers a number of sexual assault related programs new first year students are mandated to attend. Some of the programs include Sex Signals, GaDuGi (a local sexual assault resource), Willow (domestic violence information).
by the Counselor, the Dean for Student Affairs and other Student Affairs staff members may also provide support and counsel.

Standard professional guidelines concerning confidentiality are followed. Appointments are preferred, yet walk-ins are available. Counseling after regular office hours is available for special situations. On-call emergency/crisis care is also provided. On-campus students should first turn to the residence life staff person who will in turn contact the appropriate party. Off-campus students may refer to opening pages of the Student Handbook for a list of emergency numbers.

COUNSELING ONLINE RESOURCES

To provide a convenient information and self-evaluation source for students to explore in the privacy of their choosing, Ottawa University Counseling Services has affiliated with the following not-for-profit organizations to provide accurate and direct information about mental health and substance use issues.

Resources available

- College Confidential
  Articles and discussion forums around all college related topics www.collegeconfidential.com

- NAMI
  National Alliance on Mental Illness: Awareness, education, and advocacy for individuals and families affected by mental illness www.nami.org

- The Jed Foundation
  Working to reduce emotional distress and prevent suicide among college students. The Jed Foundation is recognized as the nation’s leading organization working to reduce emotional distress and prevent suicide among college students. Guided by leading experts, The Jed Foundation is changing the way students and their parents think about mental health, paving the way for more young people to get treatment and helping colleges create safer, healthier campus communities.” (Jed Foundation website): http://www.jedfoundation.org/

- Half of Us
  A site affiliated with the Jed Foundation that offers “some quick tips that everyone can use to take control of their emotional health:" http://www.halfofus.com/getstarted.aspx

Emergency Protocols

FIRE SAFETY STANDARDS

General Precautions

- Know the location of all fire exits, fire alarms and fire extinguishers on your floor.

- The greatest danger in buildings is not from flames but from smoke and heat. Therefore, fire doors in halls and stairwells must be kept closed at all times.

- Do not take any chances with fire because even a small one can get out of control. If the fire cannot be extinguished with available equipment, activate the nearest fire alarm and immediately report all fires to the RA or RD.

- If you are in a room where a fire starts, leave and close the door to confine the blaze to that room as long as possible. Do not lock the door.

- Plan ahead—think about how you would exit from different areas of your building.

- If an alarm is sounded, feel your door before you open it. If it is hot, do not open the door. Seal crack around the door with tape, clothes, sheets, etc. Signal rescuers by waving a sheet or clothing out the window. Finally, never jump from the window.

In Case of Fire:

- Stay calm.

- Close windows.

- Check door for heat before opening.

- If hallway is safe, leave by the nearest exit.

- Pound on doors as you exit building.

- Pull nearest alarm if not already sounded.

- Notify residence hall staff immediately.

- Follow all instructions from residence hall staff and/or emergency personnel.

Personal Security

OU attempts to provide a safe living and learning environment. However, your personal security relies on you. Listed below are a few guidelines that will also help you and your belongings remain safe:

- Always lock your door when you are gone or asleep, even if only for a few minutes.
• Always carry keys with you.
• Never leave valuables in plain view.
• Mark your personal property and keep a list of serial numbers, model numbers and approximate value of your belongings.
• Get to know the residents on your floor and politely confront strangers that are not escorted by a resident.
• Do not prop exit doors open.
• When walking at night, walk in groups.
• Report all incidences (suspicious persons, etc.) to your RA, RD, Campus Security and/or the Office of Student Affairs.

STORM PROCEDURES
Severe weather in the form of high winds, hail and rain usually occurs in Kansas from the months of April through August. In many cases, the severe weather can become a tornado. Ottawa has a warning siren that sounds when a tornado has been spotted. Every Monday at Noon, Ottawa tests its warning sirens. The first blast is a national disaster alert test; the second last, a three-minute undulating sound, is the tornado sirens test. When an actual warning is sounded, please take the following safety precautions:
• Close room windows.
• Move to the lowest floor of the residence hall and to an interior hallway.
• Stay away from windows.
• Follow all instructions given by the residence hall staff.

During lightning storms, stay indoors, away from electrical appliances including the telephone. If caught outside, stay away from water, tractors, and small metal vehicles. Avoid natural conductors such as lone trees, and discard metal objects such as golf clubs or umbrellas. Also avoid high ground as people can become a lightning rod.

MISSING PERSONS POLICY
Ottawa University takes student safety seriously. The following policy and procedure has been established to assist in locating students living in college-owned housing who based on facts and circumstances are reported to be missing. Anyone who believes a student to be missing based on changes in their usual routine should notify the Dean of Student Affairs. Each and every report will be immediately investigated once the student has been missing for 24 hours. Parent(s), or legal guardian, of the missing student will be notified. In the event that parent(s), or legal guardian, need to be notified, the Dean of Student Affairs will place the call.

A) The Dean, or his/her designee, will collect and document the following information at the time of the report.
• The name and relationship of the person submitting the report.
• The date, time and location the missing student was last seen.
• The general routine or habits of the suspected missing student including any recent changes in behavior or demeanor.
• The missing student’s cell phone number (if not on file).

B) The Dean, or his/her designee, will disseminate the information to appropriate college officials.

C) The Dean, or his/her designee, will conduct an investigation including going to the student’s room, interviewing his/her RA, roommates, floor mates, etc. Attempts to contact the student via email, cell phone, texting, social networks, etc. will be made.

D) The Ottawa Police Department will be contacted and made aware of the situation, provided with gathered information including the make and model of the alleged missing student’s vehicle.

State of Kansas Sex Offender Registry
Ottawa University complies with all state and federal laws regarding sex offender registry. When the Dean of Student Affairs is informed that a student is listed on the Kansas Bureau of Investigation (KBI) Sex Offender Registry, Ottawa University reserves the right to take immediate action including but not limited to not permitting a student to enroll at the College, suspend or dismiss the student if the student is deemed to pose a significant risk to the health, safety, and/or welfare of the community or to any person.

The KBI has established this website to facilitate public access to information about persons who have been convicted of certain sex, violent offenses, and drug offenses, as set forth in the Kansas Offender Registration Act (KSA 22-4901 et seq.). Effective July 1, 2005, KSA 22-
4909 was amended to require the website to prominently identify whether an offender is or is not a sex offender. Any person who uses information obtained through this website to threaten, intimidate, or harass another, or who otherwise misuses the information, may be subject to criminal prosecution and/or civil liability.

- Kansas Registered Offenders Search: http://www.kbi.ks.gov/registeredoffender/

**Sexual Misconduct Policy**

I. POLICY STATEMENT

Ottawa University (the “University”) is committed to providing a learning, working, and living environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex. The University considers sex discrimination in all its forms to be a serious offense. Sex discrimination constitutes a violation of this policy, is unacceptable, and will not be tolerated. Sex discrimination includes discrimination on the basis of pregnancy, gender identity, and failure to conform to stereotypical notions of femininity and masculinity. Sexual harassment, whether verbal, physical, or visual, that is based on sex is a form of prohibited sex discrimination. Sexual harassment also includes sexual violence. The specific definitions of sexual harassment and sexual violence, including examples of such conduct, are set forth below.

II. SCOPE

This policy applies to administrators, faculty, and other University employees; students; applicants for employment; customers; third-party contractors; and all other persons that participate in the University’s educational programs and activities, including third-party visitors on campus (the “University Community”). This policy prohibits sex discrimination, sexual harassment, and sexual violence even when the complainant and alleged perpetrator are members of the same sex, and it applies regardless of national origin, immigration status, or citizenship status. The University’s prohibition on sex discrimination and sexual harassment extends to all aspects of its educational programs and activities, including, but not limited to, admissions, employment, academics, athletics, housing, and student services.

The University has jurisdiction over Title IX-related complaints regarding conduct that occurred on campus, during or at an official University program or activity (regardless of location), or off campus when the conduct creates a hostile environment on campus. The University will investigate all complaints made under this policy and, if necessary, take action to prevent the recurrence of sex discrimination and remedy its effects.

III. TITLE IX STATEMENT

It is the policy of the University to comply with Title IX of the Education Amendments of 1972 and its implementing regulations, which prohibit discrimination based on sex in the University’s educational programs and activities. Title IX and its implementing regulations also prohibit retaliation for asserting claims of sex discrimination. The University has designated the following Title IX Coordinator to coordinate its compliance with Title IX and to receive inquiries regarding Title IX, including complaints of sex discrimination:

Lisa J. Johnson  
Dir. of Governmental, Regulatory, Legal Affairs  
1001 S. Cedar  
Ottawa, Kansas 66067  
(785) 248-2326  
lisa.johnson@ottawa.edu

A person may also file a complaint of sex discrimination with the United States Department of Education’s Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or by calling 1-800-421-3481.

A. Definition of Sexual Harassment

Sexual advances, requests for sexual favors, and other verbal, physical, or visual conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made or threatened to be made, either explicitly or implicitly, a term or condition of an individual’s employment or education; or
- Submission to or rejection of such conduct by an individual is used or threatened to be used as the basis for academic or employment decisions affecting that individual, or
- Such conduct has the purpose or effect of substantially interfering with an individual’s academic or professional performance or creating what a reasonable person would perceive as an intimidating, hostile, or offensive environment.
B. Examples of Sexual Harassment
Some examples of sexual harassment include:

- Pressure for a dating, romantic, or intimate relationship
- Unwelcome touching, kissing, hugging, rubbing, or massaging
- Pressure for sexual activity
- Unnecessary references to parts of the body
- Sexual innuendos, jokes, or humor
- Making sexual gestures
- Displaying sexual graffiti, pictures, videos or posters
- Using sexually explicit profanity
- Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities
- E-mail and Internet use that violates this policy
- Leering or staring at someone in a sexual way, such as staring at a person’s breasts or groin
- Sending sexually explicit emails or text messages
- Commenting on a person’s dress in a sexual manner
- Giving unwelcome personal gifts such as flowers, chocolates, or lingerie that suggest the desire for a romantic relationship
- Commenting on a person’s body, gender, sexual relationships, or sexual activities
- Sexual violence (as defined below)

C. Sexual Violence
1. The Definition of Sexual Violence
Sexual violence is a form of prohibited sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity, because of his or her youth, or because of his or her incapacity due to the use of drugs and/or alcohol.

2. Examples of Sexual Violence
Some examples of sexual violence include:

- Rape or sexual assault: sexual intercourse (anal, oral, or vaginal) by a man or woman upon a man or woman without consent
- Unwilling sexual penetration (anal, vaginal, or oral) with any object or body part that is committed by force, threat, or intimidation
- Sexual touching with an object or body part, by a man or woman upon a man or woman, without consent
- Sexual touching with an object or body part, by a man or woman upon a man or woman, committed by force, threat, or intimidation
- The use of force or coercion to effect sexual intercourse or some other form of sexual contact with a person who has not given consent
- Having sexual intercourse with a person who is unconscious because of drug or alcohol use
- Hazing that involves penetrating a person’s vagina or anus with an object
- Use of the “date rape drug” to effect sexual intercourse or some other form of sexual contact with a person
- One partner in a romantic relationship forcing the other to have sexual intercourse without the partner’s consent
- Exceeding the scope of consent by engaging in a different form of sexual activity than a person has consented to
- Knowingly transmitting a sexually transmitted disease such as HIV to another person through sexual activity
- Coercing someone into having sexual intercourse by threatening to expose their secrets
- Secretly videotaping sexual activity where the other party has not consented
-Prostituting another student/employee

D. Sexual Misconduct
Collectively, sex discrimination, sexual harassment, and sexual violence will be referred to as “sexual misconduct” through the remainder of this policy and the complaint resolution procedures.
E. Definition of Consent
Lack of consent is a critical factor in determining whether sexual violence has occurred. Consent is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. Consent is not passive.

- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- If a person is mentally or physically incapacitated or impaired by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation there is no consent.
- If a person is asleep or unconscious, there is no consent.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent.

F. Domestic Violence, Dating Violence, and Stalking
The crimes of domestic violence, dating violence and stalking can also constitute sexual misconduct when motivated by a person's sex. These crimes, no matter the motivation behind them, are a violation of this policy.

1. Domestic Violence
“Domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of a victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse or the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2. Dating Violence
“Dating violence” means violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) 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.

3. Stalking
“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
(A) fear for his or her safety or the safety of others; or
(B) suffer substantial emotional distress.

V. ROLES AND RESPONSIBILITIES

A. Title IX Coordinator
It is the responsibility of the Title IX Coordinator to:
(1) receive complaints under this policy; (2) coordinate dissemination of information and education and training programs; (3) assist members of the University Community in understanding that sexual misconduct is prohibited by this policy; (4) answer questions about this policy; (5) appoint investigators and ensure that they are trained to respond to and investigate complaints of sexual misconduct; (6) ensure that employees and students are aware of the procedures for reporting and addressing complaints of sexual misconduct; and (7) to implement the Complaint Resolution Procedures or to designate appropriate persons for implementing the Complaint Resolution Procedures.

B. Administrators, Deans, and Other Managers
It is the responsibility of administrators, deans, and other supervisory staff (i.e., those that formally supervise other employees) to:

- Inform employees under their direction or supervision of this policy
- Work with the Title IX Coordinator to implement education and training programs for employees and students
- Implement any corrective actions that are imposed as a result of findings of a violation of this policy

C. All Employees
It is the responsibility of all employees to review this policy and comply with it.

D. Students
It is the responsibility of all students to review this policy and comply with it.
E. The University
When the University is aware that a member of the University Community may have been subjected to or affected by conduct that violates this policy, the University will take prompt action, including a review of the matter and, if necessary, an investigation and appropriate steps to stop and remedy the sexual misconduct. The University will act in accordance with its Complaint Resolution Procedures.

VI. COMPLAINTS

A. Making a Complaint
1. Faculty and Employees
All University faculty and employees have a duty to promptly report sexual misconduct to the Title IX Coordinator when they observe such conduct or a report of sexual conduct is made to them. This does not apply to the employees who may maintain confidentiality as described in Section VI.A.3 of this policy.

2. Students
Students are encouraged to file a report under this policy when they experience or witness sexual misconduct. Students who wish to report sexual misconduct should file a complaint with the Title IX Coordinator. Students should be aware that all faculty and employees at the University, except those who may maintain confidentiality as described in Section VI.A.3 of this policy, have an obligation to report sexual misconduct to the Title IX Coordinator if they observe such conduct or receive a report of such conduct. Students may also file a complaint with the United States Department of Education's Office for Civil Rights, as set forth in Section III above.

3. Confidential Reports
If a victim desires to talk confidentially about his or her situation, s/he may contact: Ottawa University Counseling Center, located at Ward Science Hall; 785-248-2317. Hours are 8am-4:30pm, Monday through Friday; or Ottawa University Health Services, located Ward Science Hall; 785-248-2318. Hours are 8am-4:30pm, Monday through Friday. They are available to assist you and will not report your circumstances to the University for investigation without your permission. Notwithstanding, Ottawa University Counseling Center, will report a crime to the appropriate University personnel for inclusion in the University’s annual crime statistics disclosure, though your name will be withheld from this report. Other external resources that are available include:

GaDuGi Safe Center
GaDuGi is a local resource available for students who are victims of sexual violence. To contact GaDuGi, call 785.84.8985 or visit their website at www.gadugisafecenter.org.

RAINN
The Rape, Abuse & Incest National Network is the nation’s largest anti-sexual assault organization. RAINN operates the National Sexual Assault Hotline at 1.800.656.HOPE and the National Sexual Assault Online Hotline at rainn.org, and publicizes the hotline’s free, confidential services; educates the public about sexual assault; and leads national efforts to prevent sexual assault, improve services to victims and ensure that rapists are brought to justice.

Kansas Coalition Against Sexual & Domestic Violence
To contact KDSDV, call the Kansas Crisis Hotline at 888.END.ABUSE or 888.363.2287. You can also view their resources at www.kcsdv.org.

4. Content of the Complaint
So that the University has sufficient information to investigate a complaint, the complaint should include: (1) the date(s) and time(s) of the alleged conduct; (2) the names of all person(s) involved in the alleged conduct, including possible witnesses; (3) all details outlining what happened; and (4) contact information for the complainant so that the University may follow up appropriately.

5. Conduct that Constitutes a Crime
Any person who wishes to make a complaint of sexual misconduct that also constitutes a crime—including sexual violence, domestic violence, dating violence, or stalking—is encouraged to make a complaint to local law enforcement. If requested, the University will assist the complainant in notifying the appropriate law enforcement authorities. In the event of an emergency, please contact 911. A victim may decline to notify such authorities.

6. Special Guidance Concerning Complaints of Sexual Violence, Domestic Violence, Dating Violence, or Stalking
If you are the victim of sexual violence (including sexual assault), domestic violence, dating violence, or stalking, do not blame yourself. These crimes are never the victim’s fault. When physical violence of a sexual nature has been perpetrated against you, the University recommends that you immediately go to the emergency room of a local hospital and contact local law enforcement (911 if emergency), in addition to making a prompt complaint.
If you are the victim of sexual violence, domestic violence, or dating violence, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. Victims of sexual violence, domestic violence, or dating violence should not bathe, urinate, douche, brush teeth, or drink liquids until after they are examined and, if necessary, a rape examination is completed. Clothes should not be changed. When necessary, seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.

It is also important to take steps to preserve evidence in cases of stalking, to the extent such evidence exists. In cases of stalking, evidence is more likely to be in the form of letters, emails, text messages, etc. rather than evidence of physical contact and violence.

Once a complaint of sexual violence, domestic violence, dating violence, or stalking is made, the complainant has several options such as, but not limited to:

- contacting parents or a relative
- seeking legal advice
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- pursuing disciplinary action
- requesting that no further action be taken

A complainant who makes a claim related to sexual violence, domestic violence, dating violence, or stalking will be given a copy of the document titled “Explanation of Rights and Options After Filing a Complaint of Sexual Violence, Domestic Violence, Dating Violence, or Stalking.”

Likewise, members of the University Community may file complaints under this policy against vendors, contractors, and third parties.

8. Retaliation
It is a violation of this policy to retaliate against any member of the University Community who reports or assists in making a complaint of sexual misconduct or who participates in the investigation of a complaint in any way. Persons who believe they have been retaliated against in violation of this policy should make a complaint in the manner set forth in this section.

9. Protecting the Complainant
Pending final outcome of an investigation in accordance with the Complaint Resolution Procedures, the University will take steps to protect the complainant from further discrimination or harassment. This may include assisting and allowing the complainant to change his or her academic, transportation, work, or living situation if options to do so are reasonably available. Such changes may be available regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

If a complainant has obtained an order of protection, temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court, the complainant should provide such information to the Title IX Coordinator. The University will take all reasonable and legal action to implement the order.

B. Timing of Complaints
There is no statute of limitations for complaints under the Sexual Misconduct Policy. However, the University encourages persons to make complaints of sexual misconduct as soon as possible because late reporting may limit the University’s ability to investigate and respond to the conduct complained of.

C. Investigation and Confidentiality
All complaints of sexual misconduct will be promptly and thoroughly investigated in accordance with the Complaint Resolution Procedures, and the University will take disciplinary action where appropriate. The University will make reasonable and appropriate efforts to preserve an individual’s privacy and protect the confidentiality of information when investigating and resolving a complaint as it applies to both complainant and respondent.
However, because of laws relating to reporting and other state and federal laws, the University cannot guarantee confidentiality to those who make complaints.

In the event a complainant requests confidentiality or asks that a complaint not be investigated, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name not be disclosed to the alleged perpetrator, the University’s ability to respond may be limited. The University reserves the right to initiate an investigation despite a complainant’s request for confidentiality in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the University Community. The Title IX Coordinator is the person responsible for evaluating requests for confidentiality.

D. Resolution
If a complaint of sexual misconduct is found to be substantiated, the University will take appropriate corrective and remedial action to prevent the recurrence of the conduct and correct its discriminatory effects. Students, faculty, and employees found to be in violation of this policy will be subject to discipline up to and including written reprimand, suspension, demotion, termination, or expulsion. Affiliates and program participants may be removed from University programs and/or prevented from returning to campus. Remedial steps may also include counseling for the complainant, academic, transportation, work, or living accommodations for the complainant, separation of the parties, and training for the respondent and other persons.

E. Bad Faith Complaints
While the University encourages all good faith complaints of sexual misconduct, the University has the responsibility to balance the rights of all parties. Therefore, if the University’s investigation reveals that a complaint was knowingly false, the complaint will be dismissed and the person who filed the knowingly false complaint may be subject to discipline.

VIII. EDUCATION
Because the University recognizes that the prevention of sexual misconduct, as well as domestic violence, dating violence, and stalking, is important, it offers educational programming to a variety of groups such as: campus personnel; incoming students and new employees participating in orientation; and members of student organizations. Among other elements, such training will cover relevant definitions, procedures, and sanctions; will provide safe and positive options for bystander intervention; and will provide risk reduction information, including recognizing warning signs of abusive behavior and how to avoid potential attacks. To learn more about education resources, please contact the Title IX Coordinator.

Complaint Resolution Procedures

SEXUAL MISCONDUCT:
COMPLAINT RESOLUTION PROCEDURES

I. General Principle
A. Applicability
These Complaint Resolution Procedures apply to the resolution of all reports under the Sexual Misconduct Policy. They apply to the resolution of complaints against students, faculty, administrators, staff, and third parties, and they are the exclusive means of resolving complaints of sexual misconduct.

B. Administration
For purposes of these complaint resolution procedures, “Investigating Officer” means the person appointed by the Title IX Coordinator. When a student is the respondent, Title IX Coordinator will appoint the Investigating Officer from the pool of Student Conduct Officers. When an employee, faculty member, or other third party is the respondent, the Title IX Coordinator will appoint the Investigating Officer from a pool of Grievance Team members appointed by the Executive Vice President and Chief Financial Officer. The Investigating Officer(s) shall have responsibility for administering these complaint resolution procedures. At their discretion, the Title IX Coordinator may appoint multiple Investigating Officers to work together in administering these complaint resolution procedures.

C. Promptness, Fairness and Impartiality
These procedures provide for prompt, fair, and impartial investigations and resolutions. The Investigating Officer shall discharge his or her obligations under these complaint resolution procedures fairly and impartially. If the
Investigating Officer determines that he or she cannot apply these procedures fairly and impartially because of the identity of a complainant, respondent, or witness, or due to any other conflict of interest, the Investigating Officer shall inform the Title IX Coordinator so that another appropriate individual can be designated to administer these procedures.

D. Training
These procedures will be implemented by officials who receive annual training on the issues related to sexual misconduct, domestic violence, dating violence, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

II. Investigation and Resolution of the Complaint
1. Timing of the Investigation
The University will endeavor to conclude its investigation and resolution of the complaint within sixty (60) calendar days of receiving it. Both the complainant and the respondent will be given periodic updates regarding the status of the investigation. If either the complainant or respondent needs additional time to prepare or to gather their witnesses or information, they shall notify the Investigating Officer in writing explaining how much additional time is needed and why it is needed. The Investigating Officer shall respond to any such request within three (3) days.

2. Informal Resolution
Informal means of resolution, such as mediation, may be used in lieu of the formal investigation and determination procedure. However, informal means may only be used with the complainant's voluntary cooperation and the involvement of the Title IX Coordinator. The complainant, however, will not be required to work out the problem directly with the respondent. Moreover, the complainant may terminate any such informal means at any time. In any event, informal means, even on a voluntary basis, will not be used to resolve complaints alleging any form of sexual violence.

3. Interim Measures
At any time during the investigation, the Investigating Officer, in coordination with the Title IX Coordinator, may determine that interim remedies or protections for the parties involved or witnesses are appropriate. These interim remedies may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative class-placement or workplace arrangements. Failure to comply with the terms of these interim remedies or protections may constitute a separate violation of the Sexual Misconduct Policy.

4. Support Person
During the investigation process, both a complainant and a respondent may ask a support person to accompany him or her at all stages of the process. In cases involving multiple complainants or respondents, the support person cannot be another complainant or respondent. The support person does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved in any proceedings, and he or she must agree to maintain the confidentiality of the process.

5. Pending Criminal Investigation
Some instances of sexual misconduct may also constitute criminal conduct. In such instances, the complainant is also encouraged to file a report with the appropriate law enforcement authorities and, if requested, the University will assist the complainant in doing so. The pendency of a criminal investigation, however, does not relieve the University of its responsibilities under Title IX. Therefore, to the extent doing so does not interfere with any criminal investigation, the University will proceed with its own investigation and resolution of the complaint.

6. Rights of the Parties
During the investigation and resolution of a complaint, the complainant and respondent shall have equal rights. They include:

- Equal opportunity to identify and have considered witnesses and other relevant evidence;
- Similar and timely access to all information considered by the Investigating Officer;
- Equal opportunity to review any statements or evidence provided by the other party; and
- Equal access to review and comment upon any information independently developed by the Investigating Officer.

B. Commencement of the Investigation
Once a complaint is made, the Investigating Officer will commence an investigation of it as soon as practicable, but not later than seven (7) days after the complaint is made. The purpose of the investigation is to determine whether it is more likely than not that the alleged behavior occurred and, if so, whether it constitutes sexual misconduct.
During the course of the investigation, the Investigating Officer may receive counsel from University administrators, the University’s attorneys, or other parties as needed.

In certain narrow circumstances, the Investigating Officer may commence an investigation even if the complainant requests that the matter not be pursued. In such a circumstance, the Investigating Officer will take all reasonable steps to investigate and respond to the matter in a manner that is informed by the complainant’s articulated concerns. Said investigation shall as much as possible preserve the confidentiality of both the complainant and respondent. However, this is not guaranteed or possible in all situations.

C. Content of the Investigation
During the investigation, the complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent will have an opportunity to respond to the allegations and present supporting witnesses or other evidence. The Investigating Officer will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information.

D. Resolution of Complaints Against Student Respondents
At the conclusion of the Investigating Officer’s investigation, the Investigating Officer will prepare a draft written report. The report will explain the scope of the investigation and identify findings of fact. The Investigating Officer will present the report to the Title IX Coordinator, and the Title IX Coordinator will review the draft, revise as necessary, and finalize it.

If the final written report finds that any allegations in the complaint were found to be substantiated by a preponderance of the evidence resulting in a policy violation, the Title IX Coordinator will consult with the Provost/Dean with jurisdiction over the complainant and respondent to determine discipline and remedial measures. The Title IX Coordinator will prepare an addendum setting forth the discipline and remedial measures. Examples of such measures include: no-contact orders, classroom reassignment, the provision of counseling or other support services, training, and discipline for the perpetrator, including up to termination, or other appropriate institutional sanctions.

The Title IX Coordinator will notify the parties of the outcome in writing as described in Section II.F, below. This document will explain the scope of the investigation, identify findings of fact (if any), and state whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence resulting in a policy violation. The final written determination of the Investigator shall be final subject only to the right of appeal set forth in Section III, below.

E. Resolution of Complaints Against Employee Respondents, Faculty Respondents, and Third-Party Respondents
At the conclusion of the Investigating Officer’s investigation, the Investigating Officer will prepare a draft written report. The report will explain the scope of the investigation and identify findings of fact. The Investigating Officer will present the report to the Title IX Coordinator, and the Title IX Coordinator will review the draft, revise as necessary, and finalize it.

If the final written report finds that any allegations in the complaint were found to be substantiated by a preponderance of the evidence resulting in a policy violation, the Title IX Coordinator will consult with the University administrator with jurisdiction over the complainant and respondent to determine discipline and remedial measures. The Title IX Coordinator will prepare an addendum setting forth the discipline and remedial measures. Examples of such measures include: no-contact orders, classroom reassignment, the provision of counseling or other support services, training, and discipline for the perpetrator, including up to termination, or other appropriate institutional sanctions. Discipline may be directly imposed or, in cases with faculty member respondents, a referral may be made for further discipline proceedings in accordance with faculty discipline proceedings.

The Title IX Coordinator will notify the parties of the outcome in writing as described in Section II.F, below.

F. Notification of Outcome
The Title IX Coordinator will provide written notification of the outcome of the investigation and any addendum to the complainant and the respondent within three (3) days of its completion. If necessary, the version of the
addendum provided to the complainant and/or respondent will be redacted to ensure that information concerning any remedial and/or disciplinary measures is disclosed in a manner consistent with Title IX, the Family Educational Rights and Privacy Act ("FERPA"), and the Clery Act, as explained by the April 4, 2011 Dear Colleague Letter issued by the U.S. Department of Education, available at http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf.

G. Special Procedure for Complaints Against the President, the Title IX Coordinator, or Other Administrators Ranked Higher than the Title IX Coordinator

If a complaint involves alleged conduct on the part of the University’s President, the University’s Board of Trustee’s will designate the Investigating Officer(s). Based on the information gathered by the investigation, the Board of Trustee’s will prepare and issue the written report determining the complaint. The determination of the Board of Trustees is final and not subject to appeal.

If a complaint involves alleged conduct on the part of the Title IX Coordinator or a Vice President of the University, the University’s President will designate the Investigating Officer. Based on the information gathered by the investigation, the President will prepare and issue the written report determining the complaint. The determination of the President is final and not subject to appeal.

III. Appeals

A. Grounds of Appeal

The complainant or respondent may appeal the determination of a complaint only on the following grounds:

• There is a substantial likelihood that newly discovered information, not available at the time evidence was presented to the Investigating Officer would result in a different decision;
• There was a procedural error significant enough to call the outcome into question;
• There was a clear error in factual findings;
• Bias or prejudice on the part of the Investigating Officer; or
• The punishment or the corrective action imposed is disproportionate to the offense.

B. Method of Appeal

In cases where there is a student respondent, appeals must be filed as follows:

• Appeals from complaints that allege Student Misconduct that do not involve Sexual Misconduct shall be directed to the Dean of Student Affairs. The Dean of Student Affairs, for complaints regarding students in the Adult Professional Online Studies (APOS) programs, may delegate the resolution of the appeal to the Campus Executive, Manager or Director as deemed appropriate. This is not a mandate and is at the discretion of the Dean of Student Affairs;

• Appeals from complaints that allege Academic Misconduct shall be directed to the Associated University Provost and Dean of Instruction;

• Appeals from complaints that allege a student or faculty have committed sexual misconduct shall be directed to the University Provost.

In cases where there is an employee or third party respondent, appeals must be filed as follows:

• All appeals from complaints that allege violations by employees or third party respondents shall be directed to the Executive Vice President and Chief Financial Officer.

In this capacity, the official to which the appeals are submitted to shall be referred to as “Appeal Officials.” The appeal must be filed within ten (10) days of receipt of the written report determining the outcome of the complaint. The appeal must be in writing and contain the following:

• Name of the complainant;
• Name of the respondent;
• A statement of the determination of the complaint, including corrective action if any;
• A detailed statement of the basis for the appeal including the specific facts, circumstances, and argument in support of it; and
• Requested action, if any.

The appellant may request a meeting with the appropriate Appeal Official, but the decision to grant a meeting is within the Appeal Official’s discretion. However, if a meeting is granted, then the other party will be granted a similar opportunity.

IV. Resolution of the Appeal

The Appeal Official will resolve the appeal within fifteen (15) days of receiving it and may take any and all actions that he/she determines to be in the interest of a fair and
just decision. The decision of the Appeal Official is final. The Appeal Official shall issue a short and plain, written statement of the resolution of the appeal, including any changes made to the Title IX Coordinator's previous written determination. The written statement shall be provided to the complainant, respondent, and the Title IX Coordinator within three (3) days of the resolution.

In some cases involving faculty member respondents, the discipline imposed may result in additional process following the appeal.

V. Documentation
Throughout all stages of the investigation, resolution, and appeal, the Investigating Officer, the Title IX Coordinator, and the Appeal Officials as the case may be, are responsible for maintaining documentation of the investigation and appeal, including documentation of all proceedings conducted under these complaint resolution procedures, which may include written findings of fact, transcripts, and audio recordings.

VI. Intersection With Other Procedures
These complaint resolution procedures are the exclusive means of resolving complaints alleging violations of the Sexual Misconduct Policy. To the extent there are any inconsistencies between these complaint resolution procedures and other University grievance, complaint, or discipline procedures, these complaint resolution procedures will control the resolution of complaints alleging violations of the Sexual Misconduct Policy.

Questions on this policy should be directed to:
Lisa J. Johnson, Title IX Coordinator
Director of Governmental, Regulatory, Legal Affairs
1001 S. Cedar
Ottawa, Kansas 66067
(785) 248-2326
lisa.johnson@ottawa.edu

VII. STALKING
Statement of Purpose
Ottawa University is determined to provide a campus environment free of violence for all members of the campus community. For this reason, Ottawa University does not tolerate stalking, and will pursue the perpetrators of such acts to the fullest extent possible. Ottawa University is also committed to supporting victims of stalking through the appropriate provision of safety and support services. This policy applies to all students of Ottawa University community.

Stalking incidents are occurring at an alarming rate on the nation's college campuses. It is a crime that happens to men and women of all races/ethnicities, religions, ages, abilities, sexual orientations, and sexual identity. It is a crime that can affect every aspect of a victim's life. Stalking often begins with phone calls, emails, social networking posts and/or letters and can sometimes escalate to violence.

Stalking is a crime in Kansas and is subject to criminal prosecution. Students perpetrating such acts of violence will be subject to disciplinary action through the Ottawa University Office of Student Affairs which administers the Student Code of Conduct. This can include expulsion from Ottawa University and/or criminal prosecution simultaneously.

Policy Jurisdiction
This protocol applies equally to all students at Ottawa University.

Definition of Stalking
Stalking is a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Course of conduct is defined as "a pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct."

Stalking Behaviors
Stalking includes any behaviors or activities occurring on more than one occasion that collectively instill fear in a victim, and/or threaten her or his safety, mental health, or physical health. Such behaviors and activities may include, but are not limited to, the following:

- Non-consensual communication, including face-to-face communication, telephone calls, voice messages, emails, text messages, written letters, gifts, or any other communications that are undesired and place another person in fear.
- Use of online, electronic, or digital technologies, including:
  - Posting of pictures or information in chat rooms or on websites
  - Sending unwanted/unsolicited email or talk requests
  - Posting private or public messages on Internet sites, social networking sites, and/or school bulletin boards
  - Installing spyware on a victim's computer
  - Using Global Positioning Systems (GPS) to monitor a victim
• Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the victim
• Surveillance or other types of observation including staring, “peeping”
• Trespassing
• Vandalism
• Non-consensual touching
• Direct verbal or physical threats
• Gathering information about an individual from friends, family, and/or co-workers
• Threats to harm self or others
• Defamation – lying to others about the victim

Reporting Stalking
Ottawa University encourages reporting of all incidents of stalking to law enforcement authorities, and respects that whether or not to report to the police is a decision that the victim needs to make. Office of Student Affairs staff, which include Health and Counseling Services staff and the Department of Residence Life staff, are available to inform victims of the reporting procedures and offer appropriate referrals. Victims of stalking choosing to pursue the reporting process have the right to assistance or consultation of an advocate. Ottawa University offers services to victims even if they choose not to report the incidents. The Office of Student Affairs provides services, advocates, and information for victims in a safe, supportive, and confidential setting. In some circumstances, a victim may wish to seek an order of protection from a court of appropriate jurisdiction against the alleged perpetrator. Victims may also seek restriction of access to the University by non-students or non-employees in certain circumstances.

Please report incidences of stalking to any staff member in the Office of Student Affairs, Office of Health and Counseling Services, and the Department of Residence Life. The report will be referred to a Conduct Administrator who will immediately work with the victim to determine immediate safety issues and conduct a course of action through the Student Code of Conduct.

In certain instances, Ottawa University may need to report an incident to law enforcement authorities. Such circumstances include any incidents that warrant the undertaking of additional safety and security measures for the protection of the victim and the campus community or other situations in which there is clear and imminent danger, and when a weapon may be involved. However, it is crucial in these circumstances to consult with supervisory staff and/or the local law enforcement and/or resources since reporting may compromise the safety of the victim. Personal safety concerns are often very important for stalking victims. Crisis intervention and victim safety concerns will take precedence.

Safety for Victims of Stalking
Ottawa University is committed to supporting victims of stalking by providing the necessary safety and support services. Student victims of stalking are entitled to reasonable accommodations. Due to the complex nature of this problem, the student victim may need additional assistance in obtaining one or more of the following areas:

• No-contact order
• Services of a student victim advocate
• Witness impact statement
• Change in an academic schedule
• Provision of alternative housing opportunities
• The imposition of an interim suspension on the accused
• The provision of resources for medical and/or psychological support

For assistance obtaining these safety accommodations, please contact the Dean or Assistant Dean of Student Affairs or the Counselor.

If safety is an immediate concern, encourage the victim to contact law enforcement for assistance.

Stalking Victims’ Rights
Students on our campus have the right to live free of behaviors that interfere with students attaining their educational goals. Students who report stalking have the right to:

• Treatment with dignity and respect, not subjected to biased attitudes or judgments
• Not having past and irrelevant conduct discussed during any resulting proceedings
• Changes in academic and/or living situations, if possible

• All support services regardless of the choice to file a school or criminal complaint

• Submission of a written account of the incident and a victim-impact statement

• Having a person of choice, including legal counsel or an advocate, present throughout the proceedings, as set forth in the student code of conduct

• Having one's identity protected, in accordance with the student code of conduct or other legal requirements

Victims can request immediate on-campus housing relocation, transfer of classes, or other steps to prevent unnecessary or unwanted contact or proximity to an alleged assailant. When possible, requests will be accommodated.

Rights of Accused
Students accused of stalking behaviors have rights on this campus. Those include:

• The right to know the nature and source of the evidence used in the hearing process

• The right to present witnesses and material evidence relevant to the case

• The right to an advocate or attorney to aid in the preparation and presentation of the case

• Access to services from the counseling, health center or other student service group

• Voluntary residence hall relocation, when available

• Consultation with a campus official on academic support services and referrals to community resources when appropriate.

VIII. DATING AND DOMESTIC VIOLENCE
Dating and domestic violence is the leading cause of injury to women between the ages of 15 and 44.

Dating and domestic violation include a wide range of acts committed by one partner against another in a relationship. The RAINN.org definition of dating and domestic violence is “any act, attempt, or threat of force by a family member or intimate partner against another family member.” Dating and domestic violence occurs in all socio-economic, educational, racial, and age groups. The issues of power and control are at the heart of family violence. The batterer uses acts of violence and a series of behaviors to gain power and control (RAINN.org).

Behavioral Signs

• INTIMIDATION
Smashing things, abusing pets, destroying victim’s property, displaying weapons.

• THREATS
Making and/or carrying out threats to harm the victim, to commit suicide, to report him or her to child welfare, to make him or her drop charges.

• ISOLATION
Controlling what the victim does, sees, and reads, limiting who the victim talks to.

• EMOTIONAL ABUSE
Putting the victim down, calling him or her names, making him or her think he or she’s crazy, playing mind games.

Warning Signs
Someone involved in an abusive relationship might display certain behavioral signs including:

• INCONSISTENT EXPLANATIONS
Victims may provide inconsistent explanations as to the cause of their injuries due to fear of alerting others to the severity of their situation.

• ALCOHOL ABUSE
Victims may use alcohol as a means of escape from their everyday reality of abuse.

• INJURIES IN MULTIPLE STAGES OF HEALING
Bruises are the most common form of injury and have the following stages of healing: purple to green to yellow.

Why Does the Victim Stay?

• Financial dependence: Batterers may have forbidden their partners from getting or keeping a job or may have kept secret the location and balance of bank accounts.

• Lack of social support: Batterer may have controlled victim’s contact with friends, family, and the outside world. Such isolation limits her or his ability to obtain help with an escape.
• Fear of severe physical attack: Batterer may use threats of attack to keep victim in a state of perpetual fear. The batterers may tell their victims that, if they leave, they will be killed.

• Self-blame: It is not uncommon for victims to believe that the abuse is a result of their real or imagined offenses.

• BELIEF THAT THE VIOLENCE IS TEMPORARY OR CAUSED BY UNUSUAL CIRCUMSTANCES

Often batterers place blame for abuse on external sources, alcohol, work pressures, etc. and do not take responsibility for their actions.

As with all personal violence offenses, please report any dating and domestic violence-related conduct immediately to the Office of Student Affairs. You can also report confidentially to the Counselor or the Director of Campus Ministries. We encourage all victims of dating and domestic violence and witnesses to dating and domestic violence to report. As a community, it is imperative that we work together to keep our students safe both physically and mentally.

Disciplinary responses to dating and domestic violence can include but are not limited to:

• No-contact order
• Services of a student victim advocate
• Witness impact statement
• Change in an academic schedule
• Provision of alternative housing opportunities
• The imposition of an interim suspension on the accused
• The provision of resources for medical and/or psychological support

For assistance obtaining these safety accommodations, please contact the Dean or Assistant Dean of Student Affairs and/or the Counselor.

Sexual Assault Response

RISK REDUCTION TIPS
Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. These suggestions to avoid committing a non-consensual sexual act are also offered:

• If you have limits, make them known as early as possible.
• Tell a sexual aggressor “NO” clearly and firmly.
• Try to remove yourself from the physical presence of a sexual aggressor.
• Find someone nearby and ask for help.
• Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
• Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

• Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
• Understand and respect personal boundaries.
• DON’T MAKE ASSUMPTIONS about consent; about someone’s sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.
• Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
• Don’t take advantage of someone’s drunkenness or drugged state, even if they did it to themselves.

• Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don’t abuse that power.

• Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.

• Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Introduction
Sexual misconduct and assault, including rape, are violations of Ottawa University’s Standards of Conduct for Students and its sexual harassment policy.

Members of the University community, guests and visitors have the right to be free from sexual violence. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. When accused students are found to have violated this policy, serious sanctions will be imposed. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated. The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy.

While there are a number of laws and regulations that mandate how universities handle allegations of sexual misconduct and assault, it is impossible to set forth every scenario that could be a violation of this policy. Ultimately, the University has the discretion to determine whether or not the policy has been violated and impose appropriate sanctions for infractions.

A Note about Preserving Evidence
Evidence of a sexual assault and the attacker’s identity may be left on the victim’s body. Therefore do not wash in any way until you have been examined. Victims of sexual assault should go in for the exam as quickly as possible because the evidence deteriorates quickly and may be important in proving the assault in criminal proceedings. A sexual assault nurse examiner (SANE) is a hospital staff member who handles sexual assault and is specifically trained to: provide comprehensive care to sexual assault survivors; demonstrate competence in conducting a forensic examination; have the ability to testify as an expert witness; and show compassion and sensitivity to survivors of sexual assault.

Reporting
For Immediate Assistance
Go to a safe location, and if injured, seek immediate medical attention. If you are sexually assaulted, you may seek assistance by contacting any of the following:

- University Campus Security 785-214-0070
- Health Services 785-248-2319
- Counseling Services 785-248-2317
- Residential Life 785-248-2312
- Dean of Students 785-248-2310

Note that Campus Security can contact on-call staff (Counseling, Residential Life, Dean of Students) when offices are closed.

If you are off campus and in an emergency situation, call the Police Department (911).

When consulting campus resources, all parties should be aware of confidentiality, privacy, and mandatory reporting in order to make informed choices.

To Discuss Confidentially
If one desires that details of the incident be kept confidential, he or she should speak with on-campus mental health counselor, campus health service provider or the Chaplain. Campus counselors are available to help free of charge, and can be seen on an emergency basis. In addition, victims may speak on- and off-campus with members of the clergy and chaplains, and off-campus rape crisis resource people who can maintain confidentiality.

To Discuss Safely/Confidentially With Others
Students can seek advice from certain resources who are not required to tell anyone else his or her private, personally identifiable information unless there is cause for fear for his or her safety, or the safety of others. These are individuals who the University has not specifically designated as responsible employees for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances.

Non-Confidential Reporting
Students are encouraged to speak to officials or any employee of the institution to make formal reports of incidents (deans, vice presidents, or other administrators with supervisory responsibilities, or Human Resources).
The University considers these people to be “responsible employees.” Notice to them is official notice to the institution. Students have the right and can expect to have incidents of sexual misconduct to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the accused individual.

Students may also report any incidence to the external confidential Compliance Hotline Service at (866) 943-5787 which operates 24 hours/day, 7 days a week. (Emergency situations which are an urgent safety or security issue must be made directly to 911.)

Remediation
The University reserves sole discretion and the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students’ rights and personal safety and the University community. Such measures include, but are not limited to, modification of living arrangements, reassignment of classes as available or removal from classes, interim suspension from campus pending a investigation, and reporting the matter to the law enforcement.

Filing a Complaint
Victims of sexual misconduct usually have two avenues to consider in filing a complaint. These options are not mutually exclusive. The first offers a University process and the second a criminal process. One, both, or either, may be pursued:

1. An alleged victim who wishes to have his or her case reviewed administratively, within the institution, should contact the Title IX Coordinator who will explain Ottawa University’s procedures.

2. An alleged victim who wishes to have his or her case handled criminally should contact the Ottawa Police Department. A University staff member will accompany an accusing student through this process as requested.

STUDENT RIGHTS
Reporting

• Accusing students have the right to notify law enforcement and to be assisted by campus authorities in doing so.

• Accusing students have the right to decline to report to law enforcement.

• Accusing students have the right to have their cases referred for administrative campus investigation and review.

Fair Process

• All students have the right for reported grievances to be reviewed through the procedures outlined in this policy.

• Accused and accusing students have the same opportunity to have advocates of their choice (or offered through the University) present at any stage in the campus investigative and adjudicative process.

• Both the accused and the accusing students shall be informed of the outcome of any campus disciplinary hearing alleging sexual misconduct.

• Accusing students and witnesses will receive amnesty for minor student misconduct (such as alcohol or drug violations) that is secondary to the alleged incident.

• Accusing students and their supporters have the unfettered right to be free from retaliation.

Advocacy and Support

• Students shall be notified of campus counseling services and off-campus resources.

• All parties in the administrative process are entitled to have others (support person, adviser, or advocate) present during investigatory interviews and hearings. Students will be offered procedural assistance from a trained Ottawa University support person.

Temporary Measures
Accusing students will be notified of, and have the right to receive, no contact administrative orders and adjustments to academic and housing arrangements, whether or not there is a formal complaint.

Consent
Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity or contact.

• Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity.
- A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately. Continued pressure can be coercive, and is also a violation of this policy.

- Silence or the absence of resistance alone is not consent.

- Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse).

- A current or previous dating relationship is not sufficient to constitute consent.

- In order to give effective consent, one must be 16 in Kansas.

**Force as a Factor in Consent**

Force is the direct or indirect use of physical violence and/or imposing on someone physically to gain sexual access. There is no requirement that parties resist the sexual advance or request, but resistance is a clear demonstration of non-consent.

**Incapacitation as a Factor in Consent**

Consent must be “knowing” to be valid. A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to voluntary or involuntary use of alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is incapacitated has violated this policy.

Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Possession, use and/or distribution and/or administering of any incapacitating drugs, is prohibited and is a violation of this policy.

It is not an excuse that the accused party of sexual misconduct was intoxicated, and therefore, did not realize the incapacity of the other.

**SEXUAL MISCONDUCT VIOLATIONS**

**Sexual Harassment**

Sexual harassment includes any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature including when: submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other University activities; submission to or rejection of such conduct by an individual is used as a basis for evaluation in making academic or personnel decisions affecting the individual; or such conduct has the purpose or effect of interfering with an individual’s work performance or creating an intimidating, hostile, or offensive University environment.

**Non-consensual Sexual Contact**

Non-consensual sexual contact is defined as:

- any intentional sexual touching
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force

Sexual touching includes, but is not limited to, any bodily contact with breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

**Non-consensual Sexual Intercourse**

Non-consensual sexual intercourse is defined as:

- any sexual penetration or intercourse (anal, oral, or vaginal)
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force

Sexual intercourse includes, but is not limited to, vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.

**Sexual Exploitation**

Sexual exploitation refers to a situation in which a person takes non-consensual or abusive sexual advantage of
another, and situations in which the conduct does not fall within the definitions of Sexual Harassment, Non-consensual Sexual Contact, and Non-consensual Sexual Intercourse.

Examples of sexual exploitation include, but are not limited to, engaging in the following activities without the other person(s) consent:

- Sexual voyeurism (such as watching a person undressing, using the bathroom, or engaging in sexual acts without the consent of the person observed).
- Taking pictures or recording another in a sexual act, or in any other private activity (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent).
- Exposing one’s genitals or breasts in non-consensual circumstances or inducing another to expose his or her genitals or breasts.
- Prostitution.
- Sexual exploitation also includes engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection.
- Administering alcohol or drugs (such as “date rape” drugs) to another person.

**Stalking**
Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her own safety; or the safety of others; or suffer substantial emotional duress.

**Retaliation**
Accusing students and their supporters have the unfettered right to be free from retaliation. Retaliation is defined as any adverse reaction taken against a person for alleging harassment, supporting a party bringing a grievance, or for assisting in providing information relevant to a claim of harassment and will be investigated immediately and adjudicated separately. Retaliation includes, but is not limited to intimidation, threats or menacing behavior, coercion, or discriminatory actions. Retaliation is a serious violation and may result in immediate removal from the University.

**PROCEDURES**

**Initial Review**
The Title IX Coordinator will explain Ottawa University’s conduct procedures, including: the difference between the administrative procedure and criminal reporting; no contact orders and remedial action; and confidentiality and privacy. Generally, the next step will be for the staff member to meet with the accused student (at a different time) to notify him or her of the allegation and possible remedial actions.

Reports will be shared confidentially with the Ottawa Police Department per federal reporting requirements (Clery Act). All personally identifiable information is kept confidential. The University has an obligation to investigate allegations of sexual misconduct as provided for in this policy.

**Investigation**
In cases involving student grievances referred for administrative action, the University will use an investigative model. This model allows much of the investigation to be completed prior to a finding. Trained faculty and staff investigators will interview accusing and accused students and witnesses, share the reports with the accused and accusing students, and allow for one or more responses from each.

Investigators will prepare a summary report with finding and sanctioning recommendations for the Title IX Coordinator. Accused and accusing students will have an opportunity to preview the report and offer comment.
The Title IX Coordinator may return the report to the investigators for modification. Accused and accusing students may make opening and closing statements primarily to address issues raised in the report.

**Standard of Evidence**
Ottawa University considers the greater weight of the credible evidence as its standard in student conduct cases. Often referred to as the “preponderance of the evidence,” this standard asks decision-makers to consider whether it is more likely than not that a violation occurred.

**Past History**
The past sexual history or sexual character of a party will not be considered in investigations unless such information is determined to be highly relevant by the Title IX Coordinator. All such information sought to be admitted by a party or the University will be presumed irrelevant until a determination of relevance is made. Demonstration of pattern, repeated, and/or predatory behavior by the responding student, including in the form of previous findings in any legal or campus proceeding, may be relevant to the finding, not just the sanction. The parties will be notified in advance if any such information is deemed relevant and will be considered in the investigation.

**Sanction Statement**
Not all forms of sexual misconduct are equally serious offenses, and the University reserves the right to impose different sanctions, ranging from verbal warning to suspension, depending on the severity of the offense. The University will consider the concerns and rights of both the accusing party and the person accused of sexual misconduct.

- Any student found responsible for violating the policy on Non-consensual or Forced Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.
- Any student found responsible for violating the policy on Non-consensual or Forced Sexual Intercourse will likely receive a sanction of suspension or expulsion.
- Any student found responsible for violating the policy on Sexual Exploitation or Sexual Harassment (and related violations) will likely receive a sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.
- Any student found responsible for violating policies on Dating Violence, Domestic Violence, or stalking will likely receive a sanction of suspension or expulsion.

**Final Outcome**
Accused and accusing students may see the decision letters, receive survivor impact statements (if included), and view and respond to written appeals.

**Appeals**
All parties in a sexual misconduct hearing have the opportunity to appeal within a specific time limit. Students found responsible may appeal without concern that the review body will issue a harsher finding or sanction. Reporting parties may appeal the decision and the sanction. See Student Conduct procedures for further details.

**PROGRAMS**

**Bystander Intervention**
Ottawa University provides a Bystander Intervention program to all new students to enhance sexual assault awareness and prevention. The Bystander Intervention program instructs participants on safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

**SaVE Act Training**
Incoming students will participate in an online web-based course that is in compliance with the Campus SaVE Act and informative in relation to the law.

**CONTACT US**

**Title IX Coordinator**
Lisa Johnson
Director of Governmental, Regulatory, Legal Affairs
Lisa.johnson@ottawa.edu | 785-248-2326

**TIMELY WARNING AND EMERGENCY NOTIFICATION**

**Timely Warning**
Under the Clery Act (20 U.S.C. § 1092) and its implementing regulations, Ottawa University (OU), through designated personnel in the Office of Student Affairs, Campus Security, and IT, is responsible for issuing a “timely warning” if a crime has been reported and OU determines there is a serious or continuing threat to the
campus community. In addition, OU is required to send an “emergency notification” if there is an immediate threat to the health or safety of students or employees occurring on campus.

Emergency Notification System
Ottawa University has established OU Alerts in order to inform students of emergencies. OU Alerts are sent automatically to all registered college email accounts along with registered cell phone numbers. Ottawa University tests the Emergency Notification System on a monthly basis internally.

Students are encouraged to sign up for text messaging and email OU Alerts. Go to myottawa.ottawa.edu and log in. After you log in, click on the link “Get the Message” to sign up.

During an emergency, Ottawa University also may communicate by sending voicemails and by posting information to the Ottawa University website. Local television and radio stations may be notified.

2Campus Alert/OU Alert
OU Alert is Ottawa University contract (e2Campus) text messaging system. It is capable of sending emergency notifications instantly and simultaneously to all registered cell phone, smart phones, and personal email addresses. Examples of emergency messages include severe weather warnings, campus closings, and campus emergencies.

To sign-up for the OU Alert:
1) Have your cell phone with you and turned on.
2) Go to MyOttawa page (https://myottawa.ottawa.edu/ics/)
3) Login to your MyOttawa account using your username and password.
4) On the landing page, you will see a box called “Get the Message”.
5) Select the link to Create Account.
6) Complete the Registration.
7) Wait for the validation code to be sent to your cell phone.
8) Enter the validation code.
9) Make note of your username and password so you may make changes and updates to your account in the future.

Once you have completed registration and validated your cell phone, you may log into your personal OU Alerts account to add additional services, such as an email address, to the system. You may register up to two email addresses and two SMS/text-messaging devices. Just go back to the “OU” box and choose “Login Now!”

All email addresses and phone numbers entered into OU Alerts are confidential. OU Alerts will only send messages you request. The campus community will be notified via email before any OU Alerts test messages are sent. OU Alerts can only contact registered users.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES
An evacuation drill is coordinated through the Office of Student Affairs and Office of Facilities and Plant Operations, including security personnel for all residential facilities each semester. The minimum that the emergency response and evacuation procedures are tested in the residential facilities is twice per year. Residents will learn the location of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Residence Life does not notify residents in advance of the designated locations for long-term evacuations because decisions are affected by time of day, location of building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. Residence Life professional staff will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Ottawa University, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are also monitored by the Director of Security and College Facilities and residence life.
professionals to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Residents receive information regarding evacuation procedures during their first floor meetings and during other education sessions that they can participate in throughout the year. The paraprofessional staffs are trained in these procedures as well and act as an on-going resource for the students living in residential facilities.

**UNIVERSITY COMPLIANCE**

**Compliance Officer**
The University Compliance Officer is responsible for overseeing the process by which complaints are investigated within the University. The University Compliance Officer regularly reports to the President and the Chair of the Board of Trustees the categories of complaints brought forth and makes any recommendations for change. This position is appointed by the President. Currently, the Director of Governmental, Regulatory, Legal Affairs is designated as the University Compliance Officer.

Director Governmental, Regulatory Legal Affairs
Lisa J. Johnson
1001 S. Cedar
Ottawa, Kansas 66067
(785) 248-2326
Lisa.johnson@ottawa.edu

**Reporting Improper Conduct**
The policies and procedures included in this document and relevant portions of the Faculty or Student Handbooks that are applicable are essential for establishing a caring, Christ-centered community of grace which integrates faith, learning, and life. Any questions related to policy should be referred to the University Human Resources Department.

Any person having reason to believe that a member of the Ottawa University Community is engaged in conduct contrary to any established University policy and/or procedure and is acting in a manner contrary to this Code’s expectations of honesty, trust, fairness, respect and responsibility should report such conduct. In most cases involving employees, the employee’s manager is the best person with whom to address an area of concern. However, if the individual is not comfortable speaking to his/her manager or is not satisfied with the manager’s response, the person may notify another member of University management, a local unit Officer, Human Resources, the University Compliance Officer, or if a source outside the University is preferred, the external confidential Compliance Hotline Service at 866-943-5787 which operates 24 hours/day, 7 days a week. (Emergency situations which are an urgent safety or security issue must be made directly to 911). Any employee who suspects a violation of the Code is required to report the conduct to the University’s Compliance Officer.

The University Compliance Officer will oversee the investigation of all reports and will make every effort to protect the identity of the person reporting the improper conduct to the extent possible. However, the University cannot guarantee confidentiality if identification of the person is necessary to institutional or law enforcement officials for the purposes of investigating the incident, or in order to complete a prompt and thorough investigation. The University Compliance Officer will not share the identity of the person reporting improper conduct or the results of his/her investigation with anyone whose responsibilities are not relevant to the case or who otherwise has no need for such information. In accordance with the nature of the complaint and the findings of the investigation, the University will take appropriate corrective action. Infractions of any policy or procedure set forth in this Handbook or other applicable policies and procedures such as those set forth in the Student and Faculty handbooks, can result in corrective action, at the sole discretion of Ottawa University, up to and including unpaid suspension or termination of employment. In addition, any omission or misrepresentation during the course of an individual's employment (including but not limited to the application process, information regarding time worked, information associated with paid or unpaid time off, etc.) may result in corrective action, up to and including termination of employment.

**Compliance Hotline**
The Compliance Hotline is an externally-managed call center, independent of the University, staffed by intake specialist professionals. The Intake Specialist takes notes of the conversation, summarizes the call, and forwards it to the University Compliance Officer for investigation. Calls are not recorded. An individual, who reports a suspected violation of University policy and/or procedure or this Code, may make the report anonymously if preferred. However, the caller’s identification may assist with the investigation. The goal of the hotline, for non-emergency situations, is to have an initial response back from the University in 5 business days so that the caller may call the
hotline back for an update to the original call. The caller is able to do this anonymously using the case number assigned when he/she first called the hotline. At that time the caller may be asked to provide additional information or to call back at a later date for an update.

RETAILATION
The University wants employees and other members of the University community to raise serious concerns within the University (or its external Hotline) when necessary. Accordingly, Ottawa University prohibits retaliation in any manner against anyone who, acting in good faith, has reported a suspected violation of the Code or another suspected violation of University policy or procedure. A person who believes s/he has been retaliated against may file a written complaint with the University Compliance Officer or contact the confidential Compliance Hotline service at 866-943-5787. A prompt investigation will be conducted and, if improper conduct occurred, appropriate corrective action will be taken, including the possible termination of employment, contractual relationship or other relationship of the offending party with the University, as it deems appropriate under the circumstances. Such accusations are taken seriously and can be damaging to the career of a colleague. Therefore, any individual found to have made a knowingly false complaint under the guise of this policy shall be subject to corrective action, up to and including termination of employment, contractual relationship, or other relationship of the offending party with the University, as the University deems appropriate under the circumstances.

THE JEANNE CLERY DISCLOSURE OF CRIME STATISTICS
Crime Reporting
Criminal actions may be reported to the Office of Student Affairs, campus security personnel at (785) 214-0070 or Residence life staff at the on-call phone (785) 248-6428. Following a call to any one of these resources, a response will occur. If required or requested, the Ottawa Police department will be contacted.

When a criminal offense, a violation of University policies, or emergency occurs on campus, it may be reported a number of ways. Incidents may be reported to the Dean of Student Affairs, campus security, residence life professional and paraprofessional staff member, or to any College Official who will take proper action to notify the appropriate campus office. For privacy reasons, students may elect to notify the Counselor, the Campus Nurse, or the University Chaplain.

In accordance with the Clery Act, victims and witnesses are encouraged to report the following incidents to a designated campus security authority.
- Murder and non-negligent manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Robbery
- Aggravated assault/Simple Assault
- Burglary
- Motor Vehicle Theft
- Arson
- All hate crimes involving bodily injury
- All liquor, drug or weapons law violations

The definition of “Campus Security Authority” according to the federal law is as follows:

“An Official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.”

For example, a dean of students who oversees student housing, a student center, or student extra-curricular activities, has significant responsibility for student and campus activities. Similarly, a director of athletics, team coach, and faculty advisor to a student group also has significant responsibility for student and campus activities. A single teaching faculty member is unlikely to have significant responsibility for student and campus activities, except when serving as an advisor to a student group. A nurse in the campus health center or a counselor in a counseling center whose only responsibility is to provide care to students are unlikely to have significant responsibility for student and campus activities. “Campus security authorities” include the following:
- Faculty advisors to student organizations
- Athletic team coaches
- Campus safety personnel
- Vice President of Finance and Operations/CFO
- Provost
- Academic Dean(s)/Dean of Instruction
- Dean of Student Affairs
- Assistant Dean of Student Affairs
- Campus Activities Coordinator
• Residence Life professional and paraprofessional staff members

Members of the campus community (students, faculty and staff) may choose to report crimes on a voluntary, confidential basis to any designated campus security authority. Statistics from confidential reports are included in the annual crime statistics. Students, faculty and staff may choose to inform only the Counselor, the Campus Nurse, or the University Chaplain of a crime committed against them. Such reports remain confidential and are not reported in the crime statistics unless the crime is also reported to a designated campus security authority. It should be noted that the Clery Act identifies pastoral and professional counselors as exempt from reporting. A pastoral counselor is defined by Clery as “A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.” A professional counselor is defined as “A person whose official responsibility include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.” To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors.

To report a crime:
Contact Campus Security at 785-214-0070 or extension 11075 (non-emergency), Office of Student Affairs 785-248-2313, dial 911 (for emergencies), or by using the Resident Director (RD) on-call 785-248-6428. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the residence halls should be reported to Campus Security or residence life professional staff. In addition, you may report crimes to the following areas:

Office of the Provost
University Provost 785-248-8601
OR ext 18601
Dean of Instruction 785-248-2540
OR ext 12540

Office of Student Affairs
Dean of Student Affairs 785-248-2310
OR ext 12310
Asst. Dean of Student Affairs 785-248-2311
OR ext 12311
Residence Life staff 785-248-2314
OR ext 12314
RD on-call 785-248-6428
OR ext 16428
Counselor 785-248-2317
OR ext 12317

Facilities and Security
Dir. of Security and College Facilities 785-248-2401
OR ext 12401
Campus Security 785-214-0070
OR ext 11075

Crime Categories
The crime definitions are listed in order of seriousness. When counting multiple offenses, the “hierarchy” rule requires that you count only the most serious offense committed during a single incident. The exclusion to this is arson. Arson is always counted as an offense regardless of the nature of any other offenses that were committed during the same incident.

The Clery Act does not differentiate between attempted and completed crimes. For example, an incident involving an attempted forcible rape is counted as a forcible sex offense. The only exception to this rule applies to attempts or assaults to murder wherein the victim does not die. These incidents should be classified as aggravated assaults rather than murders.

MURDER/NON-NEGLIGENCE MANSLAUGHTER
The willful (non-negligent) killing of one human being by another. NOTE: deaths caused by negligence, attempts to kill, assault to kill, suicides, accidental deaths, and justifiable homicides are EXCLUDED.

Negligent Manslaughter
The killing of another person through gross negligence.

Robbery
The taking or attempting to take anything from value of the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault
An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is accompanied by the use of a weapon.
or by means likely to produce death or great bodily harm. It
is not necessary the injury result from an aggravated assault
when a gun, knife or other weapon is used which could or
probably would result in a serious potential injury if the
crime were successfully completed.

Burglary
The unlawful entry of a structure to commit a felony or
a theft. For reporting purposes this definition includes:
unlawful entry with intent to commit a larceny or a felony;
breaking and entering with intent to commit larceny;
house breaking; safecracking; and all attempt to commit
any of the aforementioned.

Motor Vehicle Theft
The theft or attempted theft of a motor vehicle. (Classify as
motor vehicle theft all cases where automobiles are taken
by persons not having lawful access, even though the
vehicles are later abandoned including joy riding).

Weapon Law Violations
The violations of laws or ordinances dealing with weapon
offenses, regulatory in nature, such as: manufacture, sale, or
possession of a deadly weapon; carrying deadly weapons,
concealed or openly; furnishing deadly weapons to minors;
aliens possessing deadly weapons; all attempts to commit
any of the aforementioned.

Arson
The willful or malicious burning or attempt to burn, with
or without intent to defraud, a dwelling house, public
building, motor vehicle or aircraft, or personal property of
another kind.

Drug Abuse Violations
Violations of the state and local laws relating to the
unlawful possession, sale, use, growing, manufacturing,
and making of narcotic drugs. The relevant substances
include: opium or cocaine and their derivatives (morphine,
h heroin, codeine); marijuana; synthetic narcotics
(Dem erol, methadone); and dangerous nonnarcotic drugs
(barbiturates, Benzedrine).

Liquor Law Violations
The violations or ordinance prohibiting: the manufacture,
sale, transporting, furnishing, possessing of intoxicating
liquor; maintain unlawful drinking places; bootlegging;
operating a still; furnishing liquor to minor or intemperate
person; using a vehicle for illegal transportation of liquor;
drinking on a train or public conveyance; all attempts
to commit any of the aforementioned. (Drunkenness
and driving under the influence are not included in this
definition.)

LOCATION DEFINITIONS
On Campus
(1) any building or property owned or controlled by
an institution within the same reasonable contiguous
g eographic area and used by the institution in direct
support of, or in a manner related to, the institution’s
education purposes, including residence halls; and (2)
any building or property that is within or reasonably
contiguous to paragraph (1) of this definition, that is
owned by the institution but controlled by another person,
is frequently used by students, and supports institutional
purposes (such as a food or other retail vendor).

Non-campus Building or Property
(1) any building or property owned or controlled by a
student organization that is officially recognized by the
institution; or (2) any building or property owned or
controlled by an institution that is used in direct support
of, or in relation to, the institution’s educational purposes,
is frequently used by students, and is not within the same
reasonably contiguous geographic area of the institution.

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

Crime Statistics and Rates
Universities receiving Title IV grants (Federal Financial
Aid) must, in accordance with the Campus Securities Act
of 1990 and the Higher Education Amendments of 1992
and 1998, provide information relating to crime statistics
and security measures to prospective and current students
and employees.
<table>
<thead>
<tr>
<th>CRIMINAL HOMICIDE</th>
<th>YEAR</th>
<th>ON-CAMPUS PROPERTY</th>
<th>ON-CAMPUS STUDENT HOUSING FACILITIES</th>
<th>PUBLIC PROPERTY</th>
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<td>Negligent Manslaughter</td>
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<td>Sex Offenses — Non-Forcible (Incest)</td>
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### 2013 Arrests

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<tr>
<th>Year</th>
<th>On-Campus Property</th>
<th>On-Campus Student Housing Facilities</th>
<th>Public Property</th>
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#### Weapons: Carrying, Possession, Etc.

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<th>On-Campus Property</th>
<th>On-Campus Student Housing Facilities</th>
<th>Public Property</th>
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#### Drug Abuse Violations

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<th>On-Campus Property</th>
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#### Liquor Law Violations

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### 2013 Disciplinary Actions

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#### Weapons: Carrying, Possession, Etc.

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<th>Year</th>
<th>On-Campus Property</th>
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#### Drug Abuse Violations

<table>
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<tr>
<th>Year</th>
<th>On-Campus Property</th>
<th>On-Campus Student Housing Facilities</th>
<th>Public Property</th>
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#### Liquor Law Violations

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Crime Statistics and Rates for Hate Crimes

The Clery Act requires institution to separately report all Hate Crimes statistics on any of the previously mentioned offenses or any other crime involving bodily injury reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias or the perpetrator perceived the person to be in one of the protected group categories. There are six types of bias categories: Race, Gender, Religion, Sexual Orientation, Ethnicity/National Origin, and Disability.

There were no reported hate crimes for the years 2011, 2012, 2013.

*The Higher Education Amendments of 1998 made some major changes to the Campus Security Act of 1990. Some of these changes include: adding manslaughter and arson to the list of crimes that colleges must report each year; requiring colleges to keep statistics on violent crimes directed at individuals because of race, gender, religion, ethnicity, sexual orientation, or disability; defining further areas that colleges are responsible for when reporting campus crime; allowing colleges to release public information on any student who has admitted or been found guilty of committing a violent crime or a non-violent sexual offense and any sanction imposed by the institution; and allowing colleges to inform the parents or legal guardians of students under 21 who have violated laws on the use or possession of alcohol or drugs.

The figures provided in this report are based on the reporting requirements of the Department of Education. The Clery Act sets forth how crimes perpetrated by students of the institution are tracked (both on and off campus) and reported to various constituencies including students and employees of the educational institution.

FIRE SAFETY REPORT

Fire Safety

Ottawa University believes that fire safety and education is an important component to our residence life program. Each year, new and returning students are educated by professional and paraprofessional staff members on evacuation procedures, location of fire extinguishers, and the importance of self-reporting any potential problems with smoke detectors as well as not tampering with these devices.

Fire Reporting

Any instances of fire should be immediately reported to 9-1-1. For non-emergent fires, please contact the Campus Security at (785) 214-0070 or the Office of Student Affairs.

APPLIANCE POLICY

Only cooking appliances with self-contained heating units may be used in student rooms. Such appliances include automatic-shut off coffee makers, hot pots, hot air popcorn poppers, microwave ovens (no more than 800 watts), etc. Appliances with an exposed element or that use oil are not permitted with the exception of a toaster. Only small appliances are allowed in residence halls. Full-size or apartment-sized refrigerators, freezers, or similar items are prohibited. Refrigerators should not exceed 5.0 cubic feet.

DECORATING AND ROOM PERSONALIZATION

Residents are encouraged to decorate their rooms to express their individuality and personalize their living space with plants, pictures, curtains, and the like. When decorating, remember that you are responsible for your room and all damages that may occur because of decorations. All decorations should reflect the University’s Christian heritage, should not contain offensive or degrading representations, and fall within safety regulations. Below are guidelines to follow when decorating your room. If in doubt, ask a residence hall staff member before you decorate.

Not Permitted:

- Painting and/or loft construction.
- Pornographic and alcohol posters.
- Alcohol beverage bottles, cans, and containers (either full or empty).
- Posters placed on the inside of doors.
- Elevating floors.
- Additional wiring for electrical equipment or lighting effects.
- Construction and decoration that obstructs a 90-degree swing of the room entrance door.
- Construction and decoration that obstructs the air circulation of the heating/cooling unit.
• Furniture obstructing full view of room from entrance door.
• Furniture from lounges or lobbies.
• Lights/lamps using halogen bulbs.
• Candles, incense or other incendiary items.
• Foam-backed carpet and rugs and adhesives on the floor.
• Subwoofers or electric amplifiers.

The University has the right to remove any items that are judged to be objectionable and/or a safety concern.

Extension Cords
Single multiple wall socket outlet adapters (commonly called octopus outlets) are prohibited. If additional outlets are needed in a room, residents are to use a power strip bar (14 gauge or less) with a circuit breaker. Additional wiring and extension cord use and/or tampering with or altering any electrical outlets, lighting fixtures or light switches is prohibited.

Fire Alarms and Fire Safety
Fire drills will be conducted in the residence halls at least once each semester. When the fire alarms sound in the residence halls, residents and their guests must immediately exit the building. All students are expected to cooperate and leave the building when a fire alarm sounds. Students remaining in the building or trying to enter the building while the alarm is sounding or before the “all clear” is given will be referred to a Conduct Administrator.

Tampering with, covering or otherwise impeding the normal functioning of existing fire safety equipment including sensors, detectors, extinguishers, or sprinklers is prohibited and will result in referral for a conduct violation and potential monetary fines. Moreover, persons causing false alarms, tampering with fire safety equipment, or interfering with lawful efforts of firefighters are subject to prosecution pursuant to KSA 21-4110.

Fire Hazards
No materials, liquid or otherwise, of an explosive or combustible nature shall be kept on the premises. Open flame devices, including open heating coils, space heaters, candles, and/or incense are also fire hazards and are prohibited. If you have a candle that you utilize with candle warmer, the wick must be removed and/or show no signs of being burnt.

Firearms, Fireworks and Weapons
In the interests of health and safety, fireworks, ammunition, combustible liquids, and explosives of any kind are prohibited in the halls. Possession of firearms or other weapons, including large knives, paintball guns, pellet guns, and/or martial arts weapons are also prohibited in the halls, in campus buildings, campus parking lots, or any other location owned and/or operated by Ottawa University.

Health and Safety Inspections
For Residents’ well-being and protection, the Department of Residence Life will be conducting Health and Safety Inspections, a walk-through of common areas and individual rooms to identify and address any health, safety, sanitation or maintenance issues that may be present, once a month. The University has the right to enter a resident’s room to thoroughly inspect the rooms, its furnishings and/or student’s personal possessions for sanitation purposes, to note or to perform repairs and/or maintenance, and lastly to document violations of University policies.
### Fire Safety Systems

<table>
<thead>
<tr>
<th>FACILITIES</th>
<th>FIRE ALARM MONITORING ON-SITE/LOCAL FIRE DEPT.</th>
<th>FULL SPRINKLER SYSTEM</th>
<th>SMOKE DETECTION</th>
<th>FIRE EXTINGUISHER DEVICES</th>
<th>EVACUATION PLANS/PLACARDS</th>
<th>NUMBER OF EVACUATION DRILLS EACH YR.</th>
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### 2013 Fire Statistics

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<th>FIRES</th>
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Not Pictured: Granger House – the President’s residence. Located just south of Martin Hall.