

Washburn University

Annual Security and Fire Report

2023



WASHBURN CAMPUS SECURITY REPORT

Preparation and Disclosure of Annual Security Report_____	4
University Police Authority & Jurisdiction_____	5
Off Campus Criminal Activity and other law enforcement_____	6
Reporting Crimes _____	7
Reporting Crimes to University Officials-Campus Security Authorities _____	7
Confidential Reporting _____	8
Campus Notifications_____	8
Timely Warnings_____	8
Emergency Notifications _____	9
Daily Crime Log _____	10
Emergency Response and Evacuation Procedures_____	11
Emergency Response _____	11
Evacuation Procedures _____	11
Missing Student Notification Policy and Procedure_____	13
Facilities _____	14
Access to Campus Facilities _____	14
Maintenance of Campus Facilities _____	15
Awareness and Crime Prevention Programs _____	15
Security Awareness Programs _____	15
Crime Prevention Programs_____	16
Alcohol and Substance Abuse_____	16
Alcohol and Substance Abuse Policy _____	16
Alcohol and Substance Abuse Information _____	17
Sexual Assault and Domestic Violence _____	23
Non-discrimination policy _____	23

WASHBURN CAMPUS SECURITY REPORT

Educational Programs and Campaigns _____	27
Reporting and preserving evidence of sexual assault _____	30
Reporting and preserving evidence of domestic violence, dating violence, and stalking _____	31
protective measures _____	32
Confidentiality _____	33
Confidential assistance _____	34
Written information _____	35
University disciplinary procedures _____	36
Sanctions _____	42
Sex offender registration _____	43
Weapons _____	44
Clery Act Crime Definitions _____	44
Crime Statistics _____	47
Crime Statistics- Washburn University Main Campus 2020-2022 _____	49
Washburn Tech. East _____	51
Other Crime Data _____	51
Hate Crimes _____	51
Annual Fire Safety Report _____	52
Fire Safety Systems _____	52
Description of Residence Halls Fire Suppression and Fire Alarm Systems _____	52
Emergency Evacuation Fire Safety _____	54
Fire Safety Policies _____	54
How to Get Help _____	55
Mass Message – Emergency Notification System _____	55

WASHBURN CAMPUS SECURITY REPORT

Training – Residential Living _____ 56

Preparation and Disclosure of Annual Security Report

The University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. It includes statistics for Washburn Institute of Technology (WIT), which includes Tech's School of Cosmetology, and Tech East; all policies in this Security report (not the Fire Report, which is only applicable to the main traditional University campus) are applicable to all Tech locations. The full text of this report can be located at [Washburn University](#). You will also be able to connect to the site via the Washburn University Home page at www.washburn.edu. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, Residential Living, and Office of Student Life. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Washburn University Police Department (WUPD), designated campus officials (including but not limited to directors, deans, department heads, designated Residential Living staff, judicial affairs, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. Counseling Services staff are not required to report crime statistics to University Police, so individuals can speak with counselors confidentially.

Each year, an e-mail notification is sent to all enrolled students, faculty and staff that provides the web site to access this report. Copies of the report may also be obtained at the University Police Department Headquarters located in Morgan Hall 135 or by calling (785) 670-1155. A partial version of this report is located in the Student Handbook/Planner and the Academic Catalog. A link to this report is located on the employment and financial aid web pages. Upon request, applicants for enrollment or employment will be given a copy of this report. Washburn University also provides this information to the United States Department of Education.

University Police Authority & Jurisdiction

Washburn University Police Department is responsible for all aspects of public safety for the University community, as authorized by K.S.A. 13-13a12. This includes police, emergency medical response, dignitary security, traffic control, parking, and safety of all students, faculty, staff, and visitors. Washburn University Police Officers are certified law enforcement officers with authority to investigate suspected criminal incidents and traffic infractions, make arrests, and present the result of those investigations to the Shawnee County District Attorney's Office and Topeka City Attorney's Office for prosecution in the respective courts. University parking tickets are handled by WU parking control policies <https://www.washburn.edu/student-life/health-safety/police/parking-regulations.html>.

Officers are certified by the Kansas Commission on Peace Officers Standards and Training (CPOST) and are trained by the Kansas Law Enforcement Training Center. The WUPD is authorized to employ 16 full-time certified police officers, 7 part-time certified police officers, 4 full-time communications specialists, 4 part-time communications specialists, and one administrative assistant. Together, they provide campus safety and security services 24 hours a day, 365 days a year. The WUPD also has campus maps and a campus-wide lost and found. See WUPRPM Policy, Regulations and Procedures, Y. Police. <http://www.washburn.edu/faculty-staff/human-resources/wuprpm/WUPRPM-Procedures-and-Regs/Y.%20PoliceRegulations.pdf>

Washburn University Police Officers are authorized to exercise their police powers as set out in K.S.A. 22-2401a. Their authority extends to property owned or controlled by Washburn University and streets immediately adjacent to the campus. They are responsible for all traffic enforcement on campus and may issue WU traffic citations or City of Topeka traffic citations. Officers from the Kansas Highway Patrol, Shawnee County Sheriff's Office, and the Topeka Police Department may also enforce traffic laws on campus.

WASHBURN CAMPUS SECURITY REPORT

OFF CAMPUS CRIMINAL ACTIVITY AND OTHER LAW ENFORCEMENT

The WUPD works closely with law enforcement officers from local, state, and federal law enforcement agencies, including the Kansas Bureau of Investigation, Kansas Highway Patrol, Shawnee County Sheriff's Office, Topeka Police Department, Shawnee County Emergency Management, Kansas Division of Alcoholic Beverage Control, and the Kansas State Fire Marshall's Office. The WUPD sends a letter to each agency requesting notification when they respond to a call for service on or adjacent to the campus.

They exchange crime information and train with other agencies throughout the year. The WUPD may, after appropriate notice from and coordination with local law enforcement agencies listed above, investigate and arrest persons for violation of a state law, county resolution or city ordinance that occurred within WUPD jurisdiction.

Specifically, WUPD has a Memorandum of Agreement with Topeka Police Department regarding shared actions on campus. Topeka Police Department Officers routinely patrol the WU Campus and take enforcement actions as required. The WUPD and TPD share joint jurisdiction on the campus and perform joint cooperative investigations. The WUPD requests crime statistics for non-campus property locations, and TPD provides WUPD with monthly crime statistics for areas surrounding campus and will notify the University of any emergency situation involving Washburn. The University's only off-campus housing is recognized student organizations (Greek housing) in this area surrounding campus. The WUPD and TPD share joint jurisdiction for these houses.

By mutual agreement with state and federal agencies, the WUPD maintains a national Law Enforcement Telecommunications Network. Through this system, WUPD can access the National Crime Information Center computer, as well as the Kansas Information System.

Reporting Crimes

Any criminal act, or suspected criminal activity should be reported immediately to WUPD by calling 785-670-1300. Emergencies should be reported by calling 911. Any suspicious activity or persons on campus in parking lots, inside buildings, or around residence halls should be reported to WUPD. If reported to other WU personnel, they will assist students in making reports to WUPD.

There are 13 emergency telephones located throughout campus. The telephones are mounted on stainless steel towers with the word “EMERGENCY” written on them; they have a blue light on top that flashes when the telephone is activated. These telephones are directly connected to the WUPD’s communication center, and can be used for any type of assistance needed. <https://www.washburn.edu/student-life/health-safety/police/help-phones.html>

The WUPD is located on campus in Morgan Hall, Room 135 (on the South side of Morgan Hall). The WUPD headquarters includes an emergency operations center, a state-of-the-art communications center with independent communications capabilities, as well as the capability to monitor and communicate by radio directly with all local and county law enforcement and fire department agencies in the area. The WUPD monitors all intrusion and fire alarms in buildings on campus and utilizes a network of over 250 CCTV cameras, both inside and outside buildings.

If off-campus, call 911 to reach the Topeka Police Department or Shawnee County Sheriff’s Office. Non-emergency off-campus reports should be made to TPD at 785-368-9551 or to the Shawnee County Sheriff’s Office at 785-368-2200.

REPORTING CRIMES TO UNIVERSITY OFFICIALS-CAMPUS SECURITY AUTHORITIES

On Washburn University’s campus, it is preferred that crimes be reported to WUPD. If, however, a crime victim does not wish to report to law enforcement, a report may be made to a Campus Security Authority. Each person listed as a Campus Security Authority should submit reportable offenses to WUPD as they occur throughout the year.

WASHBURN CAMPUS SECURITY REPORT

WASHBURN CAMPUS SECURITY AUTHORITIES

- All Washburn University Police Officers
- President's Cabinet
- Vice Presidents
- Dean of Mabee Library
- Director and Assistant Director of Center for Student Success
- Director of New Student Orientation
- Executive Director of Strategic Marketing and Communication
- Director of Admissions
- Associate Director of Admissions
- Admissions Counselors
- Student Employment Coordinator
- Associate Vice-President of Student Life
- Director of Career Services
- Director of Diversity and Inclusion
- Veteran's Coordinator
- Director and Assistant Directors of International Programs
- Director of Academic Advising
- Director of the Leadership Institute
- Director of Human Resources
- Director of Learning in the Community
- Campus Victim Advocate
- Residential Living staff
- Athletic Directors, Coaches, Trainers, Staff
- Director of Student Activities and Greek Life
- Assistant Director of Student Activities and Greek Life
- Advisors to recognized student groups (including fraternities and sororities)
- Student Health Employees
- Director of Counseling Services
- Director and Assistant Director of Student Recreation and Wellness Center
- Officials who oversee extracurricular student activities
- Insurance Director
- Dean and Associate Deans of the Law School
- Dean of Washburn Institute of Technology
- Associate Dean of Student Services at WIT
- Associate Dean of Instruction at WIT
- Academic Advisors/Career Navigators WIT

CONFIDENTIAL REPORTING

The WUPD encourages anyone who is the victim or witness to a crime to promptly report the incident to WUPD. Because police reports are subject to the Kansas Open Records Act, the WUPD cannot hold all reports in confidence. The University does not have procedures for voluntary, confidential reporting of crimes.

While confidentiality cannot be guaranteed, all reasonable steps will be taken to protect the privacy of all involved. Victims of crime may speak confidentially with University Counseling Services, including the Campus Advocate, Student Health Services or the Psychological Services Clinic. Counselors and health care workers in those offices are not Campus Security Authorities and are not required to report crimes to WUPD. They *may* report aggregated statistics to WUPD for inclusion in the annual report, but are not required to. There is no procedure for others to confidentially report crime statistics to WUPD.

All reports of crime to any WU employees, Campus Security Authorities, or WUPD will be investigated. Violations of law will be referred to WUPD and, when appropriate, to the EOD/Title IX Coordinator or the Associate Vice President for Student Life for Student Conduct Code violation review. All crimes must be reported to WUPD to keep an accurate record of incidents, to determine if there is a pattern regarding a particular location, method, or assailant, and to alert the campus community to potential danger.

Campus Notifications

TIMELY WARNINGS

If an incident becomes known to the Director of WUPD, or their designee, that may be either an immediate or continuing threat to the campus community, WUPD will issue a timely warning to aid in the prevention of similar incidents. (WUPD also refers to these timely warnings as “crime bulletins.”) A warning will be issued as soon as all pertinent information is available. Incidents that may warrant a timely warning are Clery reportable crimes: homicide, manslaughter, sex offenses (rape, fondling, incest and statutory rape), auto theft, burglary, robbery, aggravated assault, arson or hate crimes.

WASHBURN CAMPUS SECURITY REPORT

The University may not issue timely warnings for incidents reported to the confidential reporters described above.

Upon the reporting of an incident, WUPD will determine if an incident poses a serious or continuing threat on or near campus and issue a timely warning. Warnings may include information about the reported offense, the location, a suspect description, and other pertinent information. Warnings will not include a victim's name.

A timely warning will be issued through the WU email system to students, faculty, and staff. It will also be posted on WU's website and on WUPD's website.

<https://washburn.edu/student-life/health-safety/police/timely-warning.html> Copies of the warning may be posted in residence halls, sorority and fraternity houses. A warning may include information about the crime, the response of law enforcement, and any actions needed on campus for safety and to aid in the prevention of similar crimes. WUPD also issues notifications of past crimes in certain cases that do not pose an immediate or continuing threat as a courtesy to the campus if appropriate.

Anyone with information warranting a timely warning should contact WUPD. The WUPD is located on campus in Morgan Hall, Room 135 (on the south side of Morgan Hall) and is open 24/7/365.

EMERGENCY NOTIFICATIONS

The Director of WUPD, or other authorized personnel, will issue an emergency notification to the entire campus when there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, or visitors on the campus. This is different than a timely warning, as the notification could be about any significant emergency or dangerous situation, not just Clery crimes. Emergency notifications are also referred to as iAlert messages. The following are examples of significant emergencies or dangerous situations which could be deemed to pose an imminent threat: outbreak of meningitis, approaching tornado, gas leak, bomb threat, or armed intruder.

Sending an emergency notification is the responsibility of WUPD. The WUPD will assess the situation to determine if it is a significant emergency or dangerous situation, based upon the information received from the Communication Specialist and WUPD officer(s) on scene, involving other local law enforcement if needed, and also swiftly evaluate whether issuing a notification would compromise efforts to assist a victim or

otherwise properly respond to an emergency. Upon verification that a legitimate ongoing dangerous situation or emergency exists, the Director of the WUPD will notify appropriate Vice Presidents who will approve the launch of an iAlert message to all users or to an appropriate segment of the campus community (a particular residence hall, for example). The safety of all students and employees is always the highest priority. If authorized staff is unavailable or does not give approval in a reasonable amount of time, the WUPD staff has the authority to authorize an iAlert launch. All iAlert messages will include the following: an indication the message is an iAlert, time/date, brief description of emergency, where and when to receive further information. An iAlert message is sent via telephone call, text and email. Information may also be sent to local media outlets when appropriate.

The iAlert system will be tested at least annually during normal business hours and tests will be documented. An announcement will be sent prior to the test that indicates the date and time of the test.

Washburn University iAlert is a free service and individuals must keep their contact information current. Official Washburn email addresses are automatically enrolled in the iAlert system. Students and employees can all sign up and students can enroll their parents for iAlert. (www.washburn.edu/ialert) Additionally, digital monitors across campus can be used to disseminate emergency information to the campus community.

DAILY CRIME LOG

WUPD maintains a daily crime log at <https://www.washburn.edu/student-life/health-safety/police/required-reporting/index.html>. The crime log contains the date the crime was reported, date and time the crime occurred, the nature of the crime, general location, and disposition if known. The log is updated within two days of a report unless it would jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. A report may be excluded from the log altogether if the release of information would jeopardize the confidentiality of the victim or the disclosure is prohibited by law. There is more than one person trained to maintain this log, a Sergeant and two backups. A printed copy may be viewed at the WUPD office, Morgan 135. The Fire Log is also located in that office.

Emergency Response and Evacuation Procedures

EMERGENCY RESPONSE

Washburn University has developed an Emergency Operations Plan to provide a basic procedural outline for emergency response at Washburn University. This plan establishes the definition of an emergency, the overall chain of command, and the roles and responsibilities of University departments and individuals serving within those departments. This plan also outlines how the University will coordinate with civil crisis teams. The plan and appendices are found here: <https://www.washburn.edu/student-life/health-safety/safety-reports-and-information.html>. Copies can be requested from the Safety Planning & Emergency Management Office, Memorial Union, upper level; (785)670-1779. The University has retained a consultant to assist us in conducting a needs-assessment in this area to evaluate and recommend adjustments to our plan.

Each department on campus has emergency procedure flip charts which provide quick easy access for responding to various emergencies. Each building has an assigned building emergency coordinator(s) who are trained to lead their respective buildings in carrying out the Emergency Operations Plan and inform other employees of necessary information. The Safety Planning & Emergency Management Office also does specific training for certain individuals in handling hazardous materials two to three times per year.

For more information on the iAlert system and emergency notifications, such as how notifications are initiated, see that section.

EVACUATION PROCEDURES

At the sound of the emergency alarm, it is each individual's responsibility to evacuate immediately and proceed to predetermined assembly points, away from the affected building(s). Individuals are also responsible for ensuring that their visitors/customers follow the evacuation procedure described herein, and leave the building along with all other occupants. Maps with evacuation routes are posted in each building and are more information can be found online

WASHBURN CAMPUS SECURITY REPORT

<https://www.washburn.edu/student-life/health-safety/safety-reports-and-information.html>.

Faculty are responsible for dismissing their classes and directing students to leave the building by the nearest exit upon hearing the alarm or being notified of an emergency. Designated essential personnel needed to continue or shut down critical operations while an evacuation is underway are responsible for recognizing and/or determining when to abandon the operation and evacuate themselves.

In the case of a bioterrorism emergency, the Shawnee County Emergency Management office will issue alerts to the local media and Topeka community directing actions to be taken.

If the alert is to shelter-in-place, everyone should stay inside or find the closest building to shelter inside. Individuals should secure all windows and doors, turn on a computer or cell phone to check for campus alerts, and wait for an all-clear signal before exiting. A shelter-in-place directive is triggered primarily by current events on campus (criminal on campus; police request). Other shelter-in-place scenarios could be a tornado or chemical spill. Decisions to execute the shelter-in-place process can be made due to potential hostile acts and emergency circumstances that warrant limited exposure or movement. A shelter-in-place alert may be issued by the Emergency Executive (Vice President for Administration and Treasurer or designee), WUPD, or Residential Living director or designee.

More information about evacuation and shelter-in-place can be found here: <https://www.washburn.edu/student-life/health-safety/safety-reports-and-information.html>

Policies about risk management and safety are found here: <http://www.washburn.edu/faculty-staff/human-resources/wuprpm/WUPRPM-Procedures-and-Regs/X.%20RiskMgtRegs.pdf>. These policies address fire emergency procedures, hazardous waste management, emergency messaging, and others. The Safety Planning & Emergency Management Office will conduct a training drill for WUPD officers on certain emergency scenarios each November.

Each year, we test our severe weather and shelter-in-place evacuation procedures in our residence halls. If evacuation times are not met, we will test again to ensure occupants can make timely evacuations. These are usually unannounced and done in conjunction with fire drills. All such drills are documented, including a description of the

exercise, date and time, and whether it was announced. Information about these evacuation procedures is distributed to residents at the beginning of each academic year from Residential Living staff.

Missing Student Notification Policy and Procedure

If a member of the University community believes a student who resides in on-campus housing is missing, he or she should immediately notify WUPD. Students may notify the Director of Residential Living, who will immediately notify WUPD. The University Police will conduct an investigation of the missing student report, including notification to other law enforcement agencies if appropriate, and provide its findings to the Vice President for Student Life or designee.

When the student is determined to be missing for more than 24 hours, the Director of Police or designee shall assist the Vice President or designee in notification of the student's designated emergency contact or, if the student is under 18, the student's parents. (For unemancipated students under 18, the University must contact the student's parent or guardian in addition to notifying any additional emergency contact persons listed.) Students who reside in on-campus housing have the option to designate an individual as a confidential contact to be notified if the student is missing for more than 24 hours. A confidential contact will only be disclosed to law enforcement during a missing person investigation.

The Missing Student Policy and Procedure is found in Washburn University Policies, Regulations and Procedure Manual Section X.16.

(<http://www.washburn.edu/faculty-staff/human-resources/wuprpm/policies/table-of-contents.html>) and a summary is posted in the Residential Living Handbook:

<https://washburn.edu/student-life/housing-dining/files/resliving-handbook.pdf#Handbook>

Facilities

ACCESS TO CAMPUS FACILITIES

Washburn University (excluding certain housing facilities) is open to students, parents, employees, contractors, guests, and invitees during normal business hours (8 a.m. to 5 p.m., Monday through Friday for most buildings; some have other hours). During non-business hours, access to all Washburn facilities is limited to those issued keys or key card access, or admitted by the WUPD or Residential Living staff. During periods of extended closings (like holiday break), only those persons with prior approval will be admitted.

Residence halls are secured 24 hours a day. Entry to the Living Learning Center and Lincoln Hall is monitored by CCTV. Over extended breaks, all residence hall doors will be accessible only by card access or override keys. Some other facilities may have individual hours, which may vary at different times of the year. Examples are the Memorial Union or Mabee Library. In these cases, the facilities will be secured according to schedules developed by the department responsible for the building.

Some Washburn facilities and classrooms may be used for meetings or other events. This is arranged through the University Scheduling Office. <https://washburn.edu/student-life/memorial-union/event-spaces.html> The policies and procedures are found in the Washburn University Policies, Regulations, and Procedures Manual under A.A. Facilities Use. <https://washburn.edu/faculty-staff/human-resources/wuprpm/index.html> Persons using Washburn facilities may be required to contact WUPD for security needs.

The Residential Living Handbook contains policies on security, crime reporting, key access, and key replacement for residence halls <https://www.washburn.edu/student-life/residential-living/files/resliving-handbook.pdf>

Emergencies may necessitate changes or alterations to any posted schedules. Individuals may contact the WUPD at (785)670-1300 for schedules for all buildings. (<https://www.washburn.edu/student-life/health-safety/police/hours.html>)

MAINTENANCE OF CAMPUS FACILITIES

The Washburn University Facilities Department provides custodial services and maintains the buildings, grounds, and utility systems. They routinely inspect building door locking mechanisms, windows, and fire alarm systems, and make repairs as quickly as possible. Individuals are encouraged to report maintenance problems, including lighting and elevator concerns, to WUPD. All buildings on campus are checked as often as possible by WUPD, 24 hours a day, seven days a week.

The WUPD is consulted when new buildings or renovations are planned to ensure proper safety measures are in place. Additional security cameras were added last year, current cameras are continuously checked to ensure they are working properly, and the campus is evaluated to determine new camera locations as allowed by budget.

Awareness and Crime Prevention Programs

SECURITY AWARENESS PROGRAMS

University departments, such as Human Resources, the Vice President of Academic Affairs, or Admissions, may conduct orientation sessions for employees and students. During orientation sessions, safety information is provided to Residential Assistants and interested campus groups. Topics include sexual assault/rape prevention and reporting, vehicle security, room security, crime reporting, domestic violence, and personal security on and off campus.

Residential Living and Student Involvement and Development office provide presentations and educational materials throughout the University community on topics like personal/room security, alcohol and drug abuse, sexual violence, domestic violence, dating violence and stalking. The Student Health Services and the Counseling Services also offer information on personal safety.

Information for students can be found in the Residential Living Handbook, the Student Handbook, and online at <http://www.washburn.edu/campus-life/student-activities/policies-forms/index.html>. Information for employees can be found in the Washburn University Policies, Regulations, and Procedures Manual, Section X.

(<http://www.washburn.edu/faculty-staff/human-resources/wuprpm/policies/table-of-contents.html>)

CRIME PREVENTION PROGRAMS

The WUPD facilitates programs for students, parents, and employees on a variety of educational strategies and tips on protection from sexual assault, theft and other crimes as requested. The WUPD offers crime prevention programs, including a presentation on alcohol and campus safety, specifically to all freshman students through the WU 101 course.

Crime prevention programs on personal safety and theft prevention are also sponsored by various campus organizations throughout the academic year. Committees on education and training related to crime prevention and awareness meet monthly to coordinate efforts and implement programming and campaigns. Safety tips are also found in the Student Handbook.

Alcohol and Substance Abuse

ALCOHOL AND SUBSTANCE ABUSE POLICY

Washburn University prohibits the unlawful possession, use/consumption or distribution of illicit drugs or alcohol by students, employees, or visitors on University property or as part of any of its activities, and follows Kansas statues regarding underage alcohol. Violations of this policy, applicable city ordinances, state, or federal law will result in disciplinary action as well as criminal prosecution. The Washburn University Policies, Regulations, and Procedures Manual Sections A.6. and A.8. contain these prohibitions and establish appropriate sanctions for violation of University policy by employees. The Student Handbook sets forth prohibitions in the Student Conduct Code, Sections 4.A.29 - 31, and the disciplinary procedure and sanctions in Section 7.

The sale, distribution, and/or possession of alcoholic beverages is prohibited on campus except as approved by the Washburn University Board of Regents. *(On occasion, state law does permit the University to designate "non-classroom instruction" areas where*

alcoholic liquor may be consumed.) The policy for selling, serving, and consumption of alcoholic liquor and cereal malt beverages on University property is set forth in Washburn University Policies, Regulations, and Procedures Manual, Section A. 8. It shall be arranged through University dining services for events.

Information on Washburn's efforts to prevent the illicit use of drugs and the abuse of alcohol by students and employees on University property or as part of any University activities is found at this link: <https://www.washburn.edu/admissions/paying-for-college/financial-aid/Files/Non%20AY%20Specific%20Files/Drug-Free-Workplace-and-Campus.pdf>

ALCOHOL AND SUBSTANCE ABUSE INFORMATION

The Office of Student Life provides information about alcohol and substance abuse on campus. It can be found online, as well as in the Student Handbook. Various programs are held during student orientation, welcome week and throughout the year educating students on the risks of alcohol and substance abuse.

STANDARDS OF CONDUCT

Washburn University supports and endorses the Federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act amendments of 1989 ("Acts"). Pursuant to these Acts, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or abuse of alcohol (as defined in these Acts) by an employee or student on University property or as part of any University activity is prohibited. Any employee or student of the University found to be abusing alcohol or using, possessing, manufacturing, or distributing controlled substances in violation of the law on University property or at University sponsored events shall be subject to disciplinary action in accordance with applicable policies of the University. The illegal manufacture, distribution, dispensing, possession or use of controlled substances may also result in criminal prosecution.

As a condition of employment, all employees shall abide by the terms and conditions of the Acts. As such an employee must notify the employee's area head of any criminal drug statute conviction for a violation occurring in the workplace, and no later than five (5) calendar days for employees in an area participating in a federal grant activity, Such notice shall be provided, in writing, by the employee to the area head. The University will

in turn, notify as appropriate, the applicable federal agency of the conviction within ten (10) days of its receipt of notification of the conviction. For such conviction, the University will take appropriate personnel action, up to and including termination. Employees may also be required to satisfactorily participate, at their expense, in a drug abuse assistance or rehabilitation program as approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency before being allowed to return to work. For purposes of this policy, a conviction means a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any court having jurisdiction over violations of federal or state criminal drug statutes. Refer to Washburn University Policies, Procedures, and Regulations Manual (WUPRPM), Section A. General Topics, 6. Drug Free Work Place for more information.

DRUG TESTING

Drug testing may be a requirement of specific academic programs or safety sensitive positions as a condition of placement in internships/assistantships, employment or where required by law or agreement.

LEGAL SANCTIONS

Employees and students are reminded that unlawful possession, distribution or use of illicit drugs or alcohol may subject individuals to criminal prosecution. The University will refer violations or proscribed conduct to appropriate authorities for prosecution. Federal regulations and state laws provide penalties of fines and imprisonment for violations of the criminal statutes which include possessing, offering for sale, possessing with the intent to offer for sale, distributing or manufacturing controlled substances such as opiates, narcotics, depressants, stimulants or hallucinogenic drugs.

In the State of Kansas, the legal drinking age is 21. Consumption of alcohol by a minor is punishable by a fine. Furnishing alcohol to a minor is also punishable by a fine. Violation of Kansas drinking law can result in increased fines and incarceration. A conviction for driving under the influence of drugs or alcohol can also result in fines in excess of \$500, community service, mandatory treatment programs, license revocation, and/or incarceration.

In the State of Kansas, it is also illegal to be involved with controlled substances,

including prescription drugs obtained or used contrary to the prescription. Violation of the Kansas drug laws also may result in incarceration and substantial fines.

Federal law contains other laws regulating drugs and controlled substances. Under federal law, illegal possession of a controlled substance can result in a fine of at least \$1,000 and up to one-year imprisonment for a first offense. Penalties increase when an offender has been convicted of prior drug-related offenses. Illegal possession of a controlled substance can also result in the forfeiture of property, civil fines, and the loss of federal benefits. Trafficking controlled substances can also lead to substantial fines and lengthy prison sentences, including life in prison. Conviction for violation of federal drug laws may also result in loss of federal aid for financing education.

The City of Topeka regulates alcoholic beverages including places of public consumption. Conviction for violation of the Topeka Ordinances can result in fines and incarceration.

Additionally, most municipalities have ordinances criminalizing possession of marijuana, and in the case of Topeka, mandatory jail time is imposed even for first time convictions under its ordinance.

More details on federal, state, and local drug and alcohol law can be obtained in consultation with the Vice President for Student Life or the Director of Human Resources.

HEALTH RISKS

Abuse of alcohol and use of drugs is harmful to one's physical, mental and social well-being. Accidents and injuries are more likely to occur if alcohol and drugs are used. Alcohol and drug users can lose resistance to disease and destroy their health. Tolerance and psychological dependence can develop after sustained use of drugs.

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships and families. It can have significant legal consequences. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

More specifically, the major categories of drugs are listed below and include the

WASHBURN CAMPUS SECURITY REPORT

significant health risks of each.

AMPHETAMINES - Physical dependency, heart problems, infections, malnutrition and death may result from continued high doses of amphetamines.

NARCOTICS - Chronic use of narcotics can cause lung damage, convulsions, respiratory paralysis and death.

DEPRESSANTS - These drugs, such as tranquilizers and alcohol, can produce slowed reactions, slowed heart rate, damage to liver and heart, respiratory arrest, convulsions and accidental overdoses.

HALLUCINOGENS - may cause psychosis, convulsions, coma and psychological dependency.

COUNSELING, TREATMENT OR REHABILITATION PROGRAMS

University resources are available to assist employees and students seeking alcohol and drug counseling and treatment. University resources include the University-sponsored counseling services located in Kuehne Hall (785-670-3100). Benefit eligible employees and dependents are eligible to utilize the Employee Assistance Program (EAP) available through New Directions Behavioral Health by calling 1-800-624-5544 or online at www.ndbh.com.

In addition to these resources, many area hospitals and community agencies, with or without a fee, are available to provide drug and alcohol counseling services including:

Topeka:

Mirror (Assessment and Outpatient):

2201 SE 25th St.

Topeka, KS 66605

785-267-0561

www.mirrorinc.org

New Dawn Wellness and Recovery (Assessment and Outpatient):

4015 SW 21st St.

WASHBURN CAMPUS SECURITY REPORT

Topeka, KS 66604

785-266-0202

www.newdawnrecovery.org

Shawnee Regional Prevention and Recovery Services (Assessment)

2209 SW 29th St.

Topeka, KS 66611

785-266-8666

<https://parstopeka.org/en/>

Sims-Kemper Clinical Counseling and Recovery Services (Assessment and Outpatient):

1701 SW Medford Ave.

Topeka, KS 66604

785-233-0666

www.sims-kemper.com

Valeo Behavioral Health (Assessment and Outpatient):

330 SW Oakley St.

Topeka, KS 66606

785-233-1730

www.valeotopeka.org

Lawrence:

DCCCA (Assessment and Outpatient):

1739 E 23rd St.

Lawrence, KS 66046

785-830-8238

www.dccca.org

Mirror (Assessment and Outpatient):

3205 Clinton Pkwy Ct.

Lawrence, KS 66047

785-843-5483

www.mirrorinc.org

Inpatient Treatment:

WASHBURN CAMPUS SECURITY REPORT

Valley Hope (Inpatient Treatment):

<https://valleyhope.org/>

Nearest Locations:

Atchison

1816 N. 2nd St.

Atchison, KS 66002

913-367-1618

Overland Park

10114 W 105th St.

Overland Park, KS 66212

913-432-4037

Additional information for employees and students may be available through the University's counseling services.

SANCTIONS

For employees, the University will take appropriate action for infractions as set forth in the Washburn University Policies, Procedures, and Regulations (WUPRPM) up to and including termination. In addition, any employee who violates the Standards of Conduct as set forth in this Statement of Prevention of Alcohol Abuse and Drug Use may be subject to referral for prosecution.

A student who violates any provision of this Statement of Prevention of Alcohol Abuse and Drug Use or of the Alcohol and Other Drug Policy found in the Student Conduct Code are subject to sanctions. A violation will be governed by the University's Non-Academic Conduct Disciplinary Procedures and, if a violation is found, appropriate sanctions will be implemented, up to and including dismissal and/or a referral to appropriate law enforcement authorities.

DEFINITIONS

The term "controlled substance" as used in this policy means substances included in Schedules I through V as defined by Section 813 of Title 21 of the United States Code and as further defined by the code of Federal Regulations, 21 C.F.R. 1300.11 through 1300.15.

The term does not include the use of a controlled substance pursuant to a valid prescription of other uses authorized by law.

The term “alcohol” as used in this policy means any product of distillation or a fermented liquid which is intended for human consumption and which is defined in Chapter 41 of the Kansas statutes.

Sexual Assault and Domestic Violence

NON-DISCRIMINATION POLICY

Washburn University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. Relationship violence may be a form of sexual harassment prohibited by the Non-discrimination policy and Title IX regulations (and the Clery Act). “Relationship Violence” refers collectively to domestic violence, dating violence, and stalking in Washburn’s Non-discrimination policy and procedure. Sexual harassment of students, which includes acts of sexual violence (e.g. rape, sexual assault, sexual battery and sexual coercion) and acts of relationship violence, is a form of sex discrimination prohibited by Title IX.

Students, faculty, staff and all visitors to the University are responsible for maintaining a harassment-free campus. Any faculty member, department head, area head, or anyone in a supervisor role who becomes aware of sexual harassment on campus or during University-sponsored activities must take steps to prevent its recurrence and must report the matter to the EOD/Title IX Coordinator. Anyone deemed a “Responsible Employee,” as defined in the policy, who becomes aware of an incident of sexual violence should report the matter to the EOD/Title IX Coordinator. Any employee who becomes aware of any type of harassment should report the matter to the employee’s supervisor and/or the EOD/Title IX Coordinator.

The EOD/Title IX Coordinator is responsible for investigating alleged violations of the Non-discrimination policy, which includes Title IX. Action will be taken to end the harassment, eliminate any hostile environment, prevent its recurrence, and remedy its effects. Retaliation against someone who files a complaint of sexual harassment

(including sexual violence, domestic violence, dating violence, and stalking) or participates in an investigation is strictly prohibited.

A Conduct Code Officer, as defined in the Non-discrimination policy and Title IX procedure, is responsible for investigating the complaints of Relationship Violence that are not forms of sexual harassment and thus not subject to our Title IX procedure. The Conduct Code Officer will work with the WUPD when potential crimes are involved.

The Non-discrimination Policy and Procedures and Title IX Procedures are found at this site: <https://washburn.edu/faculty-staff/human-resources/wuprpm/policies/A.%20General%20Topics%20Policy%20.pdf>

DEFINITIONS

Consent. Consent is the communication of an affirmative, conscious and freely-made decision by each party to engage in agreed upon forms of sexual contact. Consent is not to be inferred from silence, passivity, or a lack of resistance. There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation of this policy.

- Consent is not to be inferred from an existing or previous dating or sexual relationship.
- Consent to one form of sexual contact does not constitute consent to any other form of sexual contact.
- Consent with one person does not constitute consent to sexual contact with any other person.
- Consent on one occasion is not consent to engage in sexual contact on another occasion.
- Consent cannot be obtained by coercion or force.
- Consent cannot be obtained in any situation involving sexual contact with an individual who is incapacitated and the person engaging in that sexual contact, knew, or should have reasonably known, that the individual was incapacitated.

Consent may be withdrawn at any time. Once consent is withdrawn, the sexual contact must cease immediately. This definition is used for these policy purposes.

Kansas statutes define circumstances when consent cannot occur: when the victim is overcome by force or fear; when the victim is unconscious or physically powerless; when the victim is incapable of giving consent because of mental deficiency or disease or because of the effect of any alcoholic liquor, narcotic, drug

or other substance, which was known or reasonably apparent to the offender; if the victim is under 14 years of age; when the victims' consent was obtained through a knowing misrepresentation by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or when the victim's consent was obtained through a knowing misrepresentation by the offender that sexual intercourse was a legally required procedure within the scope of the offender's authority. K.S.A. Section 21-5503.

Dating Violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the nature of the relationship, the frequency of interaction between the persons involved in the relationship, and time since termination of the relationship, if applicable.

Dating violence includes, but is not limited to, sexual, physical or emotional abuse or the threat of such abuse. It can be a single act or pattern of behavior in relationships. It does not include acts covered under the definition of domestic violence. This definition is used for these policy purposes and is also considered a crime for Clery reporting purposes. Kansas statutes include dating violence as a type of domestic violence. K.S.A. 21-5111(i)(1).

Domestic Violence. Felony or misdemeanor crimes of violence committed by a current or former family or household member.

Family or household member means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or who have lived together at any time. Family or household member also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

Crimes of violence include the use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed toward the family or household member. It can be a single act or pattern of behavior in a relationship.

WASHBURN CAMPUS SECURITY REPORT

This definition of domestic violence is used for policy purposes and is a crime for Clery reporting purposes. For purposes of criminal prosecution in our local jurisdiction, the crime would be reported as domestic battery. Kansas statutes define “domestic violence” more broadly to include threats of violence as well as acts of violence, between family or household members and in a dating relationship, as well as crimes against person or property. K.S.A. 21-5111(i).

Kansas statutes define the crime of domestic battery as 1) knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or 2) knowingly causing physical contact of a person with whom the offender is involved or has been involved in a dating relationship or with a family or household member when done in a rude, insulting or angry manner. See K.S.A. 21-5414.

Sexual Violence. Physical sexual acts perpetrated against an individual's will or where the individual is incapable of giving consent due to the victim's use of drugs or alcohol or an intellectual or other disability. Examples include, but are not limited to, rape, sexual assault, sexual battery and sexual coercion. Acts of sexual violence are a form of sexual harassment prohibited by our policy.

For Clery reporting purposes, **Sexual Assault** is defined as an offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape (these definitions found on pages 48 below). In Kansas, there is no definition for “sexual assault”. Kansas Statutes do define and prohibit the crimes of Rape K.S.A. 21-5503; Criminal Sodomy, Aggravated Criminal Sodomy K.S.A. 21-5504; Sexual Battery, Aggravated Sexual Battery K.S.A. 21-5505; Indecent liberties with a child, Aggravated indecent liberties with a child 21-5506.

Stalking. A course of conduct directed at a specific person that would cause a reasonable person to either 1) fear for his/her safety or the safety of others or 2) to suffer substantial emotional distress.

This definition is used for these policy purposes and is also considered a crime for Clery reporting purposes. Kansas statutes defines the crime of stalking more broadly, so certain behavior may be a crime, but not specifically a violation of this policy, and will be investigated as such by law enforcement. See K.S.A. 21-5427

WASHBURN CAMPUS SECURITY REPORT

BYSTANDER INTERVENTION OPTIONS

Ways to intervene to try to prevent non-consensual behavior:

ALWAYS DO WHAT IS SAFE! CALL 911 or (785)670-1300 (WUPD). It's always an option!

- Ask others, "Are you okay?" or "Can I talk to you?"
- Get your friends together and have them help. Or get your friends together and leave!
- Use distraction like, "this is lame, let's go somewhere else"
- Use humor to reduce tension
- Don't engage in sexist jokes, disrespectful behavior, homophobic comments, or hate speech

RISK REDUCTION

Suggestions to help make you less vulnerable and reduce the opportunity for an assailant to assault you:

- Know your environment!
 - Where are emergency phones (blue lights), where to find help, stay in lighted areas
- Reduce the time you spend alone
 - Lock doors, go out in groups, walk with a friend
- Be clear and assertive when communicating
 - Say "No" to a sexual aggressor, share your boundaries, don't assume consent
- Make responsible choices with your alcohol intake/drug use
 - Watch your drinks, understand your limits, don't take advantage of others' drunkenness

EDUCATIONAL PROGRAMS AND CAMPAIGNS

PRIMARY PREVENTION PROGRAMS

Washburn University offers primary prevention programs that promote positive and healthy behavior and encourage bystander intervention and reporting of sexual assault complaints. Sexual assault education, literature, and other information programs through various departments, such as the Equal Opportunity Office, Office of Student Life, Campus Housing, Human Resources, and WUPD. The education programs and online training describe how the University prohibits harassment, discrimination, retaliation, and the crimes of sexual assault, domestic violence, and dating violence. It includes

definitions, information on risk reduction, and bystander tips, as well as explains University disciplinary procedures and resources, rights, and options.

The EOD/Title IX Coordinator annually offers in-person educational programs on harassment and discrimination, including sexual violence, to resident advisors, athletic teams, new faculty, deans and department heads, student organizations, and other groups or individuals upon request. Open forums for the entire University community are offered, as well as trainings specific for supervisors. Online training is required for all new employees and every three years for continuing employees.

During new student orientation, parents and new students are given safety tips, police information, and bystander options. During new employee orientation, Human Resources provides education on prohibited action, definitions, the Non-discrimination Policy and Procedures, and risk reduction and bystander tips. An online training which covers all required information, is assigned to each incoming student, including new undergrads, transfers, graduate students, and law students, before the start of the academic year with incentives for completion such as extra credit in certain courses, credit as an assignment in WU 101, and drawings for gifts. Any WU student or employee has the option to complete this online training as well.

In WU 101, a course required for all incoming freshman, WUPD teach a module on safety that includes information about alcohol abuse, effects, and relation to violence; safety tips; and risk reduction. A WU 101 module on consent and healthy relationships is taught via collaboration with our psychology department graduate program. There is also a module in WU 101 on bystander intervention called Bodstander training. Both these modules are presented within the first few weeks of classes, ie. "The Red Zone". During the pandemic in 2020 and for remote or virtual classes, Bodstander and other skill shop trainings on safety and healthy relationships are offered via recorded 10-minute trainings for students to watch. Additionally, during Weeks of Welcome, Counseling Services along with the YWCA Center for Safety and Empowerment had tables a multiples events where information on resources, consent, and sexual violence prevention was provided.

ONGOING AWARENESS AND PREVENTION

Various ongoing prevention and awareness campaigns occur each year to increase understanding of topics relevant to and skills for addressing relationship violence and share information and resources to prevent violence, promote safety, and reduce perpetration. The Healthy Relationships series offered by graduate psychology students,

WASHBURN CAMPUS SECURITY REPORT

which is an interactive healthy relationship presentation series on self-esteem, communication, consent, values, and relationships, is presented to campus as requested by student organizations and offered during October as part of Domestic Violence Awareness Month activities. Speakers or panel presentations are available each academic year on topics like dating, sex education, happiness, self-esteem, sexual assault, and healthy relationships. The University's Chief of Police speaks to classes and explains the police role in investigation of such crimes.

During domestic violence and sexual assault awareness months, student groups offer information at tables in the Memorial Union, through speakers, poetry readings, and other events like demonstrations, marches, and candlelight vigils to increase knowledge of sexual and domestic violence. Events are also held in conjunction with community organizations like the YWCA Center for Safety and Empowerment for unique opportunities for campus and community engagement. During those months and throughout the year, the WUPD also has tables in the Memorial Union with safety information, offers self-defense and bystander trainings upon request, and has an "alcohol goggles" presentation at Welcome Week.

Throughout the year, the Union hosts conversations where students can discuss specific topics chosen in advance. Past coffee talks have focused on gender identity, sexuality, sexual assault prevention, domestic violence prevention. The Union also hosts art and information displays, as well as the "Clothesline Project," where decorated t-shirts involved the theme of supporting victims and sharing personal experiences through art. Other speakers at Brown Bag Lunches, Washburn School of Law panels, or in classrooms address on the relevant laws (Title IX and Campus SaVE); interaction of criminal, civil, and administrative proceedings; or academic research in related topics.

In October 2015, Washburn University was awarded a grant from the Office of Violence Against Women for Sexual Assault Prevention and Education. Through this grant, a number of initiatives and programs have been put into place. As noted above, the online sexual violence prevention training is for incoming students. Over 50 WU employees have been trained to be facilitators for the Bodstander Bystander training so that they can train groups of students in face-to-face settings. These trainings are available upon request at any time. Posters explaining Bodstander are placed around campus.

We have a coordinated community response team with multidisciplinary members from across the campus and the larger Topeka community dedicated to sexual assault education, risk reduction, and response to support and sustain a culture of consent and safety at the University. The grant ended in October, 2018. Washburn hired

WASHBURN CAMPUS SECURITY REPORT

a campus advocate in April, 2017 who is part of the Counseling Services office and continues ongoing prevention and awareness campaigns and assists with primary prevention and awareness programs for all incoming students and new employees.

REPORTING AND PRESERVING EVIDENCE OF SEXUAL ASSAULT

Individuals should report an incident of sexual violence (sexual assault is a form of sexual violence) to the EOD/Title IX Coordinator. If reports are made to responsible employees, as defined in our Non-discrimination Policy and Title IX Procedures, those individuals will share the name of the victim with the EOD/Title IX Coordinator. She will then send an email to the alleged victim explaining that they may file a complaint with her office. Reports to, or complaints filed with, the EOD/Title IX Coordinator may be made by phone, email, fax, online form, or in-person.

(<https://washburn.edu/statements-disclosures/equal-opportunity/>)

Individuals may also choose to report an incident to WUPD (on-campus) or another local police agency, like the Topeka Police Department, by calling 911 or going to the police station. Individuals are not required to report to police or involve WUPD if they make a complaint to the EOD/Title IX Coordinator or tell a Responsible Employee. Campus officials, like Counseling Services or EOD/Title IX Coordinator, may assist individuals with notifying police if requested.

After an incident occurs, the victim should notify WUPD or the Topeka Police Department, and should take steps to preserve evidence. A victim's first priority is to get to a safe place and obtain any necessary medical treatment. They should also take steps to preserve evidence, including keeping clothes worn before or after the assault and avoid showering/bathing until after seeking medical attention. The WUPD encourages victims of sexual assault to report the incident as soon as possible, as time is a critical factor in evidence collection and perpetrator apprehension. The WUPD will respond to the report, secure the crime scene, investigate the crime, notify the victim's family upon request, notify the EOD/Title IX Coordinator, and provide information about counseling and other services.

In rape or sexual assault, physical evidence is crucial in helping prosecute these crimes. It must be collected in a timely manner by a medical professional. Before an exam, individuals should not bathe, change clothes, use the toilet (if possible), smoke, or clean the area where assaulted.

If a victim requests a change in academic, living, transportation, and working situations following an alleged sexual assault, the University will accommodate them whenever possible. The University will assist students or employees with these changes even if they don't report the offense to police to the extent possible. The EOD/Title IX Coordinator, or WUPD if involved, can explain the rights of victims in obtaining protection orders from the courts. The YWCA Center for Safety and Empowerment (off-campus) can also assist with protection orders from the court. Washburn University will enforce court orders to the extent possible, and can also issue no-trespass or no-contact orders for on-campus property.

A victim information sheet explaining rights, reporting options, confidentiality, court orders, protective measures, and resources will be provided to victims who report incidents of sexual violence, whether the offense occurred on or off campus. It is also available online as "Clery Rights and Options" on <https://washburn.edu/statements-disclosures/equal-opportunity/files/Rights-and-Options-Clery-WUPD.pdf>

REPORTING AND PRESERVING EVIDENCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

Individuals should report an incident of domestic violence, dating violence, or stalking to EOD/Title IX Coordinator, to the Student Life Office (Associate Vice President of Student Life), or to WUPD. Individuals may also choose to report an incident to another local police agency, like the Topeka Police Department by calling 911 or going to the police station. Individuals are not required to report to the police or involve WUPD if they make a complaint to the Student Life Office or Human Resources. These campus officials may assist individuals with notifying police if requested.

A victim's first priority is to get to a safe place and obtain any necessary medical treatment. They should take steps to preserve evidence by photographing and documenting all injuries, preserving all evidence of communications including text messaging and call logs, and noting the names of anyone who may have witnessed the incident. The WUPD encourages victims of domestic violence and stalking to report the incident as soon as possible, as time is a critical factor in evidence collection and perpetrator apprehension. The WUPD will respond to the report, secure the crime scene, investigate the crime, notify the victim's family upon request, notify the EOD/Title IX Coordinator if appropriate, and provide information about counseling and other services.

WASHBURN CAMPUS SECURITY REPORT

A victim information sheet with information about rights, options, and resources is available in the WUPD and other offices, and is also available online as “Clery Rights and Options” on <https://washburn.edu/statements-disclosures/equal-opportunity/files/Rights-and-Options-Clery-WUPD.pdf> and will be provided whether the offense occurred on or off campus.

If a victim requests a change in academic, living, transportation, and working situations following an alleged incident of domestic violence, dating violence, or stalking, the University will accommodate them whenever possible. The University will assist students or employees with these changes even if they don’t report the offense to the police to the extent possible. The EOD/Title IX Coordinator, or WUPD if involved, can explain the rights of victims in obtaining protection orders from the courts. The YWCA Center for Safety and Empowerment (off-campus) can also assist with protection orders from the court. Washburn University will enforce court orders to the extent possible, and can also issue no-trespass or no-contact orders for on-campus property.

PROTECTIVE MEASURES

The University will provide individuals with options and assistance in maintaining safety, eliminating the hostile environment, and restoring or preserving equal access to Washburn’s education program or activity. Complainants should contact the EOD/Title IX Coordinator to request assistance. The EOD/Title IX Coordinator will meet with the complainant and respondent to determine which measures are appropriate in each case and work with University personnel to provide assistance. Also known as “Supportive Measures”, most are available even if no formal complaint is filed. These non-disciplinary measures are offered to both a complainant or respondent before and after the filing of a formal complaint.

Measures include protection orders (explained below); review of academic or behavioral issues; student financial aid services; on-campus counseling and medical services; campus escort; off-campus victim advocacy, mental health, medical services and counseling service; Title IX resources; where to find legal assistance, visa and immigration assistance on and off-campus.

The University may also assist victims with changing academic, living, transportation, and working situations if so requested by the victim and reasonably available. Victim information sheets containing information about counseling, health,

mental health, victim advocacy, legal assistance and other on and off campus resources are available at WUPD, University Counseling Services, the EOD/Title IX Coordinator's office, Student Health Services, Vice President for Student Life office, Human Resources, and Residential Living.

Protection Orders

There are several types of protection orders or measures. Some are protections determined by campus officials (WUPD or Conduct Code Officers) like a Notice to Leave (campus order prohibiting an individual from being on University property); limiting an offender's presence on campus to classes or related requirements; prohibiting an offender from entering particular buildings, including residence halls; or University imposed suspension or administrative leave. There may also be mutual restrictions on contact between parties. For removal of a respondent on an emergency basis, Washburn will conduct an individualized assessment to determine if there is an immediate threat to the physical health or safety of any student or individual arising from allegations of sexual harassment. These procedures allow the respondent notice and the opportunity to challenge the decision. This emergency removal process is described in the University's Title IX procedures <https://washburn.edu/faculty-staff/human-resources/wuprpm/WUPRPM-Procedures-and-Regs/A.%20GeneralTopicsRegs.pdf>.

Other protection orders are issued by a court like a bond or probation condition in a criminal case, a civil Protection from Abuse or Stalking order in county court, or similar lawful orders issued by another court, like tribal or municipal. For orders issued by a court, WUPD will investigate and enforce violations in accordance with the law.

CONFIDENTIALITY

All information will be kept securely, privately and only shared with individuals responsible for handling investigations, informal resolutions, formal hearings, or sanctions (e.g., EOD/Title IX Coordinator or University Police.) Records kept by WUPD or EOD/Title IX Coordinator are subject to FERPA and the Kansas Open Records Act and will only be disclosed according to those laws. To the extent permissible by law, identifying information about the victim will be withheld from any public record request for documents.

If a victim requests his or her name not be revealed to the accused or that the University not investigate, the University's ability to fully respond will be limited. If such a request is made, the EOD/Title IX Coordinator will evaluate whether the request can be

honored while still providing a safe and non-discriminatory environment for all students. If the University can honor the request, it will still take reasonable steps to respond by offering support, increased security, education programs, etc.

The EOD/Title IX Coordinator will work with the victim to provide protective measures on campus and make other supportive measures, to the extent possible. Any protective measures or other support granted to the victim will be kept confidential and will only be shared as necessary to carry out such measures. The victim's name or other pertinent information will only be shared according to FERPA.

CONFIDENTIAL ASSISTANCE

Campus employees are required to report an incident of sexual assault, domestic violence, dating violence, or stalking to the University's EOD/Title IX Coordinator so that she can investigate the incident. The University's Non-Discrimination policy and Title IX regulations explain the responsibility of employees to report incidents of sexual harassment and sexual violence to the EOD/Title IX Coordinator.

Responsible employees are deans, directors, chairpersons, administrators, supervisors, faculty, Washburn Institute of Technology Instructors, academic advisors, resident assistants, coaches, advisors to student groups, and any other individual meeting the definition under the implementing regulations for Title IX. Any University employee who accompanies students off campus on a University-sponsored trip is considered a responsible employee. Responsible employee includes anyone designated as a Campus Security Authority under the Clery Act.

Employees who have a legally recognized confidential relationship with the complainant are not responsible employees. For sex offenses, the following on-campus departments offer complete confidentiality and will not report incidents to the EOD/Title IX Coordinator without the victim's permission. These departments can provide resources to victims as well.

- Washburn University Counseling Services (free)
 - Not required to report incidents to the EOD/Title IX Coordinator or WUPD.
- Washburn Psychological Services Clinic (minimal charge)
 - Not required to report incidents to the EOD/Title IX Coordinator or WUPD.
- Washburn University Campus Advocate (free)
 - Not required to report incidents to the EOD/Title IX Coordinator but will report aggregate crime statistics to WUPD

WASHBURN CAMPUS SECURITY REPORT

- Washburn University Student Health Services (free)
 - Not required to report incidents to the EOD/Title IX Coordinator, but **are required to report crime statistics to the WUPD**, but only report a victim’s name with permission.

Off-campus resources also offer confidentiality and can assist victims with obtaining a court order, medical attention, victim advocacy, legal assistance, mental health, and veteran services.

YWCA Center for Safety & Empowerment Emergency: 785-233-1750 Information: 888-822-2983	Kansas Domestic Violence & Sexual Assault Hotline 888-363-2287
Kansas Children Service League Parent Help Hotline 800-332-6378	District Attorney’s Office Victim/Witness Coordinator 785-251-4330
VA Medical Center 350-3111	Stormont- Vail Medical Center (SANE exam) 785-354-6100
Valeo Behavior Health Care- 24-hour crisis line: 785-234-3300	Washburn University Law Clinic (on campus) 785-670-1191

WRITTEN INFORMATION

The University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community. We will also provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. We will provide such protective measures if the victim requests and they are reasonably available, regardless of whether the victim chooses to report the crime to law enforcement. Such information is available in the Student Handbook, in WUPD, Student Health Services, Counseling Services, the Vice President for Student Life office, and Human Resources. It is also available online as “Clery Rights and Options” on <https://washburn.edu/statements-disclosures/equal-opportunity/>

UNIVERSITY DISCIPLINARY PROCEDURES

Determination of Appropriate Proceeding

In cases of alleged sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), the EOD/Title IX Coordinator will evaluate the complaint to determine the appropriate investigative and resolution process. If a complaint involves conduct on the basis of sex in a University Program or Activity, the EOD/Title IX Coordinator will investigate using the procedure in the Non-discrimination Policy (for employees) or the Title IX procedure (for students, and if an employee is a respondent to a student complaint). In all cases, the proceeding will be completed within reasonably prompt timeframes with reasonable delays as requested and written notice, as described in the procedures, with timely notice to both parties when they may be present.

The Title IX procedure is only used in cases where the conduct occurred in a University program or activity in the United States and the conduct alleged constitutes Sexual Harassment as defined by the Federal Law known as Title IX. If the conduct is not on the basis of sex or does not meet criteria for a Title IX complaint, the Conduct Code Officer will investigate using the appropriate procedure for the student. For situations where the conduct is not on the basis of sex and only involves employees, the Conduct Code Officer will investigate using the Employee Relations procedure found in the Washburn University Policies, Regulations and Procedure Manual (WUPRPM).

Conduct Code Officer means an individual authorized to take disciplinary action or impose sanctions according to applicable student code provisions, employment policies and procedures, and collective bargaining agreements, or his or her designee. For undergraduate and most graduate students, it is the Associate Vice President for Student Life; for law students, it is the Associate Dean for Student Affairs; for WIT students it is Associate Dean of Student Services; for employees not in academic areas, it is the Director of Human Resources; for faculty and staff in academic areas, it is the Vice President of Academic Affairs.

Complaint Procedure (Title IX Procedure)

The EOD/Title IX Coordinator is responsible for determining if alleged sexual harassment (including sexual assault, dating violence, domestic violence, and stalking) involving students violated the University's Non-discrimination policy that prohibits sex discrimination under our Title IX complaint resolution process. Students must report allegations of sexual harassment to the EOD/Title IX Coordinator. This allows for supportive measures be available to student complainants and if the complainant desires,

to promptly initiate resolution processes set out in the University's Title IX procedures. Such procedures will include impartial investigations and adjudications.

Upon receipt of notice of allegations, the EOD/Title IX Coordinator will contact the complainant. When the complainant meets with her, the EOD/Title IX Coordinator will explain her role, the availability of supportive measures, processes for filing a Formal Complaint including definitions and presumption of no responsibility of Respondent, right to an advisor, Informal Complaint Resolution process, Formal Complaint Resolution process (including live formal hearing), confidentiality, resources, retaliation, sanctions, appeal, and any other relevant complainant rights. She will also explain, after interviewing complainant to determine appropriate information, which University process will be used to address the matter and timeless for the procedure.

If parties give written consent to use the Informal Resolution Process (only if both agree in writing with full knowledge of all consequences and only if both parties are students), then either the EOD/Title IX Coordinator (in simple cases) or a trained mediator (for complex cases) will meet with parties to try to reach a mutually agreeable resolution. This process is confidential and no investigation will occur. There will not be a determination of a policy violation.

Once a Formal Complaint is filed, either signed by the complainant or Title IX Coordinator, the EOD/Title IX Coordinator will investigate the complaint by meeting with the respondent and explain all rights and processes (same rights and processes as listed above for complainant). She will also gather evidence and interview witnesses.

If parties either decide not to use the Informal Resolution Process or it cannot be used (if the Respondent is an employee), then the EOD/Title IX Coordinator will proceed with the investigation and then provide access to all evidence to both parties. If either party does not have an advisor, the University will appoint one at this stage. Each party can have an advisor of their choice at any stage. The parties have 10 days to review evidence and respond, then the EOD/Title IX Coordinator writes an Investigative Report. That Report is provided to both parties and advisors ten days prior to the Formal Hearing.

The Formal Hearing is a live hearing presided by a decision maker (who is not the EOD/Title IX Coordinator). Evidence and witnesses may be presented by both parties and witnesses may be cross-examined. Only Advisors are permitted to ask questions and the decision maker will determine if a question is relevant before an answer can be given.

The decision maker will issue a written determination within 14 days of the hearing about each allegation and whether the respondent is responsible for a policy violation, as well sanctions for each violation, to both parties. The policy violations will be reviewed using a **preponderance of the evidence standard**. The decision maker will

determine appropriate sanctions in consultation with the appropriate Conduct Code Officer. All possible sanctions are listed below.

The EOD/Title IX Coordinator, mediator, advisors, and decision makers for hearing or appeal will all be trained annually. The training will include definitions, scope of University's Program or Activity, how to conduct an investigation, a formal hearing, and appeal under our Title IX procedure, and how to serve impartially including by avoiding prejudgment of facts, conflicts of interest, and bias. Training may also include use of technology, issues of relevance and evidence.

Complaint Procedure (Non-discrimination Procedure)

The EOD/Title IX Coordinator is responsible for determining if alleged sexual harassment (including sexual assault, dating violence, domestic violence, and stalking) that does not involve students violated the University's Non-discrimination policy. She will investigate a complaint, recommend sanctions, and take steps to eliminate the sexual harassment, prevent its recurrence, and address its effects.

The EOD/Title IX Coordinator will normally begin an investigation of a complaint within 10 business days of receipt of the complaint. She will interview the complainant and explain her role, the process, rights of parties, and prohibition against retaliation. She will advise the respondent of the charge and request a response, due within five days. She will then interview the respondent and investigate the allegations by gathering relevant documents or evidence, including interviewing witnesses.

Complaint procedures will be prompt, fair and impartial to all parties. The EOD/Title IX Coordinator will conduct the investigation and complaint procedures and has been trained on issues related to domestic violence, dating violence, sexual assault, and stalking. During an investigation, both the accuser and the accused will have the same opportunity to present evidence and witnesses, have an advisor present, and be entitled to confidentiality.

Once the EOD/Title IX Coordinator has gathered all relevant, available evidence, she will determine whether the policy was violated by using a **preponderance of the evidence standard of review**. This means the EOD/Title IX Coordinator will determine if it is more likely than not the policy was violated. If she finds a policy violation, the EOD/Title IX Coordinator will contact the appropriate Conduct Code Officer who will determine the appropriate sanction. A list of possible sanctions is found in the next section below.

Result and Appeal

Both parties will be notified in writing of the outcome of any investigation and campus disciplinary proceeding about an alleged sexual assault/harassment and the right of both parties to appeal the finding and sanctions. If the alleged victim is deceased as a result of such crime, the next of kin will be notified. Student and employee disciplinary procedures are independent of any actions taken by criminal and civil courts. The investigation will normally be completed within 60 days. Protective measures, as explained earlier, may be available to the victim after the outcome of the complaint.

Both parties have appeal rights. All appeals must be in writing and must be submitted to the EOD/Title IX Coordinator within 12 business days from the date the final decision was issued. There are three criteria on which to appeal: 1) new evidence has been discovered that could have a direct bearing on the determination of a policy violation; 2) the complaint procedure was not appropriately followed; or 3) the sanction is inappropriate for the policy violation. An appeal is also permitted under the Title IX procedure if the complaint was dismissed.

Upon receipt of the appeal request, the EOD/Title IX Coordinator will notify the other party involved in the complaint of the appeal within two days by sending them the written appeal request. The other party has 10 business days to submit a written response to the EOD/Title IX Coordinator. The EOD/Title IX Coordinator will provide all members of the appeal panel (three vice presidents) with the EOD/Title IX Coordinator's final report, including any sanctions determined by the Conduct Code Officer, if appropriate, the written appeal request received from the appellant, and the response to appeal request, if any. The EOD/Title IX Coordinator will notify the parties of expected timeframe for the appeal panel's decision and update them if it changes. If one of the committee members believes he/she cannot be fair or impartial in considering the appeal for any reason, he/she shall notify the University President in writing, and the University President will appoint a replacement on the committee.

The appeal panel will review all submitted documents and determine whether any of the reasons for appeal are valid. The appeal panel may request additional information from the EOD/Title IX Coordinator for clarification. The appeal panel will accept the EOD/Title IX Coordinator's decision unless they are definitely and firmly convinced that a mistake has been made. The appeal panel will either approve the final report, impose new sanctions, or direct the EOD/Title IX Coordinator to re-open the investigation. The appeal panel will issue a written decision in a timely fashion, not more

than 20 business days after receipt of the appeal request. Copies of the decision will be given to the complainant, respondent, EOD/Title IX Coordinator, and University Counsel.

Student Conduct Code

For undergraduate and graduate students, the Associate Vice President for Student Life (AVPSL) is the Conduct Code Officer that will review complaints of relationship violence that do not involve conduct on the basis of sex (sexual violence or sexual harassment in a relationship). For the posted procedure, see the Student Conduct Code online: <https://washburn.edu/statements-disclosures/equal-opportunity/>

Upon receipt of a complaint, the AVPSL will notify the accused student and request a meeting, usually within a week of receipt. At the meeting, the AVPSL will review the complaint with the student, explain his or her options, and the possible sanctions. The student has the choice of waiving or requesting a formal hearing. If the student waives the formal hearing, the AVPSL will issue a sanction to the student and explain the right to appeal within three business days of the decision.

The AVPSL may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the AVPSL. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the AVPSL will initiate hearing procedures. All charges shall be presented to the Respondent in written form. A time shall be set for a Student Conduct Hearing, not less than five (5) (unless all parties wish to proceed more quickly) nor more than fifteen (15) calendar days after the student has been notified.

The AVPSL will ensure that the hearing information and any other available written documentation is shared with the parties at least two (2) days before any scheduled hearing. Both parties have the right to have an advisor of their choosing who will not participate in the hearing. The Complainant, Respondent, and the AVPSL will have the privilege of questioning all present witnesses and questioning all present parties. Such questions will be directed to the Complainant and/or Respondent or other witnesses by the AVPSL rather than the Complainant and/or Respondent directly. Questions should be submitted in writing to the AVPSL in advance (if applicable/possible) or during the hearing. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. Pertinent records, exhibits, and written

statements may be accepted as information for consideration but formal rules of evidence are not observed. The number of character witnesses presented may be limited and written affidavits of character may be accepted instead. After a Student Conduct Hearing, the AVPSL will deliberate and determine whether it is more likely than not that the Respondent has violated the Student Conduct Code. Once a finding is determined, if the finding is that of a policy violation, the AVPSL will determine an appropriate sanction(s) and communicate the sanction(s) to the Respondent, along with rights of appeal.

For Washburn Institute of Technology students, the process is the same, although the Associate Dean of Student Services is the Conduct Code Officer.

Washburn University School of Law Honor Code

For law school students, complaints of relationship violence that do not involve conduct on the basis of sex (sexual violence or sexual harassment in a relationship) should be made to the Associate Dean of the Law School (Associate Dean). Within two days of the complaint, the Associate Dean will determine whether to investigate the allegations.

If the Associate Dean, based on the facts alleged by the reporting party, to investigate, he/she will interview the accused. If the accused admits the allegation, the Associate Dean will issue a sanction. If the accused disagrees with the sanction, the matter will be heard by the Honor Code Committee for the sole purpose of determining the appropriate sanction. If the accused does not admit the allegation, the Associate Dean continues investigating by meeting with witnesses and reviewing evidence, then the matter is heard by the Honor Code Committee, who hold a hearing. The hearing will be held within 15 days of the Associate Dean's decision to prosecute.

After the hearing, the Honor Code Committee will determine the guilt or innocence of the accused and recommend sanctions. A decision will be issued in writing. If the Honor Code Committee does not unanimously agree on appropriate sanctions, the dean will determine sanctions after hearing from the accused and prosecutor. See the Honor Code online: <http://washburnlaw.edu/policies/honorcode.html>.

Employee Relations

For employees, the Human Resources Director (HR Director) is the Conduct Code Officer that will review complaints of relationship violence that do not involve conduct

on the basis of sex (sexual violence or sexual harassment in a relationship). The HR Director will investigate an allegation to determine the facts of the situation. She will meet with witnesses and review available evidence as appropriate.

If she finds a rule violation, she will meet with the accused employee to discuss the appropriate corrective action. The corrective action will be determined based upon the severity of the violation, including whether the violation was deliberate or of major seriousness. Violations are grouped into three categories to facilitate consistency in the administration of corrective action. Mitigating or aggravating circumstances may exist which shall be weighed in determining the proper disciplinary action to be taken. Employees sanctioned for rule violations may appeal, either through WUPRPM Section F. 6. or the Faculty Handbook Section Three, VII.

SANCTIONS

Possible sanctions for policy violations are as follows:

Washburn University Undergraduate, Graduate, and Washburn Institute of Technology Students

Written warning, restitution, fines, community/university service, loss of privileges, confiscation of prohibited property, behavioral requirements, educational programs, restriction of visitation, University housing reassignment, University housing suspension, University housing expulsion, disciplinary probation, eligibility restriction, suspension, and expulsion.

Washburn University School of Law Students

When determining an appropriate sanction, the dean or designee will consider mitigating and aggravating factors like conscientious admissions; other admissions; intentional vs negligent conduct; degree of harm or seriousness of offense; nexus to professional standards; prior misconduct; and discriminatory motive.

Possible sanctions: Expulsion from the law school; suspension with the opportunity to apply to the Admissions Committee for readmission after a specified period of time; suspension for a definite period of time; partial or total revocation or suspension of scholarship assistance; probation for a definite period of time under

specified terms or conditions with consequences specified for noncompliance; removal from any student governmental office or position in any law school sponsored activity or organization or from any other university sponsored position of trust, responsibility or interest; denial of the privilege of participation in any law school or university sponsored extracurricular or athletic activity or organization for a definite period of time; written warning or reprimand; verbal warning; prohibiting or restricting access to and/or use of law school or University facilities or services; monetary or other restitution.

Every finding of an Honor Code violation will be reported by the dean to any board of bar examiners or equivalent bar investigative authorities for any bar to which the student applies. The student shall have a right to submit a statement to the Dean's Office for inclusion in the report.

Employees

Possible sanctions: verbal warning, written warning, performance improvement plan, withholding wage or salary merit increases, suspension from work, or termination of employment.

SEX OFFENDER REGISTRATION

In accordance with the Campus Sex Crimes Prevention Act of 2000 (CSCPA), which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974 (FERPA), the WUPD provides a link on its web site to the Kansas Bureau of Investigation (KBI) Registered Offender <https://www.washburn.edu/student-life/health-safety/police/required-reporting/index.html>

The act requires higher education institutions to identify where information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders to provide notice to each higher education institution if the sex offender lives on campus, is employed by, carries a vocation, or is a student at the school. In Kansas, convicted sex offenders must register with their local sheriff's office.

The Kansas Bureau of Investigation (KBI) Registered Offender website may be searched by name, street address, city, zip code, or county. The KBI periodically provides

WUPD with names of registered sex offenders who indicate they are either enrolled at, or employed by, Washburn University.

This list of names is maintained at the WUPD by the Director of University Police.

Weapons

The possession or use of firearms or other weapons of any kind on University owned or controlled property by anyone shall be prohibited except by law enforcement officers or as otherwise permitted by law. The possession or use of firearms or other weapons of any kind by Employees, except WUPD officers, engaged in the performance of their duties, shall be prohibited, unless otherwise permitted by law. Kansas law requires that Washburn University allow concealed handguns on its campus and in its buildings effective July 1, 2017. Open carry of weapons is prohibited. There are restrictions as to how a person is to carry or store a concealed handgun when in a campus building as set out in our regulations and procedures. Washburn University Policies, Regulations, and Procedures Manual, Section Y.4. <http://www.washburn.edu/faculty-staff/human-resources/wuprpm/index.html>

Clery Act Crime Definitions

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

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

Burglary: The unlawful entry of a structure or motor vehicle to commit a felony or a theft. For reporting purposes this definition includes the following: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a

larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Domestic Violence: The term includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, 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. See also K.S.A. 21-5414.

Drug Abuse Violations: The violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Hate Crimes: A hate crime, also known as bias crime, is a criminal offense committed against a person, property or society that is motivated, in whole or in part, by the offender's bias against a race, gender, gender identity, religion, sexual orientation, ethnicity, national origin group or disability.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

WASHBURN CAMPUS SECURITY REPORT

Larceny--Theft: Larceny-theft is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. In the Uniform Crime Reporting Program, this crime category does not include embezzlement, confidence games, forgery and worthless checks. Motor vehicle theft also is excluded from this category as it is a separate crime index offense.

Liquor Law Violations: The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category. (Classified as motor vehicle theft: all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned -- including joyriding.)

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Robbery: The taking or attempting to take anything of value from 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.

Sex Offenses –Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

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

Weapons Possession: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Crime Statistics

These statistics include all reports received by the WUPD and Campus Security Authorities for the crimes reported during the calendar years 2020, 2021, and 2022. This also includes any data that other law enforcement sends to WUPD. During the years for this report, there were no crimes determined to be “unfounded.” Washburn submits crime statistics each year to the Department of Education as required.

STATISTICS FOUND ON THE FOLLOWING PAGES

WASHBURN CAMPUS SECURITY REPORT

Crime Statistics- Washburn University Main Campus 2020-2022

OFFENSE	YEAR	WASHBURN MAIN CAMPUS CRIME STATISTICS			
		ON-CAMPUS PROPERTY	RESIDENTIAL FACILITIES	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Criminal Homicide: Murder and Non-Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Criminal Homicide: Negligent Manslaughter	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses - Rape	2020	2	2	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses - Fondling	2020	1	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses - Incest	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Sex Offenses - Statutory Rape	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Robbery	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Aggravated Assault	2020	0	0	0	0
	2021	0	0	0	2
	2022	1	0	0	1
Burglary	2020	0	0	0	0
	2021	0	0	0	0
	2022	3	0	1	0
Motor Vehicle Theft	2020	2	0	0	0
	2021	3	0	0	0
	2022	0	0	0	0
Arson	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
Domestic Violence	2020	0	0	0	0
	2021	1	1	0	0
	2022	0	0	0	0
Dating Violence	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	1	0	0
Stalking	2020	0	0	0	0
	2021	1	0	0	0
	2022	0	0	0	0
Liquor Law Violations - Arrests	2020	1	0	0	0
	2021	2	2	0	0
	2022	3	3	0	0
Liquor Law Violations - Referred for Disciplinary Action	2020	8	8	0	0
	2021	30	28	0	0
	2022	38	36	0	0
Drug Law Violations - Arrests	2020	9	4	0	7
	2021	21	6	0	5
	2022	21	12	0	6
Drug Law Violations - Referred for Disciplinary Action	2020	0	0	0	0
	2021	2	2	0	0
	2022	0	0	0	0
Weapons Law Violations - Arrests	2020	1	0	0	0
	2021	0	0	0	1
	2022	0	0	0	2
Weapons Law Violations - Referred for Disciplinary Action	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

WASHBURN CAMPUS SECURITY REPORT

Crime Statistics- Washburn Inst. Of Tech. Campus 2020-2022

WASHBURN INST. OF TECHNOLOGY CAMPUS CRIME STATISTICS				
OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
Criminal Homicide: Murder and Non-Negligent Manslaughter	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Criminal Homicide: Negligent Manslaughter	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Sex Offenses - Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Sex Offenses - Fondling	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Sex Offenses - Incest	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Sex Offenses - Statutory Rape	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Robbery	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Aggravated Assault	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Burglary	2020	1	0	0
	2021	0	0	0
	2022	0	0	0
Motor Vehicle Theft	2020	2	0	0
	2021	0	0	0
	2022	1	0	0
Arson	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Domestic Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Dating Violence	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Stalking	2020	0	1	0
	2021	0	0	0
	2022	0	0	0
Liquor Law Violations - Arrests	2020	1	0	0
	2021	2	0	0
	2022	0	0	0
Liquor Law Violations - Referred for Disciplinary Action	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Drug Law Violations - Arrests	2020	1	0	1
	2021	0	0	0
	2022	3	0	0
Drug Law Violations - Referred for Disciplinary Action	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Weapons Law Violations - Arrests	2020	0	0	0
	2021	0	0	0
	2022	0	0	0
Weapons Law Violations - Referred for Disciplinary Action	2020	0	0	0
	2021	0	0	0
	2022	1	0	0

Washburn Tech. East

The Washburn Tech. East campus located at 2014 SE Washington had one reported liquor law violation in 2020 and two drug arrests in 2021 on campus which was referred.

Other Crime Data

There were no reportable crimes at the Washburn School of Cosmetology campus during 2020, 2021, and 2022. One case of stalking at the School of Cosmetology was included in the Washburn Tech. Campus statistics in the Non-Campus Property category.

Hate Crimes

There was one reported hate crime (category of bias: race) reported on the Washburn University campus involving property damage after a sticker from a recognized hate group was found on a light pole during the 2020 reporting year. In 2021 there was one reported hate crime (category of bias: race) on the Washburn University campus involving a drawing on the street. Neither hate crime meets a Clery Hate Crime offense. The Washburn Institute of Technology campus, including the School of Cosmetology, and the Washburn Institute of Technology East campus, did not have any reported hate crimes during 2020, 2021, or 2022.

Annual Fire Safety Report

The Higher Education Opportunity Act requires all United States academic institutions to produce an annual fire safety report, outlining fire safety practices, standards, and all fire related (34 CFE Section 668.840) on-campus housing statistics. An electronic fire log can be found with the crime log on the University police website and also in hard copy inside the University Police Department. The log includes information about fires in residence halls, including the cause, any related injuries, related death, property damage, location, date, nature and location of such fires.

Fire Safety Systems

At Washburn University, fire safety is taken seriously beginning with our Residential Assistants, and including, housing staff, faculty, and executive staff. On-campus, university-owned student housing facilities feature and are equipped with national recognized automatic fire sprinkler systems. The on-campus student housing facilities also are equipped with smoke detectors, fire alarm systems and fire alarm annunciation and monitoring. The systems are monitored by an off-campus central station monitoring system meeting national accreditation. The alarm monitoring service provides 24 hour, seven days per week protection. The Washburn University Police Department monitors those same alarms for student housing at Washburn as added protection.

Description of Residence Halls Fire Suppression and Fire Alarm Systems

Washburn Village Residential Living Units – fire safety systems:

1. Automatic fire sprinklers are installed within the residential living units and storage areas. The Village has an approved 13R sprinkler system.
2. Smoke detectors are provided in each living unit. The detectors are electronically operated with battery backup.
3. Emergency lighting is provided in exit access areas.

WASHBURN CAMPUS SECURITY REPORT

4. Emergency central station answering services respond upon activation of the automatic sprinkler system.

Washburn Living Learning Center – Residence Hall:

1. Automatic fire sprinkler system is provided and is NFPA 13 compliant.
2. Fire department standpipe system provided.
3. Automatic smoke and manual fire alarm system installed.
4. Emergency lighting provided throughout the residence building, as well as illuminated emergency access.

Lincoln Hall:

1. Automatic fire sprinkler system is provided and is NFPA 13 compliant.
2. Fire department standpipe system provided.
3. Automatic smoke and manual fire alarm system installed.
4. Emergency lighting provided throughout the residence building, as well as illuminated emergency access.

Phi Delta House:

1. Automatic fire sprinkler system is provided and is NFPA 13 compliant.
2. Fire department standpipe system provided.
3. Automatic smoke and manual fire alarm system installed.
4. Emergency lighting provided throughout the residence building, as well as illuminated emergency access.

Kuehne Hall and West Hall: (Kuehne hall was not used for residential housing during the time frame of this report.)

1. Individual electronically operated smoke detectors with battery backup are provided in each residential unit.
2. A manual building fire alarm system is provided for general fire alarm activation.
3. Kuehne and West Halls have a supervised 13R automatic sprinkler system installed. Required by Kansas State Fire Marshal – posted at <http://www.washburn.edu/campus-life/housing-dining/index.html>

Note: Greek Housing System Policies – With the exception of the Phi Delta House, which is monitored by Simplex, each Greek house has its own house emergency policy and

procedures worked out in conjunction with their national office. Please check with each individual house for its emergency policies.

Emergency Evacuation Fire Safety

Washburn University has prepared evacuation information that may be reviewed at <https://www.washburn.edu/student-life/health-safety/safety-planning/files/Building%20Evacuation.pdf>

The link includes recommended procedures for emergency evacuation of residence halls and other occupied buildings. Residential living and campus residence halls comply with the City and State Fire Codes by conducting the required (one per semester) fire evacuation drills. Drills are documented and forwarded to the Topeka Fire Department.

Fire evacuation routes can be located at [Fire Evacuation Plans \(washburn.edu\)](#). Students residing on campus may find additional fire safety information in their [Residential Living Handbook](#). (Kansas State Fire Marshal @ City Fire Codes). Fire drills are performed unannounced and the date/times of drills are documented.

Fire Safety Policies

Our university policies regarding fire hazards, portable electric appliances, smoking, cooking, candles, incense, and open flames may be found at <http://www.washburn.edu/campus-life/housing-dining/index.html>

Policies and procedures for student housing evacuation in case of fire are described in the following location: <https://www.washburn.edu/student-life/health-safety/safety-planning/files/Building%20Evacuation.pdf> A summary is also provided in the Residential Living Handbook. (<https://www.washburn.edu/student-life/residential-living/files/resliving-handbook.pdf>)

Our Safety Officer conducts fire safety awareness programs for residential students and the broader campus community. These include fire extinguisher training, fire and evacuation drills, and distribution of materials related to fire safety policies and education.

You may also find the answers to the following frequently asked questions at this website.

- What is a false/nuisance fire alarm?
- What do I do if the fire alarm sounds?
- What if there is a fire?
- What do I do if I discover a fire?
- Who do I call? Fire department? University police?
- What are their phone numbers?

How to Get Help

It is important to report all crime and/or fires, suspicious activity, or persons. In fact, anything that makes a student feel uncomfortable should be reported. If community members are not sure what type of help is needed, they are instructed to call the Residential Living Office, the RA on duty, or the University Police. There is always someone close at hand who can help with any situation. The following phone numbers are listed to assist students:

- Lincoln Resident Assistance: 217-8848
- Washburn Village Resident Assistant: 224-4083
- Phi Delta House: 217-8848
- Campus Police: 785-670-1300 ext. 1300 on campus
- Residential Living Office: 670-1065 ext. 1065
- 911 Emergency off-campus responders: fire, police, or ambulance
<http://www.washburn.edu/campus-life/housing-dining/index.html>

Mass Message – Emergency Notification System

Washburn University has implemented iAlert, a mass message emergency notification system, which significantly enhances our ability to maintain a safe academic environment for staff, faculty, and students. Participation in the iAlert System is voluntary. It is the responsibility of the individual to register for the free service and to keep contact information up to date. www.washburn.edu/ialert

Training – Residential Living

Residential Living staff spends approximately four hours training annually on procedures, risk management, weather procedures, and emergency response, fire and tornado procedures. If necessary, these procedures are also addressed during weekly staff meetings. Staff are instructed to report all fires to the University police.

Reported Fires in On Campus Housing 2020-2022

Washburn University Residential Facilities	Total Fires in Each Building	Number Of Fires	Date	Time	Cause of Fires	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Living Learning Center 1801 SW Jewell	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
West Hall 1821 SW Jewell	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Washburn Village 2001 SW Jewell	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Lincoln Hall 1801 SW Washburn	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Phi Delta House 1810 SW Mulvane	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A

WASHBURN CAMPUS SECURITY REPORT

Fire Safety Systems in Student Housing 2021-2022

Washburn University Residential Facilities	Fire Alarm Monitoring Done	Partial Sprinkler System	Full Sprinkler System	Smoke Detector	Fire Extinguisher Device	Evacuation Plan/Placard	Number of Annual Evacuation Drills		
							2020	2021	2022
Living Learning Center 1801 SW Jewell	X	N/A	X	X	X	X	3	3	3
West Hall 1821 SW Jewell	X	N/A	X	X	X	X	3	0**	0**
Washburn Village 2001 SW Jewell	X	N/A	X	X	X	X	3	3	3
Lincoln Hall 1801 SW Washburn	X	N/A	X	X	X	X	3	3	3
Phi Delta House 1810 SW Mulvane	X	N/A	X	X	X	X	3	3	3

Planned Improvements:

**West Hall was not used for residential housing during 2021 or 2022.

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