

**FORT HAYS STATE UNIVERSITY**  
**2016 Annual Security and Fire Safety Report**  
**Reporting Year: 2015 Calendar Year**

## TABLE OF CONTENTS

<b>I.</b>	<b>Introduction to the Report</b> .....	<b>P. 2</b>
<b>II.</b>	<b>Geography</b> .....	<b>P. 2</b>
<b>III.</b>	<b>Crime Statistics</b> .....	<b>P. 2</b>
<b>IV.</b>	<b>Campus Security Authorities</b> .....	<b>P. 3</b>
<b>V.</b>	<b>Statistics From Local Law Enforcement Authorities</b> .....	<b>P. 4</b>
<b>VI.</b>	<b>Daily Crime Log</b> .....	<b>P. 5</b>
<b>VII.</b>	<b>Emergency Response and Evacuation Procedures</b> .....	<b>P. 5</b>
<b>VIII.</b>	<b>Timely Warnings</b> .....	<b>P. 7</b>
<b>IX.</b>	<b>Annual Security Report</b> .....	<b>P. 8</b>
<b>X.</b>	<b>Report to ED via the Web Based Data Collection</b> .....	<b>P. 44</b>
<b>XI.</b>	<b>Missing Student Notification Procedures</b> .....	<b>P. 44</b>
<b>XII.</b>	<b>Fire Safety Log</b> .....	<b>P. 45</b>
<b>XIII.</b>	<b>Fire Safety Statistics</b> .....	<b>P. 45</b>
<b>XIV.</b>	<b>Annual Fire Safety Report</b> .....	<b>P. 46</b>
	<b>Appendix A</b> .....	<b>P. 51</b>
	<b>Appendix B</b> .....	<b>P. 54</b>
	<b>Appendix C</b> .....	<b>P. 56</b>

## I. INTRODUCTION TO THE REPORT

This report has been prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. For the crime statistics, beginning page 28 of this report.

In 1990, U.S. Congress passed the Student Right-to-Know and Campus Security Act, which required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and campus security information and policies. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Higher Education Opportunity Act of 2008 (Public Law 110-315) further created campus safety requirements in the following areas: hate crime reporting and emergency response; evacuation procedures; missing student notification; and fire safety issues.

The Clery Act requires institutions to disclose four general categories of crime statistics:

- A. Types of Offenses – Criminal Homicide, including: a) Murder and Non-Negligent Manslaughter; and b) Negligent Manslaughter; Sex Offenses including: a) forcible, and b) non-forcible; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
- B. Violence Against Women Act – Stalking (including Cyberstalking), Domestic Violence, Dating Violence.
- C. Hate Crimes – Disclose whether any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias; and
- D. Arrests and Referrals for Disciplinary Action for illegal weapons possessions and violation of drug or liquor laws.

## II. GEOGRAPHY:

Fort Hays State University is comprised of a main campus located in Hays, Kansas with several off campus locations that are owned or controlled by the University. The University has identified all areas that are public property adjacent to campus, off campus, and the campus itself. Those defined geographical areas are used to capture data of reported crimes to both the University Police and the Hays Police and is used for inclusion into the annual security report. A detailed property listing is defined in appendix A

## III. CRIME STATISTICS:

Crime statistics that are provided in this annual report are based upon incidents reported by the University Police Department, Office of Student Affairs, and Residential Life. Each entity provides updated information on their educational efforts and programs to comply with the Act. This annual report is prepared by the University Compliance Officer. FHSU annually reports statistics for the three most recent calendar years concerning the occurrence on campus, in residence halls, in or on a non-campus building or property, and on public property. Campus

crime, arrests, and referral statistics include those reported to the FHSU Police, Residential Life and the Office of Student Affairs. Limited information is provided from the Hays Police Department regarding fraternity and sorority chapter houses.

Each year, an e-mail notification is made to all faculty, staff, and enrolled students that provides the web site to access the University's Annual Security Report. Copies of the report may also be obtained at the University Compliance Office, Sheridan Hall 314, or by calling (785) 628-4175.

#### IV. CAMPUS SECURITY AUTHORITIES:

##### a. Responsible Office

<b>Office/Individual Responsible</b>	Amy Schaffer, University Compliance Officer Contact Information: 785/628-4175 or alschaffer@fhsu.edu
<b>Location where documentation is kept</b>	Sheridan 314, University Compliance Office
<b>Date policy and procedure were last updated</b>	September 2014

##### b. Clery Campus Safety Authority and Title IX Responsible Employee

The following employees are considered Campus Safety Authorities, Title IX Responsible Employees, or both. The most updated information about training can be found at <http://www.fhsu.edu/judicial/education-and-training/>.

<b>Clery, Campus Safety Authorities and Title IX Responsible Employees</b>	<b>Method of Reporting</b>	<b>Training Date</b>
1. Title IX Coordinator and Deputy Coordinators	Maxient, in-person, or telephone.	Annual
2. University Compliance Officer	Maxient, in-person, or telephone	Annual
3. Director and Assistant Director of Residential Life	Maxient, in-person directly to supervisor or telephone.	Annual, August of Each Year
4. Hall Directors and Assistant Hall Directors	Maxient, in-person directly to supervisor or telephone.	Annual, August of Each Year

5. Resident Advisors	Maxient, in-person directly to supervisor or telephone.	Annual, August of Each Year
6. Club and Organization Faculty Advisors	Maxient, in-person directly to supervisor or telephone.	Annual, Club and Organization Advisor Meetings
7. Administrative (President, Vice President for Student Affairs, Vice President for Administration & Finance)	Maxient, in-person directly to supervisor or telephone.	Annual, Fall Each Year
8. Director of Athletics, Assistant Directors, and Athletic Coaches	Maxient, in-person directly to supervisor or telephone.	Annual, Fall Each Year
9. University Police Department	University Police Department	Annual

**c. Procedure for Reviewing Crime Reports**

1. Crime reports are received in-person, phone, e-mail, or through Maxient. All crime reports are logged in Maxient (student conduct software system).
2. Monthly residence hall crime reports are reviewed by the Assistant Director of Residence Life to accurately record Clery category.
3. Monthly campus crime reports are reviewed by the Associate Vice President for Student Affairs to accurately record Clery category.
4. Reports are compared for accuracy of reporting.
5. Yearly the process of reporting crimes is reviewed to improve reporting efforts.

**V. STATISTICS FROM LOCAL LAW ENFORCEMENT AGENCIES:**

In addition to collecting crime reports from campus security authorities (as defined in section III), Fort Hays State University makes a good faith effort in obtaining Clery crime statistics from local law enforcement agencies that have jurisdiction over the school’s Clery geography. Each year a letter is submitted to those agencies requesting crime data on property that the University has identified as public property adjacent to campus, off campus, and the campus itself.

Those defined geographical areas are used to capture data of reported crimes from those agencies and is used for inclusion into the annual security report. For purposes of documentation, the response letters are retained by the Office of Student Affairs. Accordingly, if no response is received, that lack of response will be noted in the [Annual Security Report](#), Section IX.

## **VI. DAILY CRIME LOG:**

In accordance with Federal Law, the Fort Hays State University Police Department maintains a daily log for all crimes reported to the Fort Hays State University Police Department. The crime log is open for inspection to the public and includes the nature of the crime, date of occurrence, time of the occurrence, general location and disposition of the complaint, if known. The most recent 60-day period must be made available immediately and any portion older than 60-days must be made available within two business days. The law requires that this initial information be open for public inspection within two business days of the report of the crime unless the release of the information would jeopardize an on-going investigation, cause a suspect to flee, prohibited by law, would jeopardize the confidentiality of the victim, or result in the destruction of evidence. It also requires new information about the entries be made available within two business days. The crime log can be viewed from 8:00 a.m. to 4:30 p.m. Monday through Friday at the Center of Public Safety (C.O.P.S.), room #112 Custer Hall, 420 Custer Drive; Hays, Kansas. Every attempt will be made to have the log updated by 10:00 a.m. during regular business hours.

## **VII. EMERGENCY RESPONSE AND EVACUATION PROCEDURES:**

### *a. Emergency Response*

Fort Hays State University (FHSU) faces risk from a variety of potential emergencies caused by acts of nature or man that result in loss of life and property, cause human suffering, and disrupt normal campus operations. The University Police Department (785-628-5304, or 911) should be notified immediately in the case of an actual or threatened crisis or emergent event. When in doubt as to whether a situation rises to the level of a threat, crisis or emergency, University Police should be notified. With regard to any crisis event involving criminal activity or threat to the University, the University Police Department will generally provide the first response to the event in addition to Hays Police Department, Ellis County Sheriff's Department, Kansas Highway Patrol, Hays Fire Department, Ellis County Fire Department, Ellis County Emergency Medical Services and the Ellis County Emergency Management, who typically work together to manage the incident. Depending on the nature of the incident, other regional, state and federal jurisdictions may also respond and assist with the incident. Several Memorandums of Understanding (MOU's) have been generated for "Mutual Assistance" and can be found in Appendix B.

To address such emergencies, FHSU has established this Emergency Management Plan (EMP), which provides a guideline for the management of the actions and operations required to plan for, respond to and recover from an emergency or disaster. The overall objective of FHSU's emergency operations is to respond to emergency conditions and manage the restoration of normal functions.

General information about the emergency evacuation or shelter in place procedures for Fort Hays State University can be found at <http://www.fhsu.edu/university-police/emergency-response-guidelines/non-residential-building-evacuation-guidelines/>

**b. *Evacuating Campus Facilities:***

FHSU normally does not close facilities because of brief interruptions in normal services (e.g., short-term water outages or heating/cooling). Occasionally, however, an unplanned incident may render one or more facilities unsuitable for normal habitation or use. In such a case, it may be necessary to evacuate the facility.

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

Unless otherwise notified by University Police, Hays Fire Department or the Ellis County Emergency Medical personnel building occupants may briefly delay evacuating if they need time to shut down electrical and other equipment, especially any that involves flame, explosive vapors, or hazardous materials.

All building occupants will follow instructions issued by University Police, Hays Fire Department or the Ellis County Emergency Medical personnel. The building may not be reentered until authorized by the University Police or the Hays Fire Department.

Building Floor Plans are posted at various floors and entrances of each building, which defines the designated tornado shelter area, the direction of egress for both tornado safety and building evacuation, areas of rescue assistance and location of the emergency call master station and defibrillation unit.

When evacuating a building, remain calm and evacuate the building in an orderly fashion. Go to a place of safety at least 200 feet from the building, unless otherwise directed by University Police or the Hays Fire Department. Building Supervisors, Faculty and Staff members should assist students and visitors with a prompt and orderly evacuation, reporting to 911 any individuals that are missing, trapped or requiring assistance with evacuation.

In the extreme event of an incident involving the evacuation of campus, you will receive an emergency notification alerting you to vacate campus and go to where you feel safe off campus. The University web site will post additional information as the event occurs. Refer to Section VIII for more detail concerning [Emergency notifications and timely warnings](#).

Shelter-in-place is typically used during tornadic events. Often-times the situation determines the response. In a situation involving an active shooter, dependent upon what is occurring at that moment, it may be safer to shelter-in-place by hiding. Other options for an active shooter include; “Run, or Fight”. Again, your response is dependent upon what is occurring at that moment. For more information on surviving an Active Shooter Event, go to <https://www.fhsu.edu/university-police/emergencies/>

In the event of a prolonged evacuation, FHSU’s Incident Management Team will determine alternative arrangements for displaced students, faculty and staff.

Areas of rescue assistance for each campus building have been identified and are defined in Appendix C

*c. Emergency Evacuation for individuals with disabilities.*

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

It is recognized that people with disabilities or other conditions may require assistance with evacuating in the event of an emergency. Therefore, people needing assistance in an emergency are encouraged to identify themselves to FHSU as an individual with a temporary or permanent disability or other condition and make a request for assistance in advance of an emergency.

The Department of Residential Life will assist students with disabilities and other conditions in developing a plan for evacuating their housing residence. The Coordinator of Disability Student Services (located in the Kelly Center) will assist on-campus students with disabilities. FHSU employees with disabilities and other conditions should work with their supervisor and the Human Resource Office in developing personal action plans.

Individuals remain responsible for their own evacuation. Additionally, if an individual needs assistance evacuating, it is the individual’s responsibility to identify evacuation assistants and request the assistance, in advance if possible, of those individuals.

**VIII. TIMELY WARNINGS**

<b>Office/Individual Responsible</b>	Director of University Relations, Chief of University Police, University Counsel, key University Personnel, and Vice President for Student Affairs.
<b>Location where documentation is kept</b>	Sheridan 208, Vice President for Student Affairs’ Office. Contact Information: 785/628-5824 or <a href="mailto:jlinn@fhsu.edu">jlinn@fhsu.edu</a>
<b>Date policy and procedure were last updated</b>	September 2013

a. Timely Warning Policy

In the event that a crime is reported to University Police or a local law enforcement agency that is considered to represent a serious or continuing threat to members of the University community, a campus-wide "timely warning" will be issued. A timely warning may also be issued for other circumstances that may not be criminal in nature, such as severe weather.

This warning will generally be issued via the FHSU email system, but in the event of an immediate threat to the University community, a notice may be posted on the University Police Website at <http://www.fhsu.edu/police/> In addition, a timely warning may be issued using the Emergency Notification System (<http://www.fhsu.edu/crisis/home/>), although the Emergency Notification System may be used for providing alerts that do not constitute timely warnings under this policy.

Any timely warning pursuant to this policy will be issued without delay following the receipt of pertinent information which leads the University to believe that a circumstance constitutes a serious or continuing threat to students and employees. The decision of whether to issue a timely warning will be made by the Director of University Relations, in consultation with the Chief of University Police, the University General Counsel, and other appropriate University officials, although if the event giving rise to the timely warning also warrants use of the Emergency Notification, then either the Chief of University Police or University General Counsel as emergency co-managers may send the message. The creator(s) of the message will determine the avenue for dissemination and the content of the message. If only one discreet segment of campus is affected, then the timely warning could be limited in scope.

The timely warning will at a minimum describe, in as much detail as possible, the circumstance at issue in order to provide the FHSU community with information as to how to maintain their safety. The timely warning may be supplemented as needed to provide updated information or to inform the FHSU community that the threat or dangerous situation has resolved.

Anyone with information of any crime should report it to the University Police Department (785-628-5304), the City of Hays Police Department (785-625-1011) or dial 911.

**IX. ANNUAL SECURITY REPORT:**

<b>Office/Individual Responsible</b>	Amy Schaffer, University Compliance Officer. Contact Information: 785/628-4175 or alschaffer@fhsu.edu
<b>Location where documentation is kept</b>	Sheridan 314, University Compliance Office
<b>Date policy and procedure were last updated</b>	September 2014

**a. General Procedures for Reporting a Crime or Emergency**

Incidents affecting personal safety or property, and property of the State of Kansas must be reported to the University Police Department (UPD) on a timely basis. If you are the victim or a



witness to a crime or circumstances which you believe may constitute a crime, call 911 to reach police assistance, emergency medical treatment and fire response. For non-emergencies, the University Police Department may be contacted at 785/628-5304 during normal operating hours, which are 8 am to 4:30 pm, Monday-Friday. After hours, or on weekends or holidays, contact the Hays Police Department Dispatch Center, which provides dispatch services for the University Police Department, at 785/625-1011. Additionally, seven kiosk phones are located throughout campus. The Kiosk phones go directly through UPD dispatch during business hours. After business hours, they are routed to the UPD cell phone. If the officer cannot answer, it is automatically routed to Hays dispatch.

Pursuant to statutory requirements, crimes reported to the University Police Department are submitted to the Kansas Bureau of Investigation, the central repository for the State of Kansas. UPD electronically submits the required data using the Kansas Incident Based Reporting System. Data collected within those submissions does not represent all criminal incidents committed at Fort Hays State University, as it is dependent on victims reporting crimes to the University Police Department. The collection of this data is designed to support the “Crime in the U.S. Report” published annually by the FBI. Additionally, data collected by UPD and the city police department is used by the University to prepare the annual Fort Hays State University Security Report to comply with the Jeanne Cleary Disclosure of Campus Security Policy and Crimes Statistics Act.

UPD makes no provision for including confidential reports of crime in this Annual Security Report. The UPD depends on these reports to allocate its resources and maximize crime prevention efforts to provide a safe environment. Confidential reporting to the Kelly Center and Student Health Center are documented and sent to the Clery Officer each year. In addition, the University Compliance Officer evaluates the reports are not duplicated.

Disciplinary and behavioral cases may also be reported by completing the Report It Form available at [www.fhsu.edu/judicial/report-it](http://www.fhsu.edu/judicial/report-it) for review in the Behavioral Intervention Team meetings and for potential further disciplinary review. Emergencies should NOT be reported through this venue.

**b. Process and policies concerning “[timely warnings](#)” are addressed in section VIII.**

Preparing the Annual Disclosure of Crime Statistics

Crime statistics that are provided in this annual report are based upon incidents reported by the University Police Department, Office of Student Affairs and Residential Life. Each entity provides updated information on their educational efforts and programs to comply with the Act. This annual report is prepared by the University Compliance Officer. FHSU annually reports statistics for the three most recent calendar years concerning the occurrence on campus, in residence halls, in or on a non-campus building or property, and on public property. Campus crime, arrests, and referral statistics include those reported to the FHSU Police, Residential Life and the Office of Student Affairs. Limited information is provided from the Hays Police Department regarding fraternity and sorority chapter houses as well as Kansas Wetlands Center and Sternburg Museum.

Each year, an e-mail notification is made to all faculty, staff, and enrolled students that provides the web site for the University’s Annual Security Report. Copies of the report may also be obtained at the Office of Student Affairs, Sheridan Hall 208, or by calling (785) 628-5824

**c. Criminal Activity Off-Campus**

To report a criminal offense occurring off-campus, contact the Hays Police Department, 785-625-1011, the Ellis County Sheriff’s Department, (785) 625-1040, or dial 911 (emergencies only).

FHSU sororities and fraternities are located off campus and fall under the jurisdiction of the Hays Police Department. The Office of Student Affairs and the Center for Student Involvement maintain contact with recognized fraternity and sorority organizations. Student Affairs and University Police have a close working relationship with the Hays Police Department when violations of federal, state, or local laws occur. This cooperative team approach addresses situations as they arise.

**d. Reporting criminal activity**

Crimes should be reported to UPD to ensure inclusion in the annual crime statistics and to aid in providing timely warning.

Victims or witnesses may report crimes on a voluntary confidential basis for the inclusion of the security report for 2014. Confidential reporting can be made to the Kelly Center or the Student Health Center.

Additionally you may report a crime to the following areas:

1. Associate Vice President for Student Affairs (Non-Confidential Reporter)	785/628-5824, Sheridan Hall 208
2. Director of Kelly Center (Confidential Reporter)	785/628-4401, Picken Hall 111
3. Director of Health Services (Confidential Reporter)	785/628-4293, Memorial Union 045
4. Director of Residential Life (Non-Confidential Reporter)	785/628-4245, McMIndes Hall 126
5. University Compliance Officer (Non-Confidential Reporter)	785/628-4175, Sheridan Hall 314

**e. Access to Campus Facilities and Security Considerations in the Maintenance of Campus Facilities.**

FHSU is committed to maintaining an environment in which students, faculty, staff, and guests can work together free from all forms of harassment, exploitation and intimidation. The University will act as needed to discourage, prevent, correct, and, if necessary, discipline behavior that violates this standard of conduct.

During business hours, FHSU is open to students, parents, employees, contractors, guests and invitees. During non-business hours access to all University facilities is by key, if issued, or by admittance via the University Police Department.

The Department of Residential Life is committed to providing a safe environment in the residence halls. Students are made aware of safety concerns as well as tips on prevention through floor meetings and presentations. Safety issues are addressed at New Student Orientation and floor meetings each semester. While there are many safeguards in place for residence hall students, each student must do his/her part to assure a safe and secure environment by adhering to the safety related policies and procedures. Each hall or apartment complex is supervised by a Hall Director or Apartment Manager who lives and works in the residence hall or complex.

On every floor of a residence hall there is a Resident Assistant. A Resident Assistant (RA) is an upper class student who has received extensive training in many different aspects of residence hall living. The hall staff undergoes training in enforcing residence hall safety and security policies as well as being aware of potential safety hazards and concerns. The Department of Residential Life provides an "on-duty" staff member in each hall every night and weekends for assistance with any problems. The names and telephone numbers and locations of on-duty hall staff are posted in the residence halls. Each resident should locate this information in advance of an emergency.

All residence halls, except McMIndes Hall, lock their exterior doors between the hours of 11 pm and 6 am. McMIndes Hall maintains a 24-hour a day desk to maintain security. During the hours when buildings are locked, residents may enter with keys issued to them, or by calling "on duty" staff members in each hall. Security cameras that record activity are located in strategic locations in both Wiest and McMIndes Halls.

Residents can protect themselves and their property by making responsible decisions. Exterior doors should not be propped open at any time. Keeping every room door locked at all times will deter crime, as almost every theft in a residence hall is a result of an unsecured room or unattended belongings. Every security measure taken by the residence hall staff depends on the responsible actions of each resident for its effectiveness.

The campus safety related information can be found at <http://www.fhsu.edu/judicial/crime-prevention-tips/>

#### **f. Security Considerations used in maintenance of campus facilities.**

The University Police Officers on patrol regularly observe campus lighting and report lights that are not functioning properly to the Physical Plant Department. The University Environmental/Safety Office regularly checks and services exit and emergency lighting on the campus. The Environmental/Safety office also conducts services and testing on fire detection and warning systems throughout the campus.

The Physical Plant Department maintains the campus buildings and grounds with a concern for safety and security. The staff inspects campus facilities regularly, promptly makes repairs affecting safety and security, and responds immediately to reports of potential safety and security hazards, such as broken windows and locks. If you have concerns about the physical safety of campus buildings and grounds, call the Physical Plant Office, Monday through Friday, 8:00 a.m.

to 4:30 p.m., at (785) 628-4424. For emergencies that occur outside of business hours, call the Hays Police Department at 625-1011.

**g. University Police Authority and Jurisdiction / Reporting of a Criminal Offense**

The Fort Hays State University Police Department provides primary police protection services to the University campus, Sternberg Museum of Natural History, FHSU Foundation property, the University Farm, the Pavilion, parking lots and residence halls 24 hours/day, 365 days/year and employs nine full-time, armed, state-certified police officers and one unarmed security officer.

FHSU police officers are commissioned by the State of Kansas under K.S.A. 76-726 and have the same law enforcement authority and responsibilities as local police and sheriff deputies. UPD has primary jurisdiction over all property owned or controlled by Fort Hays State University, concurrent jurisdiction within the City of Hays and all UPD officers carry an Ellis County Sheriff Deputy commission.

UPD officers are responsible for a full range of public safety services, including criminal investigations, enforcement of criminal statutes and city ordinances, collection of data for the required statistical crime reports, motor vehicle accident investigations, civil commitments for person(s) in need of care, traffic and parking enforcement, emergency management, enforcement of FHSU Rules and Regulations and the security of the University's physical assets. UPD refers statutory violations for judicial oversight and prosecution to Municipal, District and Federal Courts.

In addition to enforcement of state law, county resolution and city ordinances, university police officers shall enforce rules and regulations of the board of regents and rules and policies of the state education institution, whether or not violation thereof constitutes a criminal offense pursuant to K.S.A. 76-726 (4) (b).

**h. Professional Affiliations & Agreements**

The University Police Department works in concert with Local, State and Federal Law Enforcement Agencies to provide protective services, public safety and enforcement related duties. There are six written memoranda of agreements between various agencies which provide a general outline of the following topics:

- Police Protection
- Parking Regulation and Enforcement
- Emergency Management and Cooperation
- Fire Protection
- UPD Concurrent Jurisdiction within the City of Hays
- Investigative Crime Unit & Task Force
- Emergency Shelters

**i. Several Memorandums of Understanding (MOU's) have been generated for "Mutual Assistance" and can be found in [Appendix B](#).**

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the University Police in a timely manner. If you are the victim of any crime or if you witness a crime, call 9-1-1 to reach police assistance, emergency medical treatment or fire response. For non-emergencies, the University Police can be contacted at 628-5304 during normal operating hours. After hours or on weekends, contact the Hays Police Department Dispatch Center, which dispatches for the University Police Department at 625-1011. Additionally, there are seven kiosk phones located throughout campus that connect to dispatch. The University Police Department is located at Custer Hall, in the Center of Public Safety, Room 112, 420 Custer Drive.

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C Section 1092 f), clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

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

**Professional Counselor**-An employee of an institution whose official responsibilities include providing psychological counseling to member of the institution's community and who is functioning with the scope of his or her license or certification.

**j. Security Awareness Programs & Crime Prevention**

Prevention programs for students and employees occur at the beginning of the fall and spring semesters. The focus of prevention programs occurs during the fall semester with follow-up programming occurring in the spring semester. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. The University Police Department works collaboratively with Student Residential Life, Student Affairs, Drug and Alcohol Awareness Network (DAWN), and Kelly Center to offer a series of lectures and presentations to university groups each semester, as well as on a request basis covering all areas of personal safety. Programs during the freshman seminar also occur which captures all freshman students. Students are encouraged to make use of these informative opportunities to help them eliminate concerns about personal safety. Programs also include prevention of crimes and security procedures and practices.

When time is of the essence, information is released to the university community through security alerts posted through the university's e-mail system to students, faculty and staff, the Leader Alert Emergency Notification System, and postings in the residence halls.

FHSU encourages students and employees to take responsibility for their own security and the security of others. Members of the campus community are urged to secure their valuables and be aware of their surroundings. To assist in this endeavor, there are educational programs each semester on a variety of topics including personal safety awareness and security, rape awareness education, and crime prevention. Information of safety and security is also provided on request to students and employees regularly via presentations, posters, brochures, college and student newspapers, and other printed materials.

Information call boxes, also referred to as kiosk phones, provide communication to dispatch and/or emergency responders and are located throughout campus.

Each year FHSU has a campus safety walk program sponsored by the Student Government Association (SGA). University officials walk the entire campus with SGA members noting any safety concerns such as lights burned out, trees or shrubs that need to be trimmed or any dark sidewalk paths. FHSU addresses any needs listed and reports back to Student Government on the resolution and the date and time it was completed.

#### **k. Monitoring and recording criminal activity in off-campus locations**

Aside from fraternities and sororities, there are no other off-campus student organizations with housing facilities. Student Affairs maintains contact with recognized fraternity and sorority organizations through the efforts of the Coordinator of the Center for Student Involvement, who serves as the Greek Affairs Advisor. University Police members do not provide law enforcement service to off-campus residences of recognized fraternity and sorority organizations nor are activities off-campus recognized by university authority. Criminal activity at recognized fraternity and sororities residences is monitored and recorded by the Hays Police Department. The FHSU University Police members enjoy a close working relationship with Hays Police Department when violations of federal, state, or local laws surface. This cooperative team approach addresses situations as they arise as well as future concerns.

#### **l. Alcohol and Other Drug Abuse**

- a. <http://www.fhsu.edu/kellycenter/dawn/Alcohol-and-Drug-Free/>

### ***FHSU Philosophy***

Fort Hays State University has long recognized that an academic community is harmed in many ways by the abuse of alcohol and the use of other drugs. This high risk behavior is exemplified by decreased productivity of members of the community, serious health problems, strained social interactions as well as forms of vandalism. Problems associated with the illicit use and abuse of substances have a pervasive impact upon the academic community and are not associated with a singular socioeconomic group or age level. The processes of education and learning are especially impaired by alcohol abuse and the use of illicit drugs.

Fort Hays State University subscribes to the basic philosophy of the Network of Colleges and Universities committed to the Elimination of Drug and Alcohol Abuse, which states:

- A. The institutional establishment enforces clear policies that promote an educational environment free from the abuse of alcohol and other drugs.
- B. The institution will provide education for its members for the purpose of preventing alcohol and other drug abuse as well as educating them about the use of legal drugs in ways that are not harmful to self or others.
- C. Fort Hays State will create an environment that promotes and reinforces healthy responsible living; respect for community laws; campus standards and regulations; the individual's responsibility within the community; and the intellectual social, emotional, spiritual or ethical, and physical well-being of its community members.
- D. The institution will provide for a reasonable level of care for alcohol and drug abusers through counseling, treatment and referral.

The foundation of the philosophy concerning alcohol and drug abuse for Fort Hays State University is the firm commitment to an educational program which provides the adequate information and counseling to help all members of the academic community to make informed and responsible decisions concerning the use of any controlled substance. The institution is committed to a healthy environment for learning and living.

FHSU has adopted a statement to support the membership guidelines and standards of the Network of Drug Free Colleges and Universities and its commitment to the elimination of drug and alcohol abuse.

**m. Policy**

- a. [http://www.fhsu.edu/academic/provost/handbook/ch\\_4\\_drug\\_free\\_workplace/](http://www.fhsu.edu/academic/provost/handbook/ch_4_drug_free_workplace/)

**Employees**

Fort Hays State University prohibits the unlawful possession, use, manufacture, purchase, or distribution of alcohol or drugs, or any attempt thereof, by students or by employees on its property or as part of its activities. The University is committed to prevent the illegal or irresponsible use of drugs and alcohol by students and employees. Any student or employee found to be using, possessing, manufacturing, or distributing controlled substances or alcohol, or whose behavior evidences being under the influence of alcohol or controlled substances, in violation of the law on University property or at University events shall be subject to disciplinary action in accordance with policies of the State of Kansas, the Board of Regents, and Fort Hays State University.

For employees, the University will take appropriate personnel action for such infractions, up to and including termination. Students who violate this policy will be subject to sanctions which include completion of an appropriate substance assistance or rehabilitation program at the individual's expense, reprimand, probation, suspension and expulsion from the University.

As a condition of employment, all employees of Fort Hays State University, including student employees, shall abide by the terms of this policy statement and will notify Fort Hays State University of any criminal drug statute conviction for a violation occurring in the workplace no

later than five (5) days after such conviction. Fort Hays State 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 purposes of this policy, "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

The Drug and Alcohol Policy is available online

### **Employee Substance Abuse Prevention Programs**

FHSU provides prevention and early intervention programs which are intended to serve both the student population and employees. These programs are administered under the direction of the Drug and Alcohol Wellness Network ([DAWN](#)) Coordinator in the [Kelly Center](#).

Research indicates that prevention programs are most effective when conducted frequently over a period of time. Therefore, prevention programs are carried out several times during the year and are available to faculty as well as students

DAWN is licensed by the State of Kansas to provide Drug and Alcohol Assessment and Referral, Early Intervention/Interim Services. These services are available to all FHSU employees. DAWN's webpage (<http://fhsu.edu/kellycenter/dawn>) hosts a variety of resources for employees to access regarding alcohol and other drugs as well as addiction in general and overall wellness. Safe-Ride is a program implemented by the Partnership for a Safer Community and is also a direct benefit to employees. Through the State of Kansas, HealthQuest (<http://www.kdheks.gov/hcf/healthquest/eap.html>) promotes healthy lifestyles and the Employee Assistance Program provides resources for counseling and consultation.

The [Student Health Center](#), the [Human Resource Office](#), and the [Kelly Center](#) are other resources available to all employees for drug awareness and substance abuse counseling, treatment, information and/or programs. The State of Kansas offers a toll-free number for all state employees wishing to participate in the state Employee Assistance Program. This number is 1-888-275-1205.

Employees are encouraged to use any of these resources to assure a drug-free environment and workplace.

### **Procedures which will be Followed in the Event an Employee is Convicted of Criminal Drug Statute Violations which Occur in the Workplace**

In accordance with FHSU disciplinary policies and practices, when an employee is found to be in violation of the Drug-Free Workplace Statement of FHSU, he/she may be subject to penalties up to and including termination. Employees may also be required to satisfactorily participate, at their expense, in a drug abuse assistance or rehabilitation program before being allowed to return to work. Appropriate action will be taken within **thirty (30) days** of FHSU's notice of a conviction or violation of the University's statement on a drug-free workplace.

*Employees and Students* (<http://www.fhsu.edu/policies/> )

POLICY TITLE: Service and Consumption of Alcohol on Campus



**POLICY PURPOSE:** To establish the conditions under which service and/or consumption of alcohol on campus can occur, and the procedure to be followed when service and/or consumption is allowed.

**APPLIES TO:** All university community members

**DEFINITIONS:** “Alcohol” or “Alcoholic beverages” means alcoholic liquor, cereal malt beverages and beer. “Alcoholic liquor” means whiskey, gin, vodka, or any other intoxicating liquor containing this liquid. “Cereal malt beverage” means any beverage having not more than 3.2% alcohol by weight produced by fermentation and not by distillation. “Beer” means any beverage having more than 3.2% alcohol by weight produced by fermentation.

**CONTENTS:**  
**POLICY STATEMENT:** With approval of the University President or designee, Fort Hays State University permits the service and/or consumption of alcoholic beverages in the following designated non-classroom areas on the University campus or on off-campus University owned property:

- Memorial Union
- Beach/Schmidt Performing Arts Center (Sheridan Hall)
- Hubbard Press Box and East Side Suites
- Moss/Thorns Gallery of Art (Rarick Hall)
- Schmidt-Bickle Indoor Training Facility
- Sternberg Museum, Seibel Lobby and food service area
- Gross Memorial Coliseum (designated area for entertaining)
- Kansas Wetlands Education Center I.

Conditions for Service and/or Consumption of Alcohol on Campus

- No alcohol will be sold, served or consumed on University property pursuant to this policy without prior approval of the President or designee.
- Student organizations are prohibited from using their organization funds to purchase alcohol.
- Alcohol may not be possessed or consumed on campus by anyone under the age of 21. Residence Halls (see policy below).

The following conditions relate to service and/or consumption of alcohol at an event sponsored by a University group or student organization:

- Individuals sponsoring any event should implement precautionary measures to insure that alcoholic beverages are not accessible or served to persons under the legal drinking age or persons who appear intoxicated.
- Social functions where alcoholic beverages are provided by the sponsoring organization shall have direct access of these beverages limited to persons designated as servers.
- Non-alcoholic beverages and food must be available in the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.
- No social event shall include any form of "drinking contest" in its activities or in the promotion of them.
- The serving of alcoholic beverages shall not be used in any advertising of a FHSU event.
- Possible sanctions for violation of this policy include loss of recognition of a campus organization, loss of visiting privileges, disciplinary warning, probation, and removal from school.

All disciplinary procedures will meet the standards of the Fort Hays State University's Student Bill of Rights.

### Students

FHSU has a duty to establish rules and policies that all students are required to follow for the good of the community. Students have a right to expect enforcement of these rules and policies. FHSU also has a right to expect students to abide by them as responsible members of the learning community. If any infractions of the Student Code of Conduct are found to have an element of malice, the resulting sanctions may be more severe. FHSU reserves the right to make a case-by-case determination as to whether conduct of a serious nature which occurs off of the premises of the University, but has an impact on the University community, may be addressed under this policy.

#### 1. **Alcoholic Beverages**

Students must comply with the published regulation concerning the transport, provision and consumption of beer, wine and other alcoholic beverages on campus or University property (see above).

#### 2. Residence Halls, (<https://www.fhsu.edu/reslife/Downloads/Residential-Life-Handbook/>):

1. Possession and/or consumption of alcoholic beverages are prohibited in all of our residence halls (Agnew, Custer, Heather, McMinded, and Wiest) regardless of age. Alcohol containers and paraphernalia are prohibited in all of our residence halls regardless of age. Apartment (Stadium Place, Wooster Place) residents of legal drinking 21 age, as defined by Kansas law, may possess and consume alcohol in their own apartments or the apartment and in the presence of another resident of legal drinking age. Such beverages must be packaged in containers of one (1) liter or less in volume and represent reasonable personal consumption. An apartment resident may consume alcohol in his/her apartment even if his/her assigned roommate is present and under 21 years of age. Consumption may not be in public, and must be done inside the apartment. A resident of legal drinking age will be held accountable for a roommate and/or others under legal drinking age who consumes alcoholic beverages while he/she is present. Anybody in a room where an alcohol or drug violation occurs will be held responsible for the violation. All other possession and consumption of alcoholic beverages is PROHIBITED in the Wooster and Stadium Place apartments.

#### *n.* **Legal Sanctions**

Students and employees are reminded that local, state and federal laws provide for a variety of legal sanctions and penalties for the unlawful possession or distribution of illicit drugs and alcohol. These sanctions include, but or not limited to, incarceration and monetary fines.

The Federal Controlled Substances Act provides penalties of up to 15 years imprisonment and fines or up to \$25,000 for unlawful distribution or possession with intent to distribute narcotics. For unlawful possession of a controlled substance, a person is subject to up to one year of imprisonment and fines up to \$5,000. Any person who unlawfully distributes a controlled

substance to a person under 21 years of age may be punished by up to twice the term of imprisonment and fine otherwise authorized by law.

Kansas law provides that any person who violates the criminal statutes on controlled substances by possessing, offering for sale, distributing, or manufacturing opiates and narcotics, such as cocaine and heroin, shall be guilty of a Class C felony. For conviction of a Class C felony, the court may sentence a person to a term of imprisonment of a minimum of three to five years, a maximum of 10 to 20 years, and a fine of up to \$15,000. Unlawful possession of a depressant, stimulant or hallucinogenic drug is punishable as a Class A misdemeanor, with a penalty of to a year in jail and a fine of \$2,500. Depressants include barbiturates, Valium, and barbitol. Hallucinogens include LSD, marijuana, and psilocybin. State law classifies amphetamines and methamphetamines as stimulants.

Article 7 of the Kansas Liquor Control Act provides for punishments ranging from up to six months imprisonment and fines of up to \$1,000 for violation of the statutes relating to the possession and distribution of alcohol.

The local ordinances of Hays also provide for prohibitions relating to illicit drugs and alcohol. Generally, these local ordinances are similar in content to state law.

***o. University Sanctions***

***Employees***

In accordance with Fort Hays State University disciplinary policies and practices, when an employee is found to be in violation of the Drug-Free Workplace Statement of Fort Hays State University, he/she may be subject to penalties up to and including termination. Employees may also be required to satisfactorily participate, at their expense, in a drug abuse assistance or rehabilitation program before being allowed to return to work. Appropriate action will be taken within thirty (30) days of Fort Hays State University's notice of a conviction or violation of the University's statement on a drug-free workplace.

***Students***

All violations of policy will be handled on an individual basis, affording each student the right to due process. Procedures of this process are described in the student handbook. If found to be in violation of policy, sanctions which may be imposed include: documentation; probation; educational sanctions; suspension; and / or expulsion.

It is FHSU's belief that all disciplinary sanctions should provide the opportunity for personal growth; to that end counseling and referral for individual assessment may be included as a condition of any sanction.

***p. Referral Sources / Drug and Alcohol Abuse Programs***

***On-Campus***

- A. Drug and Alcohol Wellness Network (Kelly Center) (785) 628-4401  
<http://www.fhsu.edu/kellycenter/dawn>

- B. Student Health Services- (785) 628-4293  
<http://www.fhsu.edu/studenthealth>

Off- Campus

- A. Smoky Hill Foundation for Chemical Dependency Inc- (785) 625-5521
- B. Dream Inc- (785) 628-6655
- C. High Plains Mental Health Center-(785) 628-2871
- D. Alcoholics Anonymous/Narcotics Anonymous/AI Anon- (785) 625-9860

State of Kansas

- A. Substance Abuse Program Directory, Kansas Department for Aging and Disability Services  
<http://www.kdads.gov/>
- B. Kansas Alcohol and Drug Treatment Center Directory-  
<http://www.recovery.org/browse/kansas/>

National

- A. Substance Abuse & Mental Health Services Administration- 1-877-726-4727
- B. National Institute on Drug Abuse- <http://www.drugabuse.gov>
- C. US Department of Health and Human Services- 1-877-696-6775
- D. Centers for Disease Control and Prevention- 1-800-232-4636 (HIV and other health concerns) <http://www.cdc.gov>

Refer to [Section VII](#) for emergency response and evacuation procedures.

Refer to [Section XI](#) for missing student notification procedures.

**q. Reporting/Filing All Crimes**

To report a crime:

Contact University Police at 785/628-5304 (non-emergencies), dial 9-1-1- (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residential Halls should be reported to the police department. In addition you may report a crime to the following areas:

1. Associate Vice President for Student Affairs (Non-Confidential Reporter)	785/628-5824, Sheridan Hall 208
2. Director of Kelly Center (Confidential Reporter)	785/628-4401, Picken Hall 111
3. Director of Health Services (Confidential Reporter)	785/628-4293, Memorial Union 045
4. Director of Residential Life (Non-	785/628-4245, McMIndes Hall 126

Confidential Reporter)	
5. University Compliance Officer (Non-Confidential Reporter)	785/628-4175, Sheridan Hall 314

r. **Sexual Assault / Offense Policy**

Fort Hays State University is committed to an environment in which students, faculty and staff are free from all forms of harassment, exploitation and intimidation.

It is FHSU policy to prohibit harassment of individuals on the basis of their status as a member of a protected class, which includes race, color, religion, gender, age, national origin, marital status, sexual orientation, veteran status and physical or mental disability. The protections afforded by this policy apply equally to all FHSU employees and students. Definitions for gender-based violence can be found at <http://www.fhsu.edu/judicial/gender-based-violence-definitions/>.

**Description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses, include, but not limited to:**

- The Red Flag Campaign
  - Month long National Campaign that raises awareness of gender-based violence as an issue on college campuses and trains students on bystander intervention.
- Campus safety walk
  - The SGA spends an evening walking through campus to update lighting, emergency phones, etc. The object of the walk is to seek out ways to make the campus physical environment safer.
- UNIV 101 Bystander Intervention training
  - Coordinated by the Women's Leadership Project and the Campus Safe Initiative this 2 day session educates the entire incoming class on the issue on gender-based violence on college campuses, the resources offered to them at FHSU, and students on bystander intervention.
- Healthy Relationships Workshops under TIGER Series
  - The Student Health Center led a workshop addressing what it means to be in a healthy relationship and what is not a healthy relationship and how this affects college students.
- Show Your Strength
  - Dr. Curt Brungardt presented to men on campus, including fraternities and athletes, about what it means to "be a man" and how to be an ally in ending gender-based violence on college campuses.
- RAINN Day
  - RAINN Day is a one day national event put on by the RAINN network to raise awareness that sexual assault happens on college campuses and urges students to take a pledge to be an ally in ending sexual assault on their campus.
- Consent is Sexy
  - A First 40 Days event that leads a campaign to raise awareness that rape happens in college, what constitutes rape, and the importance of asking and giving consent.
- Faculty/Staff Title IX Training

- Title IX coordinator led a 1 hour training on how staff and faculty should respond if a student reports a sex offense to them.
- Campus Men's Action Network
  - New organization formed on campus that encourages men's work in ending gender-based violence on college campus and how male students can be allies.
- *The Hunting Ground* Film Screening
  - Documentary about rape on college campuses and raises awareness about the importance of prevention and education efforts.
- Self Defense Workshop
  - The Defensive Tactics Club and Women's Leadership Project host a free self-defense workshop once a semester to teach students how to defend themselves against sexual assault.
- Peer Mentor Institute Session presentations
  - Know Your IX
    - Presentation addressed gender-based violence as an issue on college campuses and the need for awareness. Presenters provided participants with how to respond if they or someone they know is a victim and shared resources on campus that they can use.
  - Title IX Education
    - This session was for student affairs staff and faculty and shared Title IX policy, how to respond, addressed reporting expectations, and the many resources that could be found on their campus.

**Procedures one should follow if a sex offense occurs, including:**

1. Immediately report it to Police Department at x911.
2. Get a medical examination at the hospital or at your private doctor right away.
  - a. *Note: Before seeing the doctor, the victim should not douche, bathe, shower, or change clothes, as this would destroy valuable evidence. Preserving evidence for the proof of a criminal crime is important for the investigation.*
3. Students should inform the doctor of the act committed upon them. The doctor should take semen smears and note any injuries.
4. The victim should inform the police of all details and give police any clothing stained or torn during the attack.
5. If a change in an academic setting is needed contact the Associate Vice President for Student Affairs/Title IX Coordinator, Dr. Keegan Nichols at 785-628-5824, [knichols@fhsu.edu](mailto:knichols@fhsu.edu), or Sheridan Hall 208.

**Procedures concerning who should be contacted:**

1. Victim contacts University Police Department or Mandated Reporter.
2. University Police Department or Mandated Reporter reports to Dr. Keegan N. Nichols, Associate Vice President for Student Affairs and Title IX Coordinator in Sheridan Hall, Room 208, [knichols@fhsu.edu](mailto:knichols@fhsu.edu), or Phone: 785-628-5824

## **Title IX Policy**

Title IX of the Education Amendments of 1972 is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally-funded education program or activity. Created in hopes to better gender equality, Title IX strictly prohibits gender discrimination in any school or university that receives federal funding. Title IX endeavors to achieve equal opportunity for both men and women and FHSU strives to meet this objective in all of its programs and activities.

In compliance with Title IX, FHSU does not discriminate on the basis of sex in any of its education programs and/or activities, including but not limited to admission to or employment in its educational programs or activities.

No form of sexual assault will be tolerated at FHSU. This policy prohibits acts defined as sexual assaults as well as attempts to coerce an unwilling person to engage in sexual activity. In order to implement this policy, the university will engage in timely educational activities to inform members of the community about the types of sexual actions deemed unacceptable and how assaultive situations can be prevented and/or avoided. FHSU will also take action against those who violate this policy.

## **Reporting and Filing of All Complaints**

### **To whom the alleged offense should be reported**

Victims of a sexual offense have the option, and are encouraged, to notify the appropriate law enforcement agency of the incident. Fort Hays State University will assist the victim or others reporting a sexual offense with notifying the appropriate law enforcement agency, if requested. When a student or employee reports that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, FHSU will provide the student or employees with a written explanation of their rights and options.

### **Statement of Confidentiality**

FHSU staff will respect the confidentiality of the sexual assault victim, witness, other necessary parties, and the alleged offender(s) as much as possible, consistent with the university's legal obligations. As noted below, students who wish to report or discuss sexual misconduct incidents should be aware that employees on campus have different reporting responsibilities and different abilities to maintain confidentiality or privacy, depending on their roles at the university. Confidentiality and privacy offer two different levels of protection for information a student shares. Staff who are considered confidential generally would only share information if there was imminent risk to self or others. Staff who are private can share information with others on a "need to know basis," which is a lower threshold than confidential sources.

Victims may choose their reporting method. Some victims may prefer to speak with a confidential source first, while others may want to pursue a more formal, non-confidential reporting approach right away.

All complaints may be reported by telephone, in-person, or via the [Incident Report It form](#). The report-it form can be confidential or non-confidential depending on whether or not you list your name. You may choose to report an incident in two ways: confidentially or non-confidentially.

### Confidential Reporting

Confidential reporting gives the victim the opportunity to speak confidentially with a Fort Hays State University professional who works in a health-care or counseling role. This allows victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report. Crimes disclosed to a pastoral or mental health counselor, serving in that capacity at the time of disclosure, are not subject to mandatory reporting. The term “pastoral counselor” is defined as a person who is associated with a religious order or denomination that recognizes him/her as someone who provides confidential counseling. The term “mental health counselor” is defined as a fully qualified and/or licensed professional whose official responsibilities include providing mental health counseling to members of the University’s community and is functioning within the scope of his/her license or certification. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual to report the crime to University Police.

Those reporting options are:

- Kelly Center, 785-628-4401
- Student Health Center, 785-628-4293
- Options Domestic and Sexual Violence Services, 785-625-4629

### Non-Confidential Reporting

Non-confidential reporting means that an investigation will occur with an outcome as well as the review if a timely notification should be sent to campus. Details of the report will only be shared with individuals with a need-to-know basis. Privacy will be protected to the extent possible. To file a non-confidential complaint, please use one of the following options:

3. All victims are encouraged, but not required, to file a Police Report with the University Police Department. Anything that individually identifies an individual will not be disclosed, consistent with state statute.  
911 or 785-628-5304.
4. Title IX Coordinators
  - Keegan N. Nichols, Ed.D., Title IX Coordinator  
Associate Vice President for Student Affairs and Title IX Coordinator  
Sheridan Hall, Room 208  
Email: [knnichols@fhsu.edu](mailto:knnichols@fhsu.edu)  
Phone: 785-628-5824
  - Carrie Lane, Deputy Title IX Coordinator  
Human Resources and Equal Employment Opportunity Officer  
Sheridan Hall, Room 110  
Email: [cdlane@fhsu.edu](mailto:cdlane@fhsu.edu)  
Phone: 785-628-4762
  - Kurt Kohler, Deputy Title IX Coordinator  
Head Volleyball Coach – Fund Raising and Special Events



Cunningham Hall, Room 139E  
Email: [knkohler@fhsu.edu](mailto:knkohler@fhsu.edu)  
Phone: 785-628-4392

- Amy Schaffer, Deputy Title IX Coordinator  
University Compliance Officer and Lead Investigator  
Sheridan Hall, Room 314  
Email: [alschaffer@fhsu.edu](mailto:alschaffer@fhsu.edu)  
Phone.785-628-4175

In sexual misconduct, dating violence, domestic violence, sexual assault, or stalking cases the Educational Conference/Informal Administrative Hearing is a private meeting with individuals at different times. Alleged victims and alleged perpetrators do not have to see each other during this meeting. These cases are heard at the Administrative Hearing level. The standard of proof is by a preponderance of evidence, meaning that it is more likely than not that the event occurred.

s. **Educational Conference/Informal Administrative Hearing**

In cases of an alleged sex offense, dating violence, domestic violence, sexual assault, or stalking the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding.

If the student is charged with a Code of Conduct violation, he or she will be sent a notice (or called when necessary) to report to the Administrative Officer in order to discuss the charges and disciplinary procedures. If the Administrative Officer and the charged student can agree upon the facts and sanctions concerning the charges, the matter will be considered initially settled and the Administrative Officer will follow up the student conference with a letter to the student. The matter will be considered resolved once the terms of the sanctions have been completed. The terms of the sanctions may range from dropping all charges to suspension (see Sanctions).

In all cases where the facts and sanctions concerning the charges cannot be agreed upon, the Administrative Officer will determine whether the student(s) facing possible disciplinary action will have their case heard by a Student Hearing Panel or an Administrative Hearing.

**Notification of Accuser and Accused of the Outcome of Disciplinary Proceedings for Alleged Gender-Based Violence Offense** (dating violence, domestic violence, sexual assault, or stalking)

The Administrative Officer will notify both the accuser and accused of the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

t. **Sanctions**

When a student admits to being or is found to have been in violation of the Fort Hays State University Student Code of Conduct Regulations, the following responses and sanctions are possible:

- Reprimand - Official censure
- Restitution - Repayment of any monetary damages
- Specifically Defined Sanction - Specific conditions or assignments given to the student; examples include but are not limited to:
  - community service
  - research papers
  - workshop attendance
  - loss of privileges and exclusion from activities
  - exclusion from specified areas of campus
  - special projects or assignments
- Disciplinary probation - Period of review and observation during which the student is warned that the misconduct was very serious and that further violations of the code of conduct may result in more serious sanctions
- Deferred Suspension or Dismissal - Denial of enrollment, attendance and/or privileges for a specified period of time
- Permanent Suspension - Dismissal from the university
- Expulsion - Immediate and permanent removal from the institution (used only when it is believed that the presence of the student will have a detrimental impact on the university community)

**u. Primary Prevention and Awareness Programs and Services**

**a. Programs are described in detail [here](#).**

Primary Prevention and Awareness Programs for Students

Fort Hays State University promotes awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, dating violence, domestic violence, sexual assault, and stalking during freshman orientation, the UNIV 101 freshman seminar course, and a variety of programs on campus and in the residence halls throughout the year. Participation and reflection of participation are required during orientation and UNIV 101. The most up-to-date information about training opportunities can be found at <http://www.fhsu.edu/judicial/education-and-training/>.

Primary Prevention and Awareness Programs for Employees

Fort Hays State University promotes awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, sex offense, dating violence, domestic violence, sexual assault, and stalking during new employee orientation, course (before employment begins), and in departmental meetings (as requested). The most up-to-date information about training opportunities can be found at <http://www.fhsu.edu/judicial/education-and-training/>

On-Going Prevention and Awareness Campaigns for Students and Employees

Fort Hays State University promotes awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, sex offense, dating violence, domestic violence, sexual assault, and stalking throughout the year. Events may include, but not limited to, brochures, flyers, emails, programs, meetings, and other trainings. If you are interested in hosting or attending a training,

please contact the Title IX Coordinator. The most up-to-date information about training opportunities can be found at <http://www.fhsu.edu/judicial/education-and-training/>

### **Counseling and other student services for victims of sexual offenses**

Fort Hays State University staff and faculty want the first priority for the involved parties to receive the assistance they need. There are a variety of programs and services ready to assist you through this process. The most up-to-date resources can be found at <http://www.fhsu.edu/judicial/resources-and-services/>.

### **Options Domestic and Sexual Violence Services, 785-625-4629**

- Options mission is to empower individuals who experience domestic, sexual, interpersonal or stalking violence through individual support.
- Fort Hays State University and Options have partnered to provide support for involved parties. Options office is located in Memorial Union in the Student Health Center located at room 045.

### **Student Health Center, 785-628-4293**

- Student Health Center staff provide care for those with medical needs.
- The office is located in Memorial Union room 045.

### **University Police Department, 785-628-5304 or 911**

- UPD will respond to emergencies and conduct an investigation.
- The office is located in the lower level of Custer Hall, Room 112.

### **Hays Medical Center (SART), 785-261-7123**

- The Sexual Assault Nurse Examiner (SANE)/Sexual Assault Response Team (SART) is a community-based coordinated response to child and adult victims of sexual assault. The purpose of this program is to provide victim centered care to all victims of sexual assault.
- Hays Medical Center is located at 2220 Canterbury Road.

### **Kelly Center, 785-628-4401**

- Kelly Center staff can provide emotional support through personal counseling. In the event of a crisis, Kelly Center staff are available on a 24-hour basis for students living on campus. We can also help victims access services outside the university, if necessary.
- Services are confidential.
- The Kelly Center is located in Picken Hall, Room 111.

### **High Plains Mental Health, 785-628-2871**

- High Plains, a licensed community mental health center, is dedicated to an aggressive pursuit of providing a comprehensive mental health program to the citizens of Northwest Kansas.
- High Plains is located at 208 East 7th Street.

**Northwest Kansas Corrections Change - Strategies for Change, 785-625-9192 ext. 111**

- If you have been accused of a crime and need help, NWKCC can help! NWKCC Strategies for Change is certified as having met the standards described in the Essential Elements and Standards for Batterer Intervention Programs.
- NWKCC is located at 1011 Fort Street.

**v. Preserving Evidence after Sexual Misconduct**

In the immediate aftermath of a sexual assault, the most important thing is for the victim to get to safe place. Whether it be the victim's home, a friend's home or with a family member, immediate safety is what matters most. When a feeling of safety has been achieved, it is vital for the victim to receive medical attention, and strongly recommended for the victim to receive a forensic examination.

Preserving DNA evidence can be key to identifying the perpetrator in a sexual assault case, especially those in which the offender is a stranger. DNA evidence is an integral part of a law enforcement investigation that can build a strong case to show that a sexual assault occurred and to show that the defendant is the source of biological material left on the victim's body.

**Victims should make every effort to save anything that might contain the perpetrator's DNA, therefore a victim should not:**

- Bathe or shower
- Use the restroom
- Change clothes
- Comb hair
- Clean up the crime scene
- Move anything the offender may have touched

\*Even if the victim has not yet decided to report the crime, receiving a forensic examination and keeping the evidence safe from damage will improve the chances that the police can access and test the stored evidence at a later date.

**What does a forensic medical exam entail?**

A forensic medical exam may be performed at a hospital or other healthcare facility, by a sexual assault nurse examiner (SANE), sexual assault forensic examiner (SAFE) or another medical professional. This exam is complex and on average, takes 3-4 hours. While this may seem lengthy, medical and forensic exams are comprehensive because the victim deserves and needs special attention to ensure that they are medically safe and protected. In addition, it is important to collect evidence so that if the victim chooses to report the crime to police, they can access the stored evidence.

1. To start, the medical professional will write down the victim's detailed history.  
This sets a clear picture of existing health status, including medications being taken and preexisting conditions unrelated to the assault.
2. Next there is a head-to-toe, detailed examination and assessment of the entire body (including internal examination).  
This may include collection of blood, urine, hair and other body secretion samples, photo documentation of injuries (such as bruises, cuts and scraped skin), collection of clothing (especially undergarments).
3. Finally, the medical professional will speak about treatment for sexually transmitted infections (STIs) that may have been exposed during the assault.

NOTE: The victim has the right to accept or decline any or all parts of the exam. However, it is important to remember that critical evidence may be missed if not collected or analyzed.

After the forensic medical exam is performed and the evidence is collected and stored in the kit, the victim will be able to shower, brush their teeth, etc. - all while knowing that the evidence has been preserved to aid in a criminal prosecution if so desired.

### **What is a "rape kit"?**

The sexual assault exam kit (commonly referred to as a "rape kit") is the collection of DNA and other forensic evidence, which is then kept by the SANE or medical provider until picked up by law enforcement or the crime lab. It is then stored until the victim determines whether or not to pursue a case. The kit itself is generally a large envelope or cardboard box, which can safely store evidence collected from your body or clothing. While the contents of a sexual assault forensic exam may vary by state and jurisdiction, it may include items, such as:

- Instructions
- Bags and sheets for evidence collection
- Swabs
- Comb
- Envelopes for hair and fibers
- Blood collection devices
- Documentation forms

Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, states may not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both." Under this law, a state must ensure that victims have access to an exam free of charge or with a full reimbursement, even if the victim decides not to cooperate with law enforcement investigators. (Previously, states were required to ensure access to exams free of charge, but could put conditions on the exam, such as cooperating with law enforcement officials.)

Essentially, this law allows victims time to decide whether or pursue their case. A sexual assault is a traumatic event and some victims are unable to decide in the immediate aftermath. Because forensic evidence can be lost as time progresses, a "Jane Doe Rape Kit" enables a victim to have forensic evidence collected without revealing identifying information. For instance, in some

states, victims are given a code number they can use to identify themselves if they choose to report the crime at a later date.

Each state has determined different time frames for the storage of a kit. The victim should be informed at the time of the exam as to the length of time the kit will be retained, as well as the disposition of the kit. Processing the evidence collected may take only a few weeks, but many areas of the country have significant backlogs. So the wait to have the evidence tested could range from a few weeks to a few months, or even longer.

NOTE: to find a local hospital or healthcare facility that is equipped to collect forensic evidence, contact the National Sexual Assault Hotline (800-656-HOPE). The hotline will connect callers to their local crisis center, which can provide information on the nearest medical facility, and in some instances, send an advocate to accompany victims through the evidence collection process. <https://www.rainn.org/get-help/national-sexual-assault-hotline>

#### **w. Change of victim's academic and living situation**

Upon the request, Fort Hays State University will attempt to reasonably accommodate changes to the academic and living situations of the victim. The specific options for those changes will be determined on a case by case basis and will be based on availability at the time of the request. Options may include allowing withdrawals from classes, switching of class sections, changing of resident's halls, as well as others. Title IX staff will 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.

#### **x. Sex Offender Registration**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, Adam Walsh Child Protection and Safety Act of 2006, and the Family Educational Rights and Privacy Act of 1974, the Fort Hays State University Police Department is providing a link to the Kansas Bureau of Investigation Sex Offender Registry. This act requires registered sex offenders to indicate when they are enrolled or employed at institutions of higher learning.

A name based search of registered offenders is available from the Kansas Bureau of Investigation at <http://www.kbi.ks.gov/registeredoffender/>

For additional information on the Adam Walsh Child Protection and Safety Act of 2006 and Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act visit <http://ojp.gov/smart/legislation.htm> .

#### **x. Disclosure of Results of Disciplinary Proceedings Policy Statement**

Upon written request, FHSU will disclose the results of any disciplinary proceeding conducted by Fort Hays State University against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim, or the next of kin, if the victim is deceased.

#### **y. Information regarding the Clery Crime Statistics Data**

Clery Crime Statistics are posted on the web at: <http://www.fhsu.edu/judicial/security-report/> or may be requested from the University Compliance Officer, 314 Sheridan Hall, Hays, KS 67601; or [alschaffer@fhsu.edu](mailto:alschaffer@fhsu.edu).

In accordance with Federal Law, the Fort Hays State University Police Department maintains a daily log for all crimes reported to the Fort Hays State University Police Department. The crime log is open for inspection to the public and includes the nature of the crime, date and time of occurrence, general location and disposition of the complaint, if known. The law requires that this initial information be open for public inspection within two business days of the report of the crime unless the release of the information would jeopardize an on-going investigation, cause a suspect to flee or result in the destruction of evidence or unless disclosure is prohibited by law or would jeopardize the confidentiality of the victim. It also requires new information about the entries be made available within two business days. The crime log can be viewed from 8:00 a.m. to 4:30 p.m. Monday through Friday at the Center of Public Safety (C.O.P.S.), room #112 Custer Hall, 420 Custer Drive; Hays, Kansas. Every attempt will be made to have the log updated by 10:00 a.m. during regular business hours.

### Criminal Offenses - On campus

The following table represents the number of applicable offenses reported to have occurred in on-campus, including on-campus housing:

Criminal Offenses	Totals on Campus 2013	Totals on Campus 2014	Totals on Campus 2015
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible			
Rape	4	2	2
Fondling	0	0	1
Sex offenses – Non-Forcible			
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	1
Burglary	13	9	10
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Violence Against Women Act Offenses (*for crimes reported in 2013 and forward)</b>			
Stalking (includes Cyberstalking)	0	3	1
Domestic Violence	0	3	0
Dating Violence	0	0	2



### Criminal Offenses - On campus Housing Facilities

The following table represents the number of applicable offenses reported to have occurred in on-campus student housing.

Criminal Offenses	Totals on On-Campus Housing Facilities 2013	Totals on On-Campus Housing Facilities 2014	Totals on On-Campus Housing Facilities 2015
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible			
Rape	4	1	1
Fondling	0	0	1
Sex offenses - Non-forcible			
Statutory Rape	0	0	
Incest	0	0	
Robbery	0	0	0
Aggravated assault	1	1	1
Burglary	10	8	9
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Violence Against Women Act Offenses</b>			
Stalking (includes Cyberstalking)	0	1	0
Domestic Violence	0	2	0
Dating Violence	0	0	2

***\*\*Crimes reported in the residential facilities category are also included in the on campus category.\*\****

### Criminal Offenses – Non-campus & Public Property

The following table represents the number of applicable offenses reported to have occurred in non-campus buildings and public property.

<b>Criminal Offenses</b>	<b>Totals Non-Campus 2013</b>	<b>Totals Non- Campus 2014</b>	<b>Totals Non- Campus 2015</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible		0	
Rape	1	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Sex offenses - Non- forcible	0	0	0
Robbery	0	0	3
Aggravated assault	1	0	1
Burglary	0	0	1
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Violence Against Women Act Offenses</b>			
Stalking (includes Cyberstalking)	0	0	0
Domestic Violence	0	0	2
Dating Violence	0	2	0

### Arrests - On campus

The following table represents the number of applicable arrest reported to have occurred on campus (including on-campus housing).

**Drunkness or driving under the influence is not included in liquor law violations.**

Crime	Number of Arrests 2013	Number of Arrests 2014	Number of Arrests 2015
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	16	20	13
Liquor law violations	5	7	6

### Arrests - On-campus Student Housing Facilities

The following table represents the number of applicable arrest reported to have occurred on-campus student housing.

**Drunkness or driving under the influence is not included in liquor law violations.**

Crime	Number of Arrests 2013	Number of Arrests 2014	Number of Arrests 2015
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	11	17	9
Liquor law violations	5	7	5

### Arrests – Non-campus/Public Property

The following table represents the number of applicable arrest reported to have occurred off campus.

Crime	Number of Arrests 2013	Number of Arrests 2014	Number of Arrests 2015
Weapons: carrying, possessing, etc.	0	0	0
Drug abuse violations	1	9	8
Liquor law violations	0	25	15

**Drunkness or driving under the influence is not included in liquor law violations.**

**Disciplinary Actions - On Campus**

The following table represents the number of applicable disciplinary actions reported to have occurred on campus (including student on-campus housing).

**Drunkness or driving under the influence is not included in liquor law violations.**

<b>Crime</b>	<b>Number of Referrals 2013</b>	<b>Number of Referrals 2014</b>	<b>Number of Referrals 2015</b>
Weapons: carrying, possessing, etc.	0	6	1
Drug abuse violations	1	6	9
Liquor law violations	82	141	120

**Disciplinary Actions - On-campus Student Housing Facilities**

The following table represents the number of applicable disciplinary actions reported to have occurred in on-campus student housing.

**Drunkness or driving under the influence is not included in liquor law violations.**

<b>Crime</b>	<b>Number of Referrals 2013</b>	<b>Number of Referrals 2014</b>	<b>Number of Referrals 2015</b>
Weapons: carrying, possessing, etc.	0	6	0
Drug abuse violations	1	6	9
Liquor law violations	82	140	120

**Disciplinary Actions – Non-Campus/Public Property**

The following table represents the number of applicable disciplinary actions reported to have occurred in on-campus student housing.

**Drunkness or driving under the influence is not included in liquor law violations.**

<b>Crime</b>	<b>Number of Referrals 2013</b>	<b>Number of Referrals 2014</b>	<b>Number of Referrals 2015</b>
Weapons: carrying, possessing, etc.	0	0	0

Drug abuse violations	0	0	0
Liquor law violations	0	0	0

**Hate Crimes- On Campus Student**

**\*Note: On-campus includes on campus housing numbers.**

	<b>Totals on Campus 2013</b>	<b>Totals on Campus 2014</b>	<b>Totals on Campus 2015</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible	0	0	0
Sex offenses - Non-forcible		0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	1	0	0
Larceny-theft	0	0	0
Intimidation	1	0	0
Destruction/Damage/Vandalism of Property	0	1 Hate Crime total (sexual orientation category; residential life)	0
<b>Hate Crimes by Category</b>			
Race			0
Gender			0
Religion			0
Sexual Orientation		1(vandalism)	0

Ethnicity/National Origin			0
Disability			0
<b>Violence Against Women Act Offenses</b>			
Stalking (includes Cyberstalking)	*	0	0
Domestic Violence	*	0	0
Dating Violence	*	0	0

**Hate Crimes- On Campus Student Housing Facilities**

	<b>Totals on Campus 2013</b>	<b>Totals on Campus 2014</b>	<b>Totals on Campus 2015</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible		0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Sex offenses - Non-forcible	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	1 Hate Crime total (sexual orientation category, residential life)	0
<b>Hate Crimes by Category</b>			
Race			0
Gender			0
Religion			0
Sexual Orientation		1(vandalism)	0
Ethnicity/National Origin			0
Disability			0
<b>Violence Against Women Act Offenses</b>			

Stalking (includes Cyberstalking)	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0



### Hate Crimes-Noncampus

	<b>Totals on Campus 2013</b>	<b>Totals on Campus 2014</b>	<b>Totals on Campus 2015</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible		0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Sex offenses - Non-forcible	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0
<b>Hate Crimes by Category</b>		0	
Race			0
Gender			0
Religion			0
Sexual Orientation			0
Ethnicity/National Origin			0
Disability			0
<b>Violence Against Women Act Offenses</b>			
Stalking (includes Cyberstalking)	0	0	0

Domestic Violence	0	0	0
Dating Violence	0	0	0

### Hate Crimes- Public Property

	<b>Totals on Campus 2013</b>	<b>Totals on Campus 2014</b>	<b>Totals on Campus 2015</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses - Forcible			
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Sex offenses - Non-forcible			
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0
<b>Hate Crimes by Category</b>	0	0	
Race			0
Gender			0
Religion			0
Sexual Orientation			0
Ethnicity/National Origin			0
Disability			0
<b>Violence Against Women Act Offenses</b>			
Stalking (includes Cyberstalking)	0	0	0

Domestic Violence	0	0	0
Dating Violence	0	0	0

**Crime reports that were “unfounded” and withheld from the crime statistics (only a sworn or commissioned law enforcement personnel may “unfound” a crime for reporting purposes.**

## **X. REPORT TO ED VIA THE WEB-BASED DATA COLLECTION**

### **Responsible Office**

<b>Office/Individual Responsible</b>	Amy Schaffer, University Compliance Officer. Contact Information: 785/628-4175 or alschaffer@fhsu.edu
<b>Location where documentation is kept</b>	Sheridan 314, University Compliance Office
<b>Date policy and procedure were last updated</b>	September 2014

## **XI. MISSING STUDENT NOTIFICATION PROCEDURES:**

FHSU is required, under the Higher Education Act, to notify the custodial parent of a student who is under the age of 18, not later than 24 hours after the student is missing. Official missing student reports must be referred immediately to the FHSU Police Department. UPD officers have been trained on how to investigate and respond to a missing person’s report.

All FHSU students, including those living in an on-campus student housing facility, who are 18 years of age or older have an option to identify an individual to be contacted, within 24 hours from the time the student was determined to be missing. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. Students can register their information within Tiger Tracks on the FHSU website at: <https://tigertracks.fhsu.edu>. Students need to log in to Tiger Tracks; click on Online Services; click on Personal Information and keep current the Next of Kin/Emergency contact information. All students, even if they have not registered a contact person, should be advised that the local law enforcement will be notified that the student is missing. Students less than 18 years of age and not emancipated should be advised that their parent or guardian must be notified in the case the student is missing.

Additionally, FHSU is required to notify the University Police Department not later than 24 hours after the student is missing. If it is determined that the student has been missing for more than 24 hours, the University Police Department will contact the emergency contact person or parent if the student is under 18 years of age.

For students residing in campus housing that have been missing for more than 24 hours, the University will notify the Vice President of Student Affairs, the Director of Residential Life, and

the Director of the Kelly Center, or their designees. Additionally, any official missing person report on students missing for more than 24 hours will be referred immediately to the University Police Department for the appropriate missing person(s) investigation. If it is determined that the student has been missing for more than 24 hours, the University Police Department will contact the emergency contact person or parent or guardian if the student is under 18 years of age.

**XII. FIRE SAFETY LOG:**

A “Fire Log” is maintained by the University Police Department for all fires occurring in an on-campus housing facility. The Fire Log is open for inspection to the public and includes the date the fire was reported, nature of the fire, date of the fire, cause of the fire, injuries, deaths and the damage sustained. The Fire Log can be viewed from 8:00 a.m. to 4:30 p.m. Monday through Friday at the Center of Public Safety (C.O.P.S.), room #112 Custer Hall, 420 Custer Drive; Hays, Kansas. Every attempt will be made to have the log updated by 10:00 a.m. during regular business hours. In 2013, the “Fire Log” was combined with the “Crime Log”.

**XIII. FIRE SAFETY STATISTICS:**

One Fire occurred within On-campus student housing during the 2015 reporting period.

**Statistics Reporting Table for Annual Fire Safety Report**

<b>Residential Facilities</b>	<b>Address</b>	<b>Total for each building</b>	<b>Cause of Fire</b>	<b>Injuries</b>	<b>Death</b>	<b>Damage Value</b>
Custer Hall	420 Custer Drive	0	N/A	N/A	N/A	N/A
McMindes Hall	410 Agnew Lane	1	Fluorescent light overheated and started on fire	0	0	Approximately \$15
Agnew Hall	402 Lyman Drive	0	N/A	N/A	N/A	N/A
Wooster Place No1	312 Dwight Drive	0	N/A	N/A	N/A	N/A
Wooster Place No 2	405 Dwight Drive	0	N/A	N/A	N/A	N/A
Wiest Hall	306 Dwight Drive	0	N/A	N/A	N/A	N/A
Stadium Place	300 Lewis	0	N/A	N/A	N/A	N/A

	Drive					
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**XIV. ANNUAL FIRE SAFETY REPORT: IS COMPILED BY THE UNIVERSITY POLICE DEPARTMENT.**

The University Police Department, in conjunction with the Hays Fire Department, will produce an annual Fire Safety Disclosure Report. This report shall include statistics concerning the number and cause of all fire occurring within all areas of campus student housing including fraternities and sororities, the number of injuries related to the fire that resulted in medical treatment, the number of fire-related deaths, and the value of property damage caused by fire. <http://www.fhsu.edu/university-police/emergency-response-guidelines/fire-safety-disclosure-report/>

**Responsible Office**

<b>Office/Individual Responsible</b>	Ed Howell, University Police Chief
<b>Location where documentation is kept</b>	Custer Hall Room 112, Police Department
<b>Date policy and procedure were last updated</b>	

**a. On-campus student housing fire safety system:**

FHSU is subject to inspection and standards established by the Fire Marshal of the State of Kansas for code compliance. Typically, the City of Hays does not perform fire inspections of the University unless requested by the State Fire Marshal or in response to a verifiable complaint regarding a fire hazard or code violation. Additionally, as prescribed by K.S.A. 75-1250 et. seq., the University will continue to adhere to the standards prescribed by the State of Kansas Department of Administration’s Division of Architectural Services.

All academic and residential life buildings, within the defined boundaries of Fort Hays State University, are actively monitored with interactive fire alarm systems, which reports directly to a 24-hour monitoring service, which in turn, notifies the Hays Law Enforcement Dispatch Center. This excludes areas within the agricultural and/or farm areas.

Various fire suppression systems, commonly referred to as fire sprinklers, are utilized as required by statute/code and enforced by the Fire Marshal.

**b. Fire Suppression Systems for Residential Life Buildings**

<b>Building</b>	<b>Full Sprinkler</b>	<b>Limited Sprinkler</b>	<b>No Sprinkler System</b>	<b>Active Alarm System</b>

Stadium Place Apartments B	X			X
Stadium Place Apartments C	X			X
Stadium Place Apartments A			X	X
Stadium Place Apartments D			X	X
Wiest Hall			X	X
Wooster Place Apartments A			X	X
Wooster Place Apartments B			X	X
Wooster Place Apartments C			X	X
Wooster Place Apartments D			X	X
Wooster Place Apartments E			X	X
Wooster Place Apartments F			X	X
McMindes Hall		X		X
Custer Hall			X	X
Heather Hall	X			X
Agnew Hall	X			X

( X) denotes type of system

**C. Fire Drills:**

During the reporting period of 2015, the University conducted 2 supervised fire drills for each of the residence halls. A team consisting of members from the University Police Department, Residential Life, and Environment & Safety supervised and critiqued the drills. Results of the critique were discussed with Student Affairs Staff.

**d. Policies or rules on Portable Electrical Appliances, Smoking & Open Flames in a student housing facility.**

- All residence halls are smoke free. Smoking is permitted outside the building. Use of incense and/or open flames in the residence halls is prohibited. Candle warmers are permitted and encouraged.

- Residents are expected to use reasonable care in their usage of appliances and other electrical items. Due to potential fire hazards and power failures caused by overloaded electrical circuits, electrical appliance usage must be limited. Residents are encouraged to use UL-approved surge protectors with appliances to avoid blowing fuses. Multiple incidents of blown fuses may result in additional limitations of the items students may keep/use in their rooms.
- Small electric coffee pots, flameless candle warmers, and small microwave ovens (less than 700 watts in size) are allowed to be used in student rooms. Small cooking appliances without open coils such as George Foreman grills, electric woks, electric skillet, or electrical quesadilla makers are allowed but may be used in kitchens only. They may be stored in student rooms.
- Space heaters, halogen or torchiere lamps, and Medusa lamps with goose-necks and plastic shades are not allowed in student rooms.
- Cooking: The residence halls are not equipped with the kind of wiring, plumbing or ventilation systems which permit cooking in student rooms. Each hall has a kitchenette area that residents may use for cooking. Residents are expected to clean up after themselves.
- Microwave Ovens: Each floor is equipped with a common microwave oven for residents to use. Only microwave-safe dishes and utensils may be utilized and food is not to be left unattended. Failure to follow appropriate cooking methods may result in excessive heat/smoke production which will trigger the hall fire alarm system. Intentional disregard of cooking methods or failure to adhere to reasonable safety procedures which results in fire safety system activation will result in disciplinary action for a fire safety violation.

**e. Student housing evacuation procedures for response to a fire:**

Campus Emergency Response Guidelines may be found on the Fort Hays State University Police Department webpage, under “Campus Emergency Response Guidelines,” located at <http://www.fhsu.edu/university-police/emergency-response-guidelines/residential-life-evacuation-guidelines/>

Residential Life residents will be notified about a fire in their building through the building’s fire alarm.

***Discovering a Fire:***

- Remain calm; close the door to isolate the fire if safe to do so.
- Pull the manual fire alarm to start the evacuation and **call 911**.
- Use a fire extinguisher on a small, confined fire if you have been properly trained and it is safe to do so.
- Report any person trapped, injured or unaccounted for to 911, the [University](#) Police or the Hays Fire Department.
- Exit the building

***When an Alarm Sounds:***

- Upon hearing an alarm, evacuate the building in an orderly fashion. If possible, close all interior doors and turn off the lights behind you. Do not lock the door.



- Move to the closest exit and proceed down the exit stairwell in a safe and orderly manner. Do not use the elevators! Emergency exits are conspicuously marked with an illuminated sign.
- Residential Life staff should assist students and visitors in a prompt and orderly evacuation to a safe area at least 200 feet from the building and report any missing or trapped person to 911.
- Remain at least two hundred (200) feet outside of the building in the safe area and await further instructions from the University Police personnel or the Hays Fire Department. In the event of inclement weather or a prolonged evacuation, the Director of Residential Life or designee should make arrangements for the temporary sheltering of displaced residents in a nearby Residential Life building or other available FHSU building.
- Do not go back into the building for any reason until directed to do so by Emergency Personnel. If you have a problem or concern, notify University Police or 911.

***Evacuation Guidelines for Persons with Disabilities:***

- *Persons using wheelchairs:* If you are on a ground floor, you may not need assistance exiting the building. Proceed to a safe area 200 feet from the building and wait for instructions on when the building may safely be reentered. If you are located in a multi-level building, exit to the nearest designated evacuation point. (Designated evacuation points will be discussed at resident hall meetings to inform residents of the locations and evacuation routes.) Ask for assistance. Contact 911 or have someone notify the University Police or Fire Department as to where you are located in the building.
- *Persons with mobility impairments:* These individuals may use crutches, canes or walkers. Ask for assistance. If you are unable to use the stairs, follow the procedure for persons using wheelchairs (above).
- *Persons who are deaf or hard of hearing:* Buildings are equipped with visual fire alarm systems. Be familiar with the evacuation route in your building before an incident occurs. Ask for assistance by writing a note or using hand gestures. (Evacuation routes will be discussed at residence hall meetings to inform residents of the evacuation routes.)
- *Persons who are blind or visually impaired:* Buildings are equipped with audible fire alarm systems. Ask for assistance evacuating and let the person know how to assist you. If you have a guide dog, instruct the person on how to assist you.

***Designated Evacuation Points within Residential Life:***

- Wiest Hall - North elevator lobby on each floor
- McMIndes Hall - Central elevator lobby on each floor
- Agnew Hall - Service desk lobby on main floor
- Custer Hall - Lobby or corridor areas adjacent to elevator
- Heather Hall – Service desk lobby on main floor
- Stadium Place Apartments - No designated evacuation points
- Wooster Place Apartments - No designated evacuation points

**f. Training:**

Fire safety education and training programs will occur for residential hall students at fall and spring floor meetings. Ongoing training and evacuation drills will address fire safety and evacuation procedures for staff and students.

**g. Reporting a fire and notification:**

Should a fire occur, 911 should be contacted immediately. In the event that 911 is not contacted or the fire alarms not activated, employees and or students are still required to report the fire to the University Police Department for inclusion to the fire statistics report.

**h. Improvement in fire safety:**

At this time, future improvements in fire safety are not necessary.

## APPENDIX A

### ON CAMPUS

**Main Campus:** The main area of the campus is located in the south west corner of Hays, Kansas and has the address of 600 Park Street. The main campus consist of the academic and farm halves which are separated by U.S. Highway 183 Bypass.

The north boundary of the academic portion of the campus is the south side Old U.S. Highway 40 between the intersections with Elm Street and the U.S. Highway 183 Bypass.

The eastern boundary generally runs south from Old U.S. Highway 40 to West 6<sup>th</sup> Street. Specifically, the eastern boundary of the campus runs from Elm Street west along the north curb of the 500 block of 8<sup>th</sup> Street then turns south and runs along the eastern curb of the 700 block of Park Street to West 7<sup>th</sup> Street. The boundary moves east approximately 50 feet and goes south in the 600 block of Park Street along a fence and lot edge to include Lot N which is owned by the University. The boundary then goes west to West 6<sup>th</sup> Street /Park Street intersection.

The border then turns south and follows the eastern sidewalk to Jellison Walking Bridge. At the bridge, the border leads south across the bridge to the western bank of Big Creek. The border then generally follows a southern route along the creek to a point that is northwest of the intersection of Dwight Drive and Elm Street. The border then crosses the creek to the intersection of Dwight Drive and Elm Street.

The border then crosses Elm Street in the 400 block and follows the eastern curb of Elm Street from the 400 block south east until Elm Street curves to the east and intersects with Main Street. The border then proceeds south to the north bank of Big Creek.

The southern boundary runs along the north bank of Big Creek to a point that is northwest of the buffalo corral in West Frontier Park, then southwest along the corral to U.S. Highway 183 Bypass. The western boundary then runs north-northwest along the west side of U.S. Highway 183 Bypass to the intersection of Old U.S. Highway 40.

**UNIVERSITY FARM AND SOCCER COMPLEX:** The University Farm and Soccer Field lies on the west side of U.S. Highway 183 Bypass.

The north border is the property line that runs between the 1300/1400 block of 210<sup>th</sup> Avenue east approximately 2.75 miles to the western side of the city athletic field, then south approximately 1 mile along the athletic field, then east approximately .5 miles. The northern border then turns north approximately .33 miles along the east side road that separates the city property from the University property. The border then turns east for approximately .75 miles to U.S. Highway 183 Bypass.

The eastern edge of the University Farm the runs south-southeast along U.S. Highway 183 Bypass for approximately 2.5 miles. It then runs along the fenced north boundary of the Hays Municipal Golf Course southwest approximately .20 miles then northwest approximately .5 miles then west approximately .5 miles to 230<sup>th</sup> Avenue. The boundary then south along the 1200 block of 230<sup>th</sup> Avenue for approximately .75 miles. The boundary then follows the south

boundary of the Hays Municipal Golf Course northeast approximately .25 miles, then southeast approximately .25 miles until it reaches approximately the middle of the 1400 block of Golf Course Rd.

The border then runs west along the north side of Golf Course Road to 230<sup>th</sup> Avenue. The boundary then runs south .5 miles along the western side of 230<sup>th</sup> Avenue to Bison Rd. The border then runs east .5 miles along a property fence. The border then runs south 1.5 miles along a property fence (crossing Spring Hill Road) to the middle of the mile section. The property line then runs west 1 mile (crossing 230<sup>th</sup> Avenue) to the middle of the mile section. The property line then turns north for 1.5 miles (crossing Spring Hill Road) to the middle of the 1300 block of Bison Road. The property line runs west 1.5 miles west along Bison Road and the mile section line to the intersection of 210<sup>th</sup> Avenue and Golf Course Rd. The property line then runs north along the east side of the 1200 and 1300 blocks of 210<sup>th</sup> Avenue to the north property line.

### **OFF CAMPUS**

**Sternberg Museum:** Located at 3000 Sternberg Drive, Hays, Kansas. The property includes the two lane drive that leads from 27<sup>th</sup> Street northeast to Sternberg Drive and the main grounds of the museum. The main property is bordered on the north side by the fence row running northeast to southwest along the south side of I-70 to the northeast corner of the parking lot owned by the University and located on the east side of Canterbury Drive. The property line then runs south along the east side of the parking lot until reaching Sternberg Drive. The property then runs west along Sternberg Drive until reaching the west edge of the parking lot and the drive leading to 27<sup>th</sup> Street. The property line then runs north along the west edge of the lot to the property line shared with Cedar View Assisted Living Community. The property then runs west to Chetolah Gold Creek, then follows the creek to the north-northwest until reaching the fence on the south side of I-70.

**Pavilion:** The Pavilion is located on the west side of the 1600 block 230<sup>th</sup> Avenue in Ellis County, Kansas. The property is the northeastern most 1/8 section located in the mile section on the west side of the road (Sec 18, Twn 13, Rng 18, NE/8).

**Un-Named Property:** There is an un-named section of pasture land in the 2600 block of 370<sup>th</sup> Avenue in Ellis County, Kansas, described as Section 28, Township 11, Range 16, West one half of the mile section.

**Sorority/Fraternity:** The following properties are owned or controlled an officially recognized student organization. All addresses are within the city limits of Hays, KS.

409 West 8<sup>th</sup> Street – Alpha Gamma Delta

410 West 6<sup>th</sup> Street – Delta Zeta

404 West 7<sup>th</sup> Street – Sigma Chi

304 West 7<sup>th</sup> Street– Sigma Alpha Epsilon

316 West 7<sup>th</sup> Street- Alpha Gamma Rho

**Kansas Wetlands Education Center:** The Kansas Wetlands Education Center is located at 592 NE K-156 Highway at the southeast side of Cheyenne Bottoms Wildlife Area in Barton County,

Kansas. The property line runs southeast from K156 for approximately 1000 feet, then south along the mid-section of the mile section to Northeast 50 Road. The southern edge runs along Northeast 50 Road to the intersection with Cheyenne Bottoms Road. The property line then runs northwest along Cheyenne Bottoms Road to the intersection with highway K-156. The property line then runs northeast along highway K-156 approximately .75 miles to the northern boundary of the property.

## **APPENDIX B:**

The following is a summary of those agreements between Fort Hays State University and/or the University Police Department and various outside agencies.

### ***Annexation Agreement between the City of Hays and Fort Hays State University - May 2, 1995***

Section 6 defines the authority of the University Police Department as it relates to the Annexation Agreement. Specifically, it states "The University will continue to maintain its autonomous police force with the authority, powers, and jurisdiction as statutorily authorized in K.S.A. 76-726 et. seq. The University and City police will continue to cooperate and to provide assistance to each other whenever possible and appropriate." Section 7 defines the authority of the University for parking regulations and enforcement. Specifically, it states "The regulation of parking on University property shall remain under the control of the Kansas Board of Regents pursuant to K.S.A. 74-3209 et. seq. or successor statutes, or the policies or regulations promulgated by the Kansas Board of Regents or University. The University's Police Force will continue enforcement of traffic and parking violations on the University campus. Parking violations will be enforced and adjudged through the University system as authorized by K.S.A. 74-3210a et. seq. or successor statutes, or policies or regulations promulgated by the Kansas Board of Regents or University."

Section 12 generalizes Emergency Management and Cooperation between FHSU and the City of Hays. Specifically, it states "The City and University pledge to work together in emergency management of natural or man-made emergencies and pledge to continue to work together to both prevent and alleviate disasters and emergencies."

The UPD represents FHSU as a participating member of the Ellis County Communications Group, Ellis County Local Emergency Planning Committee and the Ellis County Emergency Operations Center.

Fort Hays State University does not maintain an autonomous fire department and is reliant upon the City of Hays Fire Department to provide those services as outlined within the annexation agreement between FHSU and the City of Hays. In Section 2, it specifically states "The City shall provide fire protection to the University free of charge consistent with and as provided to other entities within the City. The University shall maintain its active efforts to prevent false alarms."

### ***City of Hays Police Department Agreement with FHSU Police Department - December 2, 2005***

This agreement gives concurrent enforcement authority to FHSU Police Department within the city limits of Hays and is considered a request for assistance by the City, pursuant to K.S.A. 22-2401a. This agreement does not alter, diminish, or increase the jurisdiction or responsibility of the City or FHSU, and their police departments, but eliminates the necessity of having a specific prior request for assistance from the FHSU Police Department to respond to calls in areas populated predominately by students and university personnel in any area within the city limits of the City of Hays, Kansas.

***Ellis County High Technology Crime Unit (HTCU) Memorandum of Understanding - March 27, 2003***

Establishes an agreement between the FHSU Police Department, Ellis County Attorney's Office, Ellis County Sheriff's Department and the Hays Police Department. Resulted in the formation of a joint investigative crime unit for the purposes of investigating technology-related crimes within Ellis County.

***MOU between FHSU Police and the Kansas ICAC Task Force - March 27, 2003***

The purpose of this MOU is to maximize interagency cooperation, formalize relationships between member agencies and investigate suspects who utilize the Internet to seek, harm or exploit children as sexual partners and/or traffic in child pornography. The Kansas Internet Crimes Against Children Task Force includes investigators and supervisors from various local, state, and federal law enforcement agencies who provide assistance both locally and in various jurisdictions, subject to availability.

***Statement of Agreement between FHSU and the Ellis County Chapter of the American Red Cross***

Written agreement designating Gross Memorial Coliseum (GMC) as a mass care shelter for Ellis County. This requires a request by Red Cross, in consultation with the Ellis County Emergency Management office and the University Police Department, to provide physical facilities to support the American Red Cross disaster relief. The shelter will be staffed & closed by Red Cross during the duration of the disaster event. GMC is generally used for sheltering during inclement weather, such as blizzards when the highways are closed and all motels are at capacity.

***MOU between Hays Unified School District #489 and Fort Hays State University***

Defines the process to be used by USD #489 and Fort Hays State University in the event of a crisis incident requiring the emergency evacuation of schools to FHSU's Gross Memorial Coliseum for student sheltering operations. The Superintendent of Schools or designee is authorized to order evacuation to FHSU when no other options are available for sheltering, after notification to the University Police Chief or designee. USD #489 is responsible for the transportation & supervision of students. FHSU is responsible for directing USD #489 to appropriate entrances and will unlock doors and provide lighting, heating and restrooms for the duration of the evacuation. All agencies agree to work cooperatively in order to safeguard USD #489 students in the event of a major crisis event.

## APPENDIX C:

### Designated Areas of Rescue Assistance:

- **Picken Hall** - South stairwells
- **Sheridan Hall** - West side of Sheridan in the stairwell on all floors
- **McCartney Hall** - East side of McCartney Hall in the stairwell on all floors
- **Davis Hall** - Northeast stairwell of Davis Hall
- **Martin Allen** - South stairwell on the second floor and the west stairwell leading outside of the building
- **Malloy Hall** - On the second floor, the stairwell on the east side. In the basement of Malloy, go to the stairwell on the west side
- **Forsyth Library** - The north side stairwell on the second floor and basement
- **Cunningham Hall** - Any exit
- **Gross Memorial Coliseum** - Southeast stairwell, Gate 1
- **Rarick Hall** - The northeast stairwell on all floors
- **Tomanek Hall** - The southeast stairwell on all floors
- **Memorial Union** - Follow illuminated exit signs

### Designated Evacuation Points within Residential Life:

- **Wiest Hall** - North elevator lobby on each floor
- **McMindes Hall** - Central elevator lobby on each floor
- **Agnew Hall** - Service desk lobby on main floor
- **Custer Hall** - Lobby or corridor areas adjacent to elevator
- **Stadium Place Apartments** - No designated evacuation points
- **Wooster Place Apartments** - No designated evacuation points