



KANSAS HEALTH SCIENCE CENTER
KANSAS COLLEGE *of*
OSTEOPATHIC
MEDICINE

2022 Annual Security Report

For incidents occurring between January 1, 2022 – December 31, 2022

Published September 13, 2023

Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Kansas Health Science Center (KHSC)-Kansas College of Osteopathic Medicine (KansasCOM) ("College") with information on: the College security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

This report is prepared by the Executive Director of Facilities, Security, and Administrative Services in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting the Executive Director of Facilities, Security, and Administrative Services Sean Wallace, KHSC-KansasCOM at 316-315-5640 or by visiting our campus at 217 E. Douglas Ave., Wichita, KS. 67202. The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The Campus Security Department at KHSC-KansasCOM is responsible for campus safety at the College.

Members of the KHSC-KansasCOM Campus Security Department are certified law enforcement officers who are off duty Wichita Police Officers. The Director of the Campus Security Department is a retired municipal police officer and retired federal police advisor. The off-duty Wichita Police Officers all have the authority to carry firearms, make arrests, report crime, and investigate crime on the KHSC-KansasCOM Campus Property, Non-Campus Property, and public property surrounding the campus.

While the College does not have any written agreements with local law enforcement agencies, KHSC-KansasCOM maintains a close working relationship with local law enforcement.

Campus Security Authorities

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Campus Security: 316-249-8755
- Director of Campus Security, Sean Wallace at 316-315-5640
- Title IX Coordinator, Dr. Nicholas Palisch at 316-315-5471
- KansasCOM SAFE APP downloadable through iPhone App Store and through Google Play.

Reporting a Crime or Emergency

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

- All crimes occurring on or near College property should be reported immediately to the Campus Security Department. The number to contact is 316-249-8755. That phone number is answered during building hours 7:30am-11:00pm Monday – Thursday, 7:30am-7:00pm Friday, 9:00am-6:00pm Saturday, and Sunday 9:00am-11:00pm.
- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 9-1-1.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.
- Anonymous incident reports can also be made by using the KansasCOM SAFE App.

Confidential Reporting

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim, or disciplining the perpetrator will know the victim's identity.

Pursuant to the University's sexual misconduct policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator.

KHSC-KansasCOM also encourages accurate and prompt reporting of crimes when the victim elects to or is unable to make such a report. Victims of crime who do not want to pursue action within the institutional system or the criminal justice system, are encouraged to consider making

a confidential report to the KHSC-KansasCOM Campus Security Department. Anonymous tips can also be left on the tip option of KHSC-KansasCOM SAFE App, a security application downloadable wherever faculty, staff or students download apps. A report can also be filed using the College's Guardian Records Management System which can be accessed by both students and staff. With the victim's permission, the Campus Security Department can file a report on the details of the incident without revealing their identity. In such circumstances, crime victims are encouraged to consider making a confidential report to one of the designated Campus Security Authorities. At a minimum, crime victims will have the option to receive valuable counseling and referral information.

Confidential, also known as anonymous, reports are important because they provide valuable information that may enhance the safety of the community-at-large and they will, at least, provide a more accurate portrait of actual campus crime. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of other students, faculty, and staff. With such information, KHSC-KansasCOM can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the KHSC-KansasCOM community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the College. Confidential crime reporting is not for emergencies. If you need to report an emergency, call 9-1-1.

The College encourages its professional counselors, when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The College does not have pastoral counselors.

KHSC-KansasCOM will implement measures in a way that does not unreasonably burden any party. Supportive measures may include referral to counseling, medical, and/or other healthcare services, student financial aid counseling, visa and immigration assistance, implementing a no-contact order, academic support, extensions of academic deadlines or other course/academic program-related adjustments, and class schedule modifications, withdrawals, or leaves of absence.

KHSC-KansasCOM will direct the victim to a variety of professional counselors, domestic violence counselors, and pastoral counselors located near the KHSC-KansasCOM campus, KHSC-KansasCOM offers as a benefit to its students professional counseling services as confidential resources:

- ComPsych: ComPsych is a free, confidential, around-the-clock counseling service available to all KHSC-KansasCOM students.

Telephone: (800) 851-1714
Email: info@compsych.com

- **On-Campus Services:** The Office of Counseling Services is available to students from 8 a.m. to 5 p.m. Students may be seen free of charge by a licensed professional during those hours.

Telephone: 316-315-5639
Email: aroot@kansashsc.org

- Ascension Via Christi Behavioral Health Center
1515 S. Clifton Ave. #300
Wichita, KS 67218
Telephone: 316-858-0550
Email: getascensioncare.com
- Mental Health Association of South-Central Kansas
805 Main Street
Wichita, KS. 67202
Telephone: 316-303-1508
Email: mhasck.org
- Centerpoint Behavioral Health
1445 N. Rock Rd. #21
Wichita, KS 67206
Telephone: 316-854-5570

Counselors who provide services to KHSC-KansasCOM community members through Student Affairs are not required to disclose reports of sexual misconduct to KHSC-KansasCOM's Title IX Coordinator. While professional and non-professional counselors and advocates may maintain a complainant's confidentiality vis-à-vis KHSC-KansasCOM, they may have reporting or other obligations under state law. A complainant is encouraged to ask the counselor to explain their ability to protect the student's privacy and to maintain confidential communications.

Security of and Access to Campus Facilities

All academic buildings are secured. Access to the buildings is only allowed for faculty/staff members and students using HID access cards. Campus Security patrols the campus and parking garages Monday through Thursday, 7:30am-11:00pm CST, 9:00am – 7:00pm Fridays, 9:00am-6pm CST Saturday, and 9:00am-11:00pm CST Sunday.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others.

- Do not prop doors open or allow strangers into campus buildings that have been secured.
- Do not lend issued access cards to other students or non-students and do not leave them unattended.
- Do not give access codes to anyone who does not belong to the campus community.

Identification/Access cards to the offices, laboratories, and classrooms on campus will be issued to students and employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

Security Considerations in the Maintenance of Facilities

The Facilities and Security Department works to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others, and to inform them about the prevention of crimes. These programs are discussed below.

The College provides information at the beginning of each academic term for students and employees regarding the College's security procedures and practices. This information is in the form of digital posters and other displays, articles in the College newsletter, KHSC SAFE APP Push Notifications, the RAVE mass communications software, and email blasts. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others, and practices regarding timely warnings and emergency notifications.

Crime prevention programs are also presented each semester by the Campus Security Department. In addition, email blasts are periodically sent out to students and employees with crime prevention and other safety tips, and pamphlets and videos on crime prevention are available in the Office of Student Affairs, Office of Human Resources, and the Campus Security Department.

Monitoring Off Campus Locations of Recognized Student Organizations

The College monitors and records, through local police agencies, any criminal activity in which students have engaged at off-campus locations of student organizations officially recognized by the College.

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a

student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Drug and Alcohol Policy

Kansas Health Science Center (KHSC)-Kansas College of Osteopathic Medicine (KHSC-KansasCOM) prohibits the use, sale, and possession of drugs and alcohol on-campus property or as any part of the College's activities, unless they are prescribed medications or permission is given as part of a KHSC-KansasCOM related event.

The dispensing, selling, or supplying of alcoholic beverages to a person under 21 years old is prohibited. Employees, students, applicants for employment, customers, third-party contractors, visitors, or anyone who participates in KHSC-KansasCOM's education programs and activities may not unlawfully manufacture, consume, possess, sell, distribute, transfer, or be under the influence of alcohol, illicit drugs, or controlled substances on KHSC-KansasCOM property, while driving a KHSC-KansasCOM vehicle, or while otherwise engaged in KHSC-KansasCOM business. KHSC-KansasCOM property includes all buildings land owned, leased, or used by KHSC-KansasCOM, and motor vehicles operated by employees, including personal motor vehicles, when used in connection with work performed for or on behalf of KHSC-KansasCOM.

The College also enforces federal and state drug laws. The possession, sale, manufacture, or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Federal Drug Laws (updated 08.01.2023)

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued, and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

Drug and Alcohol State Laws

Category	Summary (Kansas Statutes)
Possession of Marijuana	Possession of marijuana is a Class B nonperson misdemeanor in Kansas with the possibility of six months incarceration and a fine of up to \$1,000. Kan. Stat. Ann. § 21-5706(c)(3)(A); § 21-6602; § 21-6611. Penalties increase with additional convictions. §§ 21-5706(c)(3)(B)–(C); § 21-6602; § 21.6611. Kansas does not allow the medical use of marijuana.
Controlled Substances	It is illegal in Kansas to be in possession of a controlled substance. §§ 21-5706(a)–(b). Penalties vary widely based on the offense and the defendant’s criminal history. §§ 21-5705–21-5710. Possession of opiates, opium, or certain stimulants (including methamphetamine) is a Level 5 felony for which a defendant faces up to 3.5 years in prison and \$100,000 in fines. §§ 21-5706(c)(1); 21-6611(a)(3). For certain other drugs, the first offense is a Class A nonperson

Category	Summary (Kansas Statutes)
	<p>misdemeanor, with up to a year in prison and up to \$2,500 in fines. Prior offenses result in a level 5 felony. § 21-5706(c)(2)(B). Possession of drug paraphernalia is also illegal. § 21-5709.</p> <p>Distribution of controlled substances is also illegal, with punishments dependent on the substance and the amount. § 21-5705.</p>
Alcohol and Minors	<p>No person under the age of 21 shall possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic beverages. § 41-727. Doing so results in a minimum fine of \$200. <i>Id.</i> It may also result in 40 hours of community service and/or completion of an educational training program regarding the results of alcohol and other chemical substances. <i>Id.</i> Second convictions result in a 90-day loss of driving privileges. <i>Id.</i> Third convictions result in a one-year loss of driving privileges. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>It is illegal to operate or attempt to operate a car with a blood alcohol content greater than 0.08 percent or under the influence of any drug as measured within three hours of the time of operating the vehicle. § 8-1567(a). A first offense is a class B, nonperson misdemeanor with a minimum imprisonment from 48 consecutive hours up to six months, or 100 hours of public service and a fine of \$750–\$1000. § 8-1567(b)(1)(A). For a second offense, the penalties increase to a class A, nonperson misdemeanor with a minimum imprisonment from 90 days up to one year and not fined less than \$1,250 nor more than \$1,750. § 8-1567(b)(1)(B).</p>

Drug and Alcohol Abuse Prevention Program

Under the Drug-Free Schools and Communities Act (DFSCA) and in accordance with the Drug-Free Schools and Campuses Regulations (EDGAR), KHSC-KansasCOM is required to have a drug and alcohol abuse and prevention policy and distribute this policy annually to all employees and students, which serves as annual notification to the campus community.

KHSC-KansasCOM uses evidence-based strategic interventions, collaboration, innovation, and the incorporation of wellness programs to reduce harmful consequences of alcohol and other drug use. Strategies include:

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

For more detailed information on KHSC-KansasCOM alcohol related and other drug related prevention strategies, contact the Offices of Student Affairs and/or the Campus Counselor.

The College has a drug and alcohol abuse and prevention program and conducts a review of this program every two years to evaluate its effectiveness. For more information, see below.

- Student and employee alcohol/drug policy: <https://kansascom.kansashsc.org/student-life/student-resources/alcohol-and-drugs-policy/>

Biennial review of the College’s drug and alcohol abuse prevention program:

- KansasCOM re-wrote/updated the College’s Drug and Alcohol Policies on our website-<https://kansascom.kansashsc.org/student-life/student-resources/alcohol-and-drugs-policy/>
- KansasCOM reviewed and revised all of the College’s policies within the Student Handbook, which included a “Impaired Medical Student Policy”-<https://catalog.kansashsc.org/content.php?catoid=150&navoid=18555>
 - As part of that review, KansasCOM utilized three organizations that do drug/alcohol assessments and treatments:
- **Resources:** There are several resources that KHSC-KansasCOM endorses and refers students to in situations where impairment is an issue.
 - Kansas Medical Society-Professionals’ Health Program
623 SW 10th Avenue
Topeka, Kansas 66612
(800) 332-0156
www.fsphp.org/kansas
 - Carolyn Westgate, MS, LCPC, Program Director
Acumen Institute
4321 W. 6th Street
Lawrence, Kansas 66049
(785) 856-0473
www.acumeninstitute.org
 - Professional Renewal Center
1421 Research Park Dr., #3B
Lawrence, Kansas 66049
(877) 978-4772
www.prckansas.org

Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College's policy used to address complaints of this nature, as well as the procedures for filing, investigating, and resolving complaints, may be found at:

- Title IX Policy and Training Materials: <https://kansascom.kansashsc.org/about/title-ix-policy/>
- Student Handbook, Title IX: Policy on Sexual Harassment Section C of this Policy sets forth KHSC-KansasC:
<https://community.kansascom.org/titleix/Shared%20Documents/Catalog%20and%20Handbook-FINAL%20Version-2022-2023.pdf>
- Anti-Harassment and Retaliation Policy: [Anti-Discrimination, Anti-Harassment, and Title IX - Summary - Kansas College of Osteopathic Medicine - Acalog ACMS™ \(kansashsc.org\)](#) The following sections of this report discuss the College's educational

programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program:

The College conducts a Safety, Security, and Title IX Briefing for all incoming students and new employees. The Briefing advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault, and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention. The briefing is followed up with a required training on these topics.

Crime Definitions

Crime Type (Kansas Statutes Annotated)	Definitions
Dating Violence	The College has determined, based on good-faith research, that Kansas law does not define the term dating violence.
Domestic Violence	<ul style="list-style-type: none"> • Domestic Violence (Kan. Stat. Ann. § 21-5111): “Domestic violence” means an act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. “Domestic violence” also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member. • Domestic Battery (Kan. Stat. Ann. § 21-5414(a)): Domestic battery is (1) Knowingly or recklessly causing bodily harm to a person with whom the offender is involved or has been involved in a dating relationship or a family or household member; or (2) knowingly causing physical contact with a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner. • Aggravated Domestic Battery (Kan. Stat. Ann. § 21-5414(b)): Aggravated domestic battery is: (1) Knowingly impeding the normal breathing or circulation of the blood by applying pressure on the throat, neck or chest of a person with whom the offender is involved or has been involved in a dating relationship or a family or household member, when done in a rude, insulting or angry manner; or (2) knowingly impeding the normal breathing or circulation of the blood by blocking the nose or mouth of a person with whom the offender is involved or has been involved in a

Crime Type (Kansas Statutes Annotated)	Definitions
	<p>dating relationship or a family or household member, when done in a rude, insulting or angry manner.</p> <p>For purpose of the above definitions:</p> <ul style="list-style-type: none"> • “Dating relationship” means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable. • “Family or household member” means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and person who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. “Family and household member” also includes a man and woman if the woman is pregnant and the man is the alleged father, regardless of whether they have been married or have lived together at any time.
Stalking (Kan. Stat. Ann. § 21-5427)	<ul style="list-style-type: none"> • Stalking is: (1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; (2) Engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family; or (3) After being served with, or otherwise provided notice of any protective order...that prohibits contact with a targeted person, recklessly engaging in at least one act listed [below] that violates the provisions of the order and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear; or intentionally engaging in a course of conduct targeted at a specific child under the age of 14 that would cause a reasonable person in the circumstances of the targeted child, or a reasonable person in the circumstances of an immediate family member of such child, to fear for such child's safety. • “Course of conduct” means two or more acts over a period of time, however short, which evidence a continuity of purpose. A course of conduct shall not include constitutionally protected activity nor conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course

Crime Type (Kansas Statutes Annotated)	Definitions
	<p>of conduct shall include, but not be limited to, any of the following acts or a combination thereof: (A) Threatening the safety of the targeted person or a member of such person's immediate family; (B) Following, approaching or confronting the targeted person or a member of such person's immediate family; (C) Appearing in close proximity to, or entering the targeted person's residence, place of employment, school or other place where such person can be found, or the residence, place of employment or school of a member of such person's immediate family; (D) Causing damage to the targeted person's residence or property or that of a member of such person's immediate family; (E) Placing an object on the targeted person's property or the property of a member of such person's immediate family, either directly or through a third person; (F) Causing injury to the targeted person's pet or a pet belonging to a member of such person's immediate family; (G) Utilizing electronic tracking system or acquiring tracking information to determine the targeted person's location, movement or travel patterns; and (H) Any act of communication.</p> <ul style="list-style-type: none"> • "Immediate Family" means: (A) father, mother, stepparent, child, stepchild, sibling, spouse, or grandparent of the targeted person; (B) any person residing in the household of the targeted person; or (C) any person involved in an intimate relationship with the targeted person.
Sexual Assault	The College has determined, based on good-faith research, that Kansas law does not define the term sexual assault.
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Kansas law are as follows:</p> <ul style="list-style-type: none"> • Rape (Kan. Stat. Ann. § 21-5503): (1) Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances: (A) When the victim is overcome by force or fear; or (B) when the victim is unconscious or physically powerless; (2) Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender; (3) sexual intercourse with a child who is under 14 years of age; (4) sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or (5) sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse

Crime Type (Kansas Statutes Annotated)	Definitions
	<p>was a legally required procedure within the scope of the offender's authority.</p> <ul style="list-style-type: none"> • Fondling: The institution has determined, based on good-faith research, that Kansas law does not define the term fondling. • Incest (Kan. Stat. Ann. § 21-5604(a)): Incest is marriage to or engaging in otherwise lawful sexual intercourse or sodomy, as defined in K.S.A. 21-5501, and amendments thereto, with a person who is 18 or more years of age and who is known to the offender to be related to the offender as any of the following biological relatives: Parent, child, grandparent of any degree, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece. • Aggravated Incest (Kan. Stat. Ann. § 21-5604(b)): Aggravated incest is (1) Marriage to a person who is under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece; or (2) engaging in the following acts with a person who is 16 or more years of age but under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece: (A) Otherwise lawful sexual intercourse or sodomy as defined by K.S.A. 21-5501, and amendments thereto; or (B) any lewd fondling, as described in subsection (a)(1) of K.S.A. 21-5506, and amendments thereto. • Statutory Rape: The institution has determined, based on good-faith research, that Kansas law does not define the term statutory rape.
Other "sexual assault" crimes	<p>Other crimes under Kansas law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> • Criminal Sodomy (Kan. Stat. Ann. § 21-5504(a)): Criminal sodomy is: (1) Sodomy between persons who are 16 or more years of age and members of the same sex* [this provision was found unconstitutional as applied by <i>State v. Franco</i>, 319 P.3d 551 (2014) and thus unenforceable with regard to any intercourse between consenting adults of the same sex conducted in private; (2) sodomy between a person and an animal; (3) sodomy with a child who is 14 or more years of age but less than 16 years of age; or (4) causing a child 14 or more years of age but less than 16 years of age to engage in sodomy with any person or animal. • Aggravated Criminal Sodomy (Kan. Stat. Ann. § 21-5504(b)): Aggravated criminal sodomy is: (1) Sodomy with a child who is under 14 years of age; (2) causing a child under 14 years of age to engage in sodomy with any person or an animal; or (3) sodomy with a victim who does not consent to the sodomy or causing a

Crime Type (Kansas Statutes Annotated)	Definitions
	<p>victim, without the victim's consent, to engage in sodomy with any person or an animal under any of the following circumstances: (A) When the victim is overcome by force or fear; (B) when the victim is unconscious or physically powerless; or (C) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.</p> <ul style="list-style-type: none"> • Sexual Battery (Kan. Stat. Ann. § 21-5505(a)): Sexual battery is the touching of a victim who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another. • Aggravated Sexual Battery (Kan. Stat. Ann. § 21-5505(b)): Aggravated sexual battery is sexual battery, as defined in subsection (a), under any of the following circumstances: (1) When the victim is overcome by force or fear; (2) when the victim is unconscious or physically powerless; or (3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender. • Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(a)): Indecent liberties with a child is engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age: (1) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (2) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another. • Aggravated Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(b)): Aggravated indecent liberties with a child is: (1) Sexual intercourse with a child who is 14 or more years of age but less than 16 years of age; (2) engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age and who does not consent thereto: (A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) causing the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another; or (3) engaging in any of the following acts with a child who is under 14 years of age: (A) Any lewd fondling or touching of the person of either the child or the offender, done or

Crime Type (Kansas Statutes Annotated)	Definitions
	<p>submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another.</p> <ul style="list-style-type: none"> • Unlawful voluntary sexual relations (Kan. Stat. Ann. § 21-5507): Unlawful voluntary sexual relations are: <ul style="list-style-type: none"> ○ (1) Engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age: <ul style="list-style-type: none"> ▪ (A) Voluntary sexual intercourse. ▪ (B) voluntary sodomy; or ▪ (C) voluntary lewd fondling or touching. ○ (2) when the offender is less than 19 years of age. ○ (3) when the offender is less than four years of age older than the child. ○ (4) when the child and the offender are the only parties involved; and ○ (5) when the child and the offender are members of the opposite sex.
Consent (as it relates to sexual activity)	The College has determined, based on good-faith research, that Kansas law does not define the term consent (as it relates to sexual activity).

KHSC-KansasCOM Definition of Consent

The College uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

At KHSC-KansasCOM, consent is informed, voluntary, and revocable. Consent cannot be given when a person is incapacitated.

Consent is *informed*. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is *voluntary*. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is *revocable*. Consent to some form of sexual activity does not imply consent to other forms of sexual activity.

Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately. Any

condition on consent imposed by a consenting party must be respected, or the interaction may not be considered consensual.

Consent cannot be given when a person is *incapacitated*. A person cannot consent if s/he is asleep, unconscious, or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury, or other forms of coercion. A person cannot consent if their understanding of the act is affected by a physical or mental impairment. A person cannot consent if the person is incapacitated due to the use of or influence of alcohol or drugs.

Consent means affirmative, conscious, and voluntary agreement given by both parties to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Neither lack of protest or resistance nor silence means consent has been given. Affirmative consent must be ongoing throughout sexual activity, and consent can be revoked at any time. The existence of a dating relationship between the people involved, or the fact of past sexual relations between them, should never alone be assumed to be an indicator of consent.

It shall not be a valid excuse to alleged lack of affirmative consent that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances:

1. The respondent's belief in affirmative consent arose from the intoxication or recklessness of the respondent.
2. The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the Complainant affirmatively consented.

It shall not be a valid excuse that the Respondent believed that the Complainant affirmatively consented to the sexual activity if the Respondent knew or should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

1. The Complainant was asleep or unconscious.
2. The Complainant was incapacitated due to the influence of drugs, alcohol, or medication so that the Complainant could not understand the fact, nature, or extent of the sexual activity.
3. The Complainant was unable to communicate due to a mental or physical condition.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor "NO" clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.

- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Do not make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you, their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Do not take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, do not be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include past abuse, threats of violence or abuse, breaking objects, using force during an argument, jealousy, controlling behavior, quick involvement, unrealistic expectations, isolation, blaming others for problems, hypersensitivity, cruelty to animals or children, “playful” use of force during sex, Jekyll-and-Hyde personality.

Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, do not hesitate to contact the police.

Other Information Covered by the Safety, Security, and Title IX Briefing

The Briefing also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred; an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged; the rights of the parties in such a proceeding; available resources; and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

Ongoing Prevention and Awareness Campaign:

The College also conducts an ongoing prevention and awareness campaign aimed at all students and employees. This campaign covers the same material as provided in the Safety, Security, and Title IX Briefing, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault, and stalking.

Programming Methods:

The ongoing prevention and awareness campaign is carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- New students receive a safety, security and Title IX briefing presentation by the Campus Security and Student Affairs Department during orientation. All new employees are required to complete an online training module on these topics FERPA and all Title IX related issues upon hire and are required to retake the online training each year.
- As part of its ongoing campaign, the College uses a variety of strategies, such as in person presentations by sexual assault organizations, emails blasts with pertinent information, digital billboards, etc.
- Below are some of the ongoing prevention courses that are provided by the Campus Security Department, and Emergency Medicine Department each academic year:
 - Active Shooter Response
 - Personal Safety
 - Healthy Relationships
 - Communications Skills for Personal Safety
 - Basic Life Saving
 - Stop the Bleed
 - and other lifesaving and crime prevention topics

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 9-1-1 or the Campus Security Department at 316-249-8755. You may also contact the College's Title IX Coordinator Dr. Nicholas Palisch at 316-315-5471.

Victims will be notified in writing of the procedures to follow, including:

- To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
- The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
- The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
- The rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court (where applicable).

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Do not bathe or wash, or otherwise clean the environment in which the assault occurred.

You can obtain a forensic examination at:

- Wesley Healthcare
550 N. Hillside
Wichita, KS 67214
Office Hours: 24-hour facility
Telephone: (316) 962-2000
- Wichita Area Sexual Assault Center
Telephone: (316) 263-0185
Email: advocate@wichitasac.com
Office Hours: Monday – Friday, 8:30 AM – 5:00 PM.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Campus Security Department 316-249-8755

- Patrol South 211 E. Pawnee, Wichita, KS 67211 (316) 350-3440
- Emergencies: 9-1-1
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

In Kansas, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Adult Orders of Protection may be found at: <https://www.kspop.org/index.php/en/>

Protection from Abuse (PFA) orders and/or Protection from Stalking (PFS) orders are designed to protect individuals who are being victimized by either their significant others or by known stalkers. While these orders are not specifically restraining orders, they are designed to limit the contact between the victims and their abusers or stalkers. The protection from abuse/stalking process is designed to provide quick and immediate protection. However, the process may require time, expertise, or more than one hearing. If you have questions, you should seek help from an attorney or victim services advocate. The Kansas Crisis Hotline (1-888-363-2287) or Kansas Legal Services (1-800-723-6953) may be able to help you find an attorney or advocate.

To complete your form please click on the link [here](#) that will take you to the KS POP (Protection Order Portal). After clicking submit, your forms are sent to the court clerk. Keep in mind that the Clerk of the District Court cannot help you with these forms and cannot give legal advice to you or tell you information about the protection order process. Additional information and resources can be found on the KSPOP website.

If you have any questions or need assistance in completing the form(s) you can contact the PFA Office at 316-660-5290.

It is highly recommended that you carefully read the PFA or PFS paperwork to ensure that you meet the requirements and complete the paperwork accurately to save both yourself and the court staff time.

A PFA/PFS Police Service Packet Information can be obtained [here](#).

When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The College will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Director of Campus Security and the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the College will take all reasonable and legal action to implement the order.

The College does not issue legal orders of protection. However, as a matter of institutional policy, the College may impose a no-contact order between individuals in appropriate circumstances. The College may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services:

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

College Resources

- COMPysch.com
- Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College’s financial aid website can be found at: <https://kansascom.kansashsc.org/admissions/financial-aid/>

State/Local Resources

- Wesley Healthcare
550 N. Hillside
Wichita, KS 67214, [\(316\) 962-2000](tel:(316)962-2000)
- Asension Via Christi St. Francis
929 North Saint Francis St
Wichita, KS 67214, [\(316\)-268-5000](tel:(316)268-5000)
- COMPsych: <https://www.compsych.com>
- Wichita Area Sexual Assault Center
355 N Waco, Suite 100 Wichita KS 67202, (316) 263-0185
- Kansas Legal Services
712 S. Kansas Ave., Suite 200, Topeka KS 66603
785-233-2068 Toll Free 800-723-6953
Matt Keenan, Executive Director

National Resources

- National Domestic Violence Hotline: 1-800-799-7233

- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

Accommodations and Protective Measures:

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodation or protective measures should be made to the Title IX Coordinator at 316-315-5471, and the Title IX Coordinator is responsible for deciding what, if any, accommodation, or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

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

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

Procedures for Disciplinary Action:

Sexual Misconduct Awareness Training and Prevention

KHSC-KansasCOM maintains a safe living, learning, and working environment through systemwide policies as described above in this report. KHSC-KansasCOM prohibits dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking. KHSC-KansasCOM has only had students on campus since July 25, 2022, and a comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to stop dating violence, domestic violence, sexual misconduct/sexual assault, sexual exploitation, and stalking before they occur is part of our overarching security strategy and training and education on these topics have been implemented.

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the College's Anti-Discrimination, Anti-Harassment and Title IX Policy and the related complaint resolution procedures. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

The complaint resolution procedures are invoked once a report is made to one of the following individuals:

- Title IX Coordinator:
Dr. Nicholas Palisch
npalisch@kansashsc.org 316-315-5471
- Title IX Deputy Coordinator:
Ms. Debbie Haslam
dhaslam@kansashsc.org 316-315-5638

Students may also direct questions about Title IX and the Campus Save Act to: Khscstuaffairs@kansashsc.org. Community members may also direct questions about Title IX to:

- United States Department of Education Office of Civil Rights (OCR)
Customer Service Hotline: 800-421-3481
TDD#: 877-521-2172
Website: www.ed.gov/ocr
E-mail: ocr@ed.gov
400 Maryland Avenue SW, Washington, DC 20202-1100

Rights of the Parties in an Institutional Proceeding:

During the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

- A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt time frames designated by the institution's policy, including a process that allows for the extension of

timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.

- Conducted in a manner that:
 1. Is consistent with the institution's policies and transparent to the accuser and the accused.
 2. Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 3. Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
- Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and a hearing process that protects the safety of victims and promotes accountability.
 - The officials conducted Title IX investigations have received such training that addresses topics such as the definition of sexual harassment; the scope of the College's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest.

The courses attended by the investigative officials are as follows:

- **Title IX DecisionMaker** *ICS Lawyer Training*
 - **Title IX Coordinator** *ICS Lawyer Training*
 - **Title IX 101** *ICS Lawyer Training*
 - **Title IX Investigator I & II** *ICS Lawyer Training*
 - **Title IX Advisor** *ICS Lawyer Training*
 - **Suicide QPR**
 - **Safe Zone Training**
 - **Title IX Informal Resolution** *ICS Lawyer Training*
 - **Parallel Response to Title IX and Criminal Matters** *ICS Lawyer Training*
 - **Accommodating Pregnant & Parenting Students** *ICS Lawyer Training*
 - **Applying a Violence Risk Assessment in Title IX** *ICS Lawyer Training*
- The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor but may establish limits regarding the extent to which that advisor may participate in the proceeding if those limits apply equally to both parties.
 - Have the outcome determined using the preponderance of the evidence standard.
 - Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes

final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:

Following a final determination in the institution’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include:

- Professionalism Improvement Plan (a plan intended to require reflection and remediation of behavior found to have violated this policy).
- Formal written warning
- No contact order pertaining to certain KHSC-KansasCOM Community, students, or employees.
- Probation (a written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions if the student is found in violation of any institutional policy, procedure, or directive within one academic year. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate).
- Referral to counseling services and/or Student Solutions and/or dismissal from KHSC-KansasCOM.
- Suspension (termination of student status for a definite period not to exceed one academic year and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at KHSC-KansasCOM).
- Withholding of a degree or certificate.
- Expulsion

Publicly Available Recordkeeping:

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

Victims to Receive Written Notification of Rights:

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off

campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program:

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting Dr. Nicholas Palisch at 316-315-5671. State registry of sex offender information may be accessed at the following <https://kansas.gov/kbi/ro.shtml>

Timely Warnings and Emergency Response

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Director of Campus Security in consultation with the Chief Administrative Officer, constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of crimes in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Campus Security Department, 316-249-8755

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

Outside of emergency communications, KHSC-KansasCOM must provide a timely warning of Clery crimes reported to Campus Security and local police agencies in a manner that is intended to prevent similar crimes from recurring and to protect the personal safety of students and employees. KHSC-KansasCOM’s timely warning messages are disseminated by the designated Communication Coordinators.

The decision to disseminate a timely warning will be made by the Director of Campus Security on a case-by-case basis, considering all the facts surrounding the crime and the continuing danger to the KHSC-KansasCOM community. Crime alerts will contain a brief description of the incident; the date, time, and location of the incident; and precautions to take. The amount and type of information presented in the warning will vary depending on the circumstances of the crime. Significant criminal incidents that might elicit a timely warning include, but are not limited to, crimes of violence or patterns of property crimes, as well as inclement weather.

Emergency Response

Timely and accurate communication with the KHSC-KansasCOM community during a campus emergency is critical. Upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees, the Security Authorities will immediately notify the KHSC-KansasCOM community. Note that confirmation means that a member of the Campus Security Authorities has verified that a legitimate emergency or dangerous situation exists.

In consultation with the Campus Security Authorities, the Director of Security will:

(1) determine the appropriate segment(s) of the KHSC-KansasCOM community to receive immediate notification as well as the appropriate segment for follow-up communication or notification, (2) determine the contents of the notification, and (3) initiate the notification system (RAVE and/or the KHSC-KansasCOM SAFE APP). Only the representatives explicitly authorized by the Campus Security Authorities may distribute public statements or comments on behalf of KHSC-KansasCOM related to any developing, unfolding, or resolved crisis scenario. The Campus Security Authority members can be found listed above on page 2 of this report.

Prepared Statements

“The President shall appoint a communications coordinator. The communications coordinator is the only representative explicitly authorized by the College to distribute prepared statements or comments on behalf of KHSC-KansasCOM related to any developing, unfolding, or resolved crisis scenarios.” Key priorities of emergency communications will be:

- Providing timely status reports and announcements to the KHSC-KansasCOM community internal audience, which includes:
 - Employees, faculty, and staff
 - Students
 - Visitors
 - Groups using KHSC-KansasCOM facilities.
 - TCS Education System (“TCS”)
- Communicating accurate information to external audiences as determined prudent on a case-by-case basis to help prevent the spread of rumors and misinformation. External audiences may include:
 - Family and relatives of students, employees, faculty, and staff
 - Board of Trustees
 - Community-at-large
 - Neighbors
- Gathering information, reports, and recommendations on the status of the emergency as it evolves.

When doing so does not jeopardize life or property, the communications Coordinator will consult with the TCS Chief of Staff and TCS Senior Director of Marketing and Public Relations about crafting crisis communications, especially non-emergency status notifications and any external communications to the public or media organizations.

KHSC-KansasCOM will issue emergency notifications via KHSC-KansasCOM email and text message using the RAVE alert system and the KHSC-KansasCOM SAFE APP. The RAVE system and KHSC-KansasCOM SAFE APP distribution list is generated at the start of each new class during orientation. The list will include everyone's email addresses and phone numbers. Users must manually add their phone numbers. (See instructions below) The lists are defined as: KHSC-KansasCOM faculty, staff, and students.

If one desires to also receive a TEXT message on their cell phone, they will need to opt-in and list their cell phone number in the Rave Emergency Alert System. To expedite delivery of a potentially lifesaving communication, we encourage everyone to subscribe to the text message option by visiting: <https://www.getrave.com/login/tcsedsystem>.

KHSC-KansasCOM will, without delay, and considering the safety of the KHSC-KansasCOM community, initiate the notification system unless issuing such a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. KHSC-KansasCOM has requested cooperation from the local police department regarding informing KHSC-KansasCOM about any crimes that may warrant an emergency response. If deemed necessary, the College's Director of Campus Security will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Emergency Evacuation Procedures

In the event of an emergency that requires evacuating the campus, each level has a one or more Floor Captains to coordinate evacuation. KHSC-KansasCOM Floor Captains work with building security to direct the KHSC-KansasCOM community members to appropriate emergency exits and reconnoiter locations.

Emergency Notification and Evacuation Tests

Each year the campus participates in an annual fire drill and tornado drill. The annual fire drill and tornado drill are coordinated by the Campus Security Authorities and led by the Director of Campus Security and the Director of Facilities.

The RAVE Alert System and KHSC-KansasCOM SAFE APP will be utilized for emergency notifications KHSC-KansasCOM publicizes its emergency response and evacuation procedures by updating the procedures on the KHSC website and sending out an email with the link to the procedures to students and staff annually, in conjunction with the publication of this Annual Security Report.

KHSC-KansasCOM fire drill and tornado drill procedures are as follows:

- The tests are both announced and unannounced.
- Each floor of the campus has one or more Floor Captains that assist with evacuation.
- The evacuation policy can be found on the Campus Safety Page of KHSC- KansasCOM website [here](#).

- Documentation of each test is maintained in Clery Compliance Toolset database.

Students, staff, and visitors are encouraged to notify the Director of Campus Security at 316-249-8755 of any emergency or potentially dangerous situations.

The Director of Campus Security in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

Once the emergency is confirmed and based on its nature, the Director of Campus Security will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified.

The Director Campus Security will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution’s response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

The President of the College will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed below, depending on the nature of the threat and the segment of the campus community being threatened.

At the direction of the President the Director of Campus Security will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

Method	Sign Up Instructions
RAVE Early Alert System	KHSC-KansasCOM will issue emergency notifications via KHSC-KansasCOM email and text message using the RAVE alert system and the KHSC-KansasCOM SAFE APP. The RAVE system and KHSC-KansasCOM SAFE APP distribution list is generated at the start of each new class during orientation. The list will include everyone’s email addresses and phone numbers. Users must manually add their phone numbers. The lists are

Method	Sign Up Instructions
	defined as: KHSC-KansasCOM faculty, staff, and students. If one desires to also receive a TEXT message on their cell phone, they will need to opt-in and list their cell phone number in the Rave Emergency Alert System. To expedite delivery of a potentially lifesaving communication, we encourage everyone to subscribe to the text message option by visiting: https://www.getrave.com/login/tcsedsystem .
KansasCOM SAFE Application	Download at the Apple App Store or Google Marketplace

Testing & Documentation

The College tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the College’s emergency response plan.

The Director of Campus Security maintains a record of these tests and training exercises, including a description of them, the dates, and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees’ information to remind them of the College’s emergency response and evacuation procedures.

Crime Statistics

KHSC-KansasCOM did not start its first class until July 25, 2022, therefore, crime was not requested for academic years 2020 and 2021. The statistical summary of crimes for this College over the past three calendar years follows.

Crime	On Campus			Non-Campus			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Murder/Non-Negligent Manslaughter	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Manslaughter by Negligence	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Rape	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Fondling	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Statutory Rape	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Incest	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Aggravated Assault	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Burglary	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Robbery	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Motor Vehicle Theft	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Arson	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Arrest - Liquor Law Violation	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Arrest - Drug Abuse Violation	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Arrest - Weapon Violation	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Disciplinary Referral - Liquor Law Violation	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A

Crime	On Campus			Non-Campus			Public Property		
	2022	2021	2020	2022	2021	2020	2022	2021	2020
Disciplinary Referral - Drug Abuse Violation	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Disciplinary Referral - Weapon Violation	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Domestic Violence	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Dating Violence	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Stalking	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A

* The College does not have on-campus student housing facilities.

Hate crimes:

2022: No hate crimes reported.

2021: N/A

2020: N/A

Crimes unfounded by the College:

2022: 0 unfounded crimes.

2021: N/A

2020: N/A

Statistics for unfounded crimes provided by law enforcement agencies:

2022: 0 unfounded crimes.

2021: N/A

2020: N/A

Data from law enforcement agencies:

- The data above reflects statistics provided by local law enforcement agencies related to crimes that occurred on the College’s Clery Geography.