



HASKELL INDIAN NATIONS UNIVERSITY

2022 Annual Security & Fire Safety Report

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ABOUT HASKELL INDIAN NATIONS UNIVERSITY

Founded in 1884, Haskell Indian Nations University serves members of federally recognized Tribes and Alaska Native Villages by offering higher education in partial fulfillment of treaty and trust responsibilities of the U.S. federal government.

Haskell Indian Nations University *is accredited by the Higher Learning Commission (hlcommission.org), a regional accreditation agency recognized by the U.S. Department of Education.* Haskell Indian Nations University is accredited by the World Indigenous Nations Higher Education Consortium (WINHEC) during 2010 – 2020. WINHEC (winhec.org) is an international Indigenous accreditation entity.

The Haskell Elementary Education program is accredited by the National Council for Accreditation of Teacher Education (NCATE); 1140 19th Street, Suite 400; Washington, D.C. 20036.

All degree programs are approved for the education of veterans by the Department of Veterans Affairs. Haskell is a member of the American Indian Higher Education Consortium (AIHEC), an organization that consists of 37 Tribal colleges and universities. Haskell Indian Nations University is an equal opportunity institution.

Haskell Indian Nations University is committed to providing all students with an educational environment free of bias or discrimination, intimidation, or harassment based on protected categories. As such, Haskell is in compliance with all applicable federal and state laws and regulations and does not discriminate on the basis of Tribes, Nations, Pueblos, Rancherias, and Alaska Native villages, ethnicity and race, color, national origin, sex, sexual orientation, genetic information, gender identity, gender expression, age, religion, disability, political beliefs, or status as a veteran in any of its policies, practices, or procedures. This includes, but is not limited to: admissions, educational services, employment, and financial aid.

ABOUT THIS REPORT: THE CLERY ACT

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, more commonly known as the *Clery Act*, requires colleges and universities to:

1. Publish an annual public report each year by October 1. This report contains three years of campus crime and fire safety statistics and certain campus security policy statements;
2. Disclose crime statistics for its "Clery geography," which includes the campus (including on-campus student housing facilities), and, if applicable, public areas immediately adjacent to or running through the campus, and certain non-campus facilities or property. The statistics must be gathered from campus police, local law enforcement, and other Haskell officials who have "significant responsibility for student and campus activities":
3. Provide timely warning notices of Clery crimes that pose an ongoing threat to students and employees;
4. Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus;
5. Disclose in a public crime log any crime that occurred within its Clery geography or within the patrol jurisdiction of campus security; and
6. Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

Haskell fully supports the Clery Act as it assists the University in its communications and responsibilities to students and employees. The full text of this report is located at:

<https://www.haskell.edu/wp-content/uploads/2022/01/2021-HINU-Annual-Fire-Safety-and-Campus-Security-Report-Final.pdf>

Preparation and Disclosure of Annual Security Report

This version of the report is prepared by the Clery Compliance Committee in cooperation between the Dean of Students Dr. Daniel Burland, Haskell Office of Student Rights and Conduct Ms. Danelle Crawford McKinney, Committee First Response Specialist Mr. Manny King, Committee Clery Geography Specialist Mr. Ernest Wilson, Haskell Security Office Mr. James Yarnall, and the local law enforcement agencies surrounding our campus. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act. Campus crime, arrest and referral statistics include those reported to the Haskell Student Conduct Office, designated campus officials (including but not limited to directors,

deans, department heads, designated Residential Hall staff, advisors to students/student organizations, athletic coaches), and local law enforcement agencies.

Counseling Services staff members are required to report crime statistics to the Haskell Security or Office of Student Conduct. Only Haskell Health Center and other LICENSED Counseling Individuals are not required to report incidents.

Each October 1, the University distributes a notice (an email notification) of the availability of this Annual Security Report to each member of the University community. The report provides statistics for the previous three years concerning reported crimes that occurred on campus and on property otherwise controlled by Haskell Indian Nations University. This report also includes institutional policies concerning campus security and safety, such as policies regarding sexual assault, alcohol, and other drugs.

Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Haskell Clery Compliance Committee by telephone on (785) 749-8445, through email to the University Services Department at dburland@haskell.edu, janet.white@bie.edu or in person or through post mail. The Clery Compliance Committee is located at Pushmataha Hall, Haskell Indian Nations University, Lawrence, KS, 66046.

HASKELL CAMPUS SAFETY DEPARTMENT

Clery Compliance Committee - Role and Authority

The Haskell Campus Safety Department provides a plan for safety, security and emergency response services for the Haskell Campus 24 hours a day, 7 days a week. The Department works in collaboration with the Haskell Security Office as well as the Haskell Emergency Response Team (HERT). The Campus Safety Department also works with the Clery Compliance Committee, whose mission is to serve the Haskell Community. The committee's mission is to strive to ensure students, faculty, other academic staff and staff employees (the "Haskell Community") have access to accurate information about crimes committed on and around the Campus; access to university wide security policies and related local campus procedures; and a confidential reporting process for victims and witnesses.

LAWRENCE POLICE DEPARTMENT AND THE DOUGLAS COUNTY SHERIFF'S OFFICE

Authority & Jurisdiction

In 1969, President Lyndon B. Johnson issued a declaration stating that the Lawrence Police Department and the Douglas County Sheriff has full jurisdiction over the federal property of Haskell Indian Nations University. This declaration ensures that Haskell students are protected by law enforcement. In addition, these law enforcement officers have the authority to enforce Federal, State, and Local Laws. They also have the power to arrest if a crime or suspected crime has occurred on campus. Haskell Indian Nations University remains committed to working with the Lawrence Police Department and the Douglas County Sheriff's Office on issues of Public Safety. While Haskell Indian Nations University does have its own Haskell Security Office with security officers on duty, we appreciate the added protection for the health and safety of our students. The Haskell Security Office maintains a strong working relationship with state and local police agencies, including the Lawrence Police Department, Kansas Bureau of Investigation, Kansas State Highway Patrol, United States Marshalls, Federal Bureau of Investigation, and surrounding local law enforcement agencies. As of yet, there are no written agreements or memorandums of understanding regarding any topics, including the investigation of criminal incidents, between Haskell and the Lawrence Police Department. Haskell Security Officers can detain suspects until police arrive, but they do not have the power to arrest. Security Officers are not sworn officers, yet they are responsible for enforcing university policies, and those policies include enforcing violations of the law. The patrol jurisdiction of Security Officers is limited to the buildings and properties owned or controlled by Haskell Indian Nations University. Officers document violations of University Policy and the law. They then contact local law enforcement agencies to report observed buildings of properties owned or controlled by Haskell.

HASKELL INDIAN NATIONS UNIVERSITY SECURITY - Haskell Security Office

The Haskell Indian Nations University Security Office is located on the first floor of Roe Cloud Hall. At the time of this report's publication, the Haskell Security Officers are:

Braxton Hutchinson

Michael Trostle
James Yarnall
Tristan Yarnall
Breanna Crawford

The Haskell Security phone number is (785) 760-6192. This is a cell number that is staffed by security each day 24 hours a day, 7 days a week.

ADDITIONAL CAMPUS SAFETY SERVICES

Haskell Security Officers provide safety escorts upon request to locations on campus. The safety escorts are available on Tuesdays through Saturdays from 12:00pm – 6:00am and Sundays and Mondays from 4:00pm – 6:00am. If an escort is needed outside of those hours, anyone is encouraged to contact one of the Housing Residential Staff so that an escort may be arranged. The area in which the escort is available is found on our Haskell Security Map printed below. Haskell Security Officers are not available to perform transport in a vehicle unless in an emergency situation. To request a safety escort, call the Haskell Security cell number at 785-760-6192.

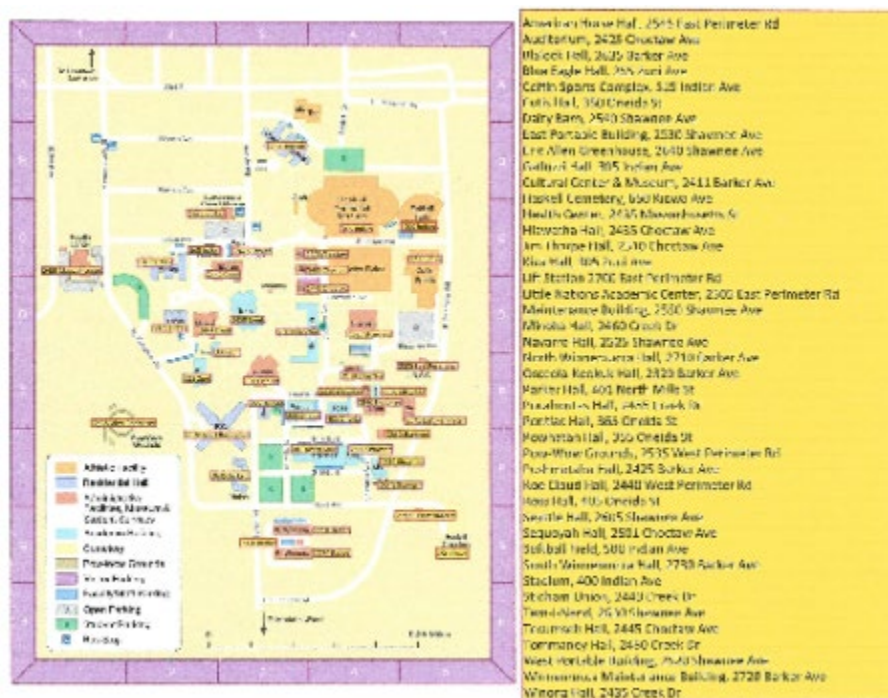
Among other services, the Campus Safety Department in collaboration with the Clery Compliance Committee:

1. Coordinates campus emergency preparedness and response efforts
2. Provides Emergency Notifications and Timely Warnings as required or determined by the threat assessment team
3. Notifies Lawrence Police Department or Federal Marshalls Office of all violent crimes as required by Education Code section 67380
4. Maintains readiness of the Omnilert Notification system; test and implementation with the President's Office
5. Coordinates emergency planning including residential hall fire drills, campus emergency drills and the Douglas County Emergency System
6. Provides education, emergency preparedness and response materials and emails
7. Manages the campus parking permit and traffic regulation program
8. Documents reports of vehicle accident and damage

9. Gathers, maintains and disseminates information on safety and security policies and incidents of crime on campus.
10. Responds to activated intrusion, security and fire alarms for the entire campus
11. Provides ongoing training to the campus on safety and security policies and procedures

HASKELL CAMPUS MAP AND 911 ADDRESSES

This map of the campus shows the addresses that are coordinated with the Lawrence Police Department. With this map, anyone can give a specific address to a building and the police will know exactly where the location is. This address system reduces response times for emergencies. If you live on campus, please learn the street address of your residence hall. Staff and faculty are required to keep these addresses posted in their offices, classrooms, and other campus areas.



REPORTING CRIMES AND OTHER EMERGENCIES

Haskell University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to law enforcement and to appropriate Haskell Officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire Haskell community that you immediately and accurately report all incidents so that the Haskell Security or Lawrence Police Department or other authorized agencies can investigate the situation and determine if follow-up action are required, including issuing a Time Warning or emergency notification. If the victim involved in the incident does not choose to, or is unable to, report the incident, anyone who witnesses the incident can and should make a report. All reports will be investigated further; making the report is a necessary first step to ensure that this follow-up investigation can take place. If you are not sure of the details of what happened but you know that something did happen, report what you know to one or more of the following places:

Haskell Security

Roe Cloud Hall, 2440 West Perimeter Road
785-760-6192

The Office of Student Rights and Conduct

Pushamataha Hall, 2425 Barker Avenue
785-749-8415

Title IX/EO 13160 Office, Human Resources, Dean of Students Office

Members of the community are helpful when they immediately report crimes or emergencies to Campus Security and/or to the Title IX/EO 13160 Coordinator, Human Resources Department, and Dean of Students Office listed below. (The University Sexual Misconduct and Discrimination, Harassment, and Retaliation policies provide additional details about reporting crimes.) Reports by these offices are directed to Campus Security and an incident report is prepared. Incident reports are shared with the Clery Act

Compliance Committee for the purposes of classifying reports for annual statistical disclosure and assessing the necessity for timely warning or emergency notifications.

Acting Title IX/EO 13160 Coordinator, Ms. Tonia Salvini

Navarre Hall,
Tonia.salvini@bie.edu
785-749-8457

Human Resources Department,

Bennett R. Tuchawena
Human Resources Specialist (ER/LR)
U. S. Department of the Interior
Bureau of Indian Education
Albuquerque, New Mexico
Phone : (703) 517-3735
Fax : (505) 563-5329
E-mail : Bennett.Tuchawena@bia.gov

Glenn E. Himebaugh
Manager, Employee & Labor Relations
Bureau of Indian Education
glenn.himebaugh@bie.edu
(505) 563-5323
(505) 563-5329 - fax
(571) 407-0475 work cell

Dean of Students Office,

Dr. Daniel Burland
dburland@haskell.edu
Pushmataha Hall, 2425 Barker Avenue
785-832-6671

Reporting Crimes to University Officials – Campus Security Authorities

Haskell Indian Nations University encourages community members to promptly report all crimes and other emergencies directly to the Haskell Security Office in an accurate and timely manner. Witnesses, and other affected parties (including victims) are urged to report crimes on a voluntary, confidential basis. Some individuals may prefer to report crimes to university employees or offices other than those listed above. The Clery Act recognizes certain university officials and offices as being a "Campus Security Authority" (CSA). The Act defines a CSA as being an "official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings." An official is defined as "any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution." An official's job function and not his/her title determine if s/he is a CSA.

CSAs include but are not limited to the following individuals:

1. A member of campus security or law enforcement responsible for campus security;
2. An individual who has responsibility for campus security but does not constitute police or security department (for example, monitoring an entrance to a building);
3. An individual or organization specified in the institution's security policy as an individual or organization to which students and employees should report criminal offenses;
4. Officials with significant responsibility for student and campus activities.

Haskell University requires that any CSA who becomes aware of a crime at Haskell or a crime involving a member of the Haskell community must immediately report the incident to Campus Security or Title IX/EO 13160 as appropriate.

Pastoral and Professional Mental Health Counselors

According to the Clery Act, pastoral and professional mental health counselors are exempt from being Campus Security Authorities when they are acting in their counseling roles. Campus counselors 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 to the Haskell Security Office.

Title IX/EO 13160 Responsible Employees

A "Responsible Employee" includes any Haskell Indian Nations University employee who: (1) Has the authority to take action to redress harassment; (2) Has the duty to report to appropriate school official's sexual harassment or any other misconduct by students or employees; or (3) A student could reasonably believe has the authority or responsibility to take action. All University employees who do not have legally protected confidentiality are considered Responsible Employees. This includes all employees with supervisory or leadership responsibilities on campus, including, but not limited to, faculty, coaches, administrators, staff members and Resident Advisors. The University requires that all Responsible Employees share a report of misconduct with the Title IX/EO 13160 Coordinator so that Haskell can take immediate and corrective action to respond to allegations of prohibited conduct.

Response to a Crime Report

All reports of crime to any Haskell employee, Campus Security Authority, or Haskell Security Officer will be investigated. Violations of law will be referred to the Lawrence Police Department (LPD) and, when appropriate, to the Dean of Students or the Vice President for University Services for Student Conduct Code violation review processes. All crimes must be reported to LPD to alert the campus community to potential danger, to maintain an accurate record of incidents, and to determine if a criminal pattern regarding a particular location, method, or assailant is occurring. If assistance is required from the Lawrence Police Department, or the Lawrence Fire Department, Haskell security office will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including Haskell Security Office, will notify the victim of the wide variety of resources and assistance available to him or her or them.

Voluntary, Confidential Reporting

Campus Safety encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. Campus Safety does not have a voluntary confidential

reporting process because police reports are public records under state law, thus Campus Safety cannot hold reports of crime in confidence. Confidential reports for the purpose of inclusion in the annual disclosure of crime statistics can be made to any campus security authorities (the primary CSAs are identified in the Reporting and Disclosure Procedures above). However, some of the CSAs are also Responsible Employees under Title IX/EO 13160, and they are obligated to share reported information involving sexual misconduct, domestic/dating violence and stalking, including information about the identity of the victim and accused, with the Title IX/EO 13160 Coordinator. Reports to professional and pastoral counselors can be kept confidential. Professional and pastoral counselors are encouraged to inform their clients, if and when they deem it appropriate, of the procedures to confidentially report crimes to primary CSAs, when they deem it appropriate. Students and employees may report crimes involving sexual misconduct on a voluntary, confidential basis to the Title IX/EO 13160 Office (and for inclusion in the annual statistics) via the Title IX/EO 13160 Office's Reporting Form. (The link to the online form is located under the Consumer Disclosure page under Title IX/EO 13160 Policy: https://www.haskell.edu/consumer-disclosure/title_ix/) Employees may make anonymous reports concerning students by submitting an incident report online through the Incident Report form.

SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS

During Orientation, first-year students and parents are introduced to services offered by Campus Safety and informed about crime on campus. Crime prevention and awareness programs are offered by an online curriculum that all students must complete prior to attending Haskell Indian Nations University. There are also programs that are offered by various campus organizations throughout the year. The awareness and crime prevention programs serve to encourage students and employees to be mindful of their personal safety and security, and that of the campus community.

Information about campus security procedures, crime prevention, and how to report crimes are included in the orientation for new employees and the employee handbook. Employees are kept informed of new security policies and procedures on an ongoing basis.

Active Bystander Suggestions

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” At Haskell, we want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

As such, the list below includes some suggestions on how to be an active bystander. Further information regarding bystander intervention may be found online and through resources offered on campus throughout the year.

Remember that if you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, “hit on,” try to make-out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer to people the campus resources listed in this report for support in health, counseling, or other assistance.

Bystander intervention definitions and strategies are adapted from Stanford University's Office of Sexual Assault & Relationship Abuse online resources (2019).

Safety Awareness Programs

University departments, such as Human Resources, the Vice President of Academics, Dean of Students, Director of Housing, or Admissions, may conduct orientation sessions for

employees and students. During orientation sessions, safety information will be provided, and video presentations are presented to Residential Assistants and interested campus groups.

Topics include sexual assault/rape prevention and reporting, vehicle security, room security, crime reporting, domestic violence, and personal security on and off campus.

The Dean of Students, the Student Rights Office and the Counseling Center will provide presentations and educational materials throughout the University community on topics like alcohol and drug abuse, sexual violence, domestic violence, dating violence and stalking. All of the above-mentioned departments will also offer information on personal safety.

Throughout the 2019-2020 academic year, Haskell offered approximately 10 crime prevention and security awareness programs. In these programs, students and employees are encouraged to be responsible for their own security and the security of others.

Information for students can be found in the *Residential Living Handbook*.

Information for students can be found in the Residential Living Handbook.

<http://www.haskell.edu/universityservices>. The Student Code of Conduct can be found on the Haskell Office of Student Conduct website.

Crime Prevention Programs

The Title IX/EO 13160 Office along with the Counseling Center facilitates programs for students, parents, and employees on a variety of educational strategies and tips on protection from sexual assault, theft and other crimes. The Department of University Services offers crime prevention programs, including a presentation on alcohol and consent, specifically to all Haskell first-year students enrolled in the Vision Quest course.

Crime prevention programs on personal safety and theft prevention are also sponsored by various campus organizations throughout the academic year. Committees such as Haskell University Council and Haskell Managers and Supervisors working on education and training related to crime prevention and awareness activities meet monthly to coordinate efforts and implement programming and campaigns. Safety tips are also be found in the Safety Office.

ADDITIONAL CAMPUS SAFETY AND SECURITY POLICIES

Firearms and Weapons

The possession, storage, or use of firearms, explosives of any type (including fireworks), chemicals or weapons of any sort is not permitted anywhere on campus. Haskell Indian Nations University is on Federally-owned and controlled property and possession or use of firearms or weapons are prohibited, except by law enforcement officers or as otherwise permitted by federal law. This includes hunting bows and arrows and hunting knives. The term "weapon" means firearms, explosives, metal knuckles, and knives with blades more than 2.5 inches long, or any other instrument identified as a weapon in published Haskell policies. Any item that is brandished as a weapon will be treated as a violation of Haskell policy. Items include, but are not limited to, use of a fake or toy gun, brandishing a pocketknife, or a handheld gesture under clothing to simulate a weapon.

Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, Haskell publishes information regarding the Universities educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws, and University policy; a description of the health risks associated with alcohol and other drug use; and a description of available treatment programs for Haskell students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available in person at the Vice President of University's Office, the Office of Counseling Services, and the Haskell Human Resources Office. In addition, policies related to these topics are available at <https://haskell.policystat.com>.

Daily Crime Log

The daily crime log is a list of all crimes (and alleged crimes) reported to Campus Safety officers within Haskell's coverage zone in the most recent 120-day period. The log is available online 24 hours a day, seven days a week to the campus community and members of the public at www.haskell.edu/Haskellsecurity/dailycrimelog. The log identifies the nature, location, time of occurrence, time reported, case number, and disposition (if known)

of each criminal incident reported to the online Haskell Incident Report Form. Crimes and alleged crimes are logged according to the date the Clery Compliance Committee received the report. An entry, an addition to an entry, or a change in the disposition of a complaint to the daily crime log must be recorded within two business days of the reporting of the information to the Clery Compliance Committee. In addition to the daily crime log online, a paper copy of the last 60 days of information is available in the Campus Security office, located in the Roe Cloud Hall, 2440 West Perimeter Road on request, copies of older daily crime log entries shall be made available within two business days. Requests may be made by calling or visiting the Campus Security office. Crime reports received from local law enforcement agencies that cannot be matched to other crimes already entered in the crime log will be entered into the log according to the date the Campus Safety Department received the report from the local law enforcement agency, rather than the date the crime occurred, as with all crime log entries.

Timely Warning Notifications

If the Haskell Safety Office becomes aware of an incident that may be serious or is a continuing threat to the campus community, the University will issue a timely warning to campus to aid in the prevention of future similar incidents. (Haskell often refers to these warnings as "Campus Alerts.") Upon the reporting of an incident, the Haskell Safety Office will determine if an incident poses a serious or continuing threat on or near campus. If so, it is the Safety Officer, the Student Rights Specialist, or Assistant to the President who will typically write and distribute a timely warning. The objective of the warning is to aid in the prevention of similar occurrences.

A warning will be issued as soon as all pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. Timely Warnings are issued through the Haskell email system to students, faculty, and staff. They also are posted on Haskell's website: <http://www.haskell.edu>. Copies of the warning may be posted in residence halls. The warning includes information about the crime, the response of law enforcement, and any actions needed on campus for safety and to aid in the prevention of similar crimes. The warning will

not include a victim's name. Haskell is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

In the event a crime is reported, or a situation arises within Haskell's "Clery Geography" (on campus or public property), the Haskell Safety Office (in collaboration with the Clery Compliance Committee) will consult with the responsible authorities to determine if a serious or continuing threat has/is occurring. If so, then a campus wide "timely warning" notice will be issued.

Timely Warnings are typically written by the Clery Compliance Committee. Timely Warnings are then distributed to the community by the Office of the President.

These warnings are issued for the following Uniform Crime Reporting Program (UCR)/National Incident based Reporting System (NIBRS) crime classifications:

1. Murder/Non-Negligent Manslaughter;
2. Aggravated Assault (cases involving assaults among known parties, such as two roommates righting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Haskell community);
3. Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis);
4. Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the Haskell Safety Office, or designee). In cases involving sexual assault that are reported long after the incident occurred, there is no ability to distribute a "timely warning" notice to the community. However, all cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice; Major Incidents of Arson; and
5. Other Clery crimes as determined by the Haskell Safety Office, or whomever is designated by the President's Office as the official reporter at the time.

Timely Warning Notices may be posted for other crime classifications and locations, even though it is not required by the law, at the sole discretion of the University President, the

two Vice Presidents, and the Dean of Students. The Haskell Safety Office also issues notifications of past crimes that do not pose an immediate or continuing threat as a courtesy to the campus.

Anyone with information warranting a timely warning should contact Dr. Daniel Burland, Moderator of the Clery Compliance Committee. The Dean of the Students Office is located in Pushmataha Hall.

Safety Bulletins and Emergency Notifications

The Safety Officer, or other Authorized Personnel, will issue an emergency notification to the entire campus if a dangerous situation or an emergency exists. This is different than a timely warning, as the notification could be about any significant emergency or dangerous situation, not just Clery crimes. An emergency notification is immediately sent whenever there is confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, or visitors on the campus. The following are examples of significant emergencies or dangerous situations: outbreak of meningitis, approaching tornado, gas leak, bomb threat, or armed intruder.

Sending an emergency notification is the responsibility of the Safety Office. The Safety Officer will base their decision on the information they receive from the Public Relations Specialist and Haskell Security officer(s) on scene. The Safety Office staff is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center. More information about this can be found in the Emergency Management Section of this report.

Sexual Misconduct: Policy

It is the policy of Haskell Indian Nations University to maintain an environment for students, faculty, administrators, staff, and visitors that is free of all forms of discrimination and harassment, including sexual misconduct. Effective August 14, 2020, Haskell instituted a Title IX/E.O. 13160 Policy (the "Policy"). The Policy continues to reflect and maintain its

institutional values and community expectations, to provide for fair and equitable procedures for determining when this Policy has been violated, and to provide recourse for individuals and the community in response to violations of this Policy.

Haskell prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for the purposes of the Clery Act.

This Policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct, including sexual assault, non-consensual sexual contact, intimate partner violence, sexual exploitation, and stalking. The Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in any matter related to the Policy. All of the above listed conduct is referred to as "Prohibited Conduct."

Haskell strongly encourages all members of the community to take action to maintain and facilitate a safe, welcoming, and respectful environment on campus. In particular, Haskell expects that all Haskell community members will take reasonable and prudent actions to prevent or stop Prohibited Conduct. Our university strongly supports individuals who choose to take support of this stance and will protect such individuals from retaliation.

Upon receipt of a report, Haskell will take prompt and equitable action to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy any effects to any members of our Haskell community.

Haskell is committed to treating all members of the community with dignity, care, and respect. Any student who experiences or is affected by violations under this Policy, whether as a Complainant, a Respondent, or a Third Party, will have equal access to support and counseling services through university resources.

Haskell strongly encourages individuals to report Prohibited Conduct. The University recognizes, however, that the decision to report Prohibited Conduct (to Haskell and/or law enforcement) can be difficult. Haskell strongly encourages individuals who are considering whether to report Prohibited Conduct to seek the support of confidential campus and

community resources. These trained professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this Policy is pursued. These resources are available regardless of when or where the incident occurred.

When used in the Policy, "Complainant" refers to the individual who is identified as the subject of Prohibited Conduct. "Respondent" refers to the individual alleged to have engaged in Prohibited Conduct. A "Third Party" refers to any other participant in the process, including a witness or an individual who makes a report on behalf of a Complainant.

What to Do If You Experience Sexual Harassment, Sexual Assault, Intimate Partner Violence, or Stalking

1. Get to a safe place. Any place away from the person(s) harming you.
2. Access campus and local community services to receive the care, support, and assistance you deserve. You can contact a residential hall counselor, Monica Jackson, at (785)749-8485 or Manny King at (785) 749-8447 during regular business hours. After hours, the College Resident Assistant (CRA) or Haskell Security at 785-760-6192 can connect you to an advocate at the Sexual Trauma and Care Center or Willow Domestic Violence Women's Shelter in Lawrence or the National Sexual Assault Hotline (800)656-4673 can also help explain resources, reporting processes, and options seven days a week, 24 hours a day.
3. Preserve evidence in cases of sexual violence, intimate partner violence, or stalking. It is important to preserve evidence that may assist law enforcement personnel. If possible, place each item of clothing you were wearing at the time of the assault in a separate container or bag and do not shower, bathe, douche, wash, or clean any part of your body, including brushing your teeth, until you have had a forensic medical exam. If possible, do not clean the area or move anything around where assault has occurred, in case law enforcement and detectives need access to the area.
4. Seek medical care as soon as possible. If within 96 hours of an assault: Call the CRA or Haskell Security to arrange for transportation to Lawrence Memorial Hospital that have a Sexual Assault Response Team (SART) available 24 hours a day, seven days a

week. If after 96 hours of an assault: Still consider a possible SART exam, or human immunodeficiency virus (HIV) testing and sexually transmitted infections (STI) testing at the Haskell Health Center. Haskell Health Center can provide prophylaxis (measures to prevent disease).

5. Consider filing a report with the Haskell's Title IX/EO 13160 Office, the Lawrence Police Department, and/or Haskell's Clery Compliance Committee. Survivors can request a victim advocate or Haskell confidential support and to ensure their rights are respected during interviews with law enforcement. The Title IX/EO 13160 Office and advocates from the University are available to help survivors file a report with the police. On campus, reports can be filed with the Title IX/EO 13160 Coordinator, Student Conduct Office, the Dean of Students Office, and Clery Compliance Committee by phone, in writing, or by email.

Local SART (Sexual Assault Response Team) Hospitals

At SART hospitals, survivors can access a free medical exam, and forensic evidence can be collected for later use if the survivor wishes to pursue a report in the future.

Haskell's Title IX/EO 13160 Coordinator

The Title IX/EO 13160 Coordinator coordinates Haskell's compliance with Title IX/EO 13160 and related provisions of the Clery Act (as amended by VAWA). The Title IX/EO 13160 Coordinator oversees Haskell's centralized response to all reports of Student Conduct to ensure consistent implementation of this Policy and compliance with federal and state law. The Title IX/EO 13160 Coordinator and designated staff will, among other things:

- Communicate with members of the Haskell community regarding applicable law and policy and provide information about reporting and support options.
- Review applicable Haskell policies to ensure institutional compliance with applicable federal and state law.
- Monitor the Haskell's administration of its own applicable policies, including record keeping, adherence to timeframes, and other procedural requirements.

- Conduct training regarding Title IX/EO 13160, related provisions of the Clery Act (as amended by VAWA), and Prohibited Conduct as defined in this Policy.
- Respond to any report to the Title IX/EO 13160 Coordinator regarding conduct that may violate this policy. In this capacity, the Title IX /EO 13160 Coordinator will oversee the response to, and resolution of, such alleged misconduct, direct the provision of any remedial and protective measures (including oversight of the failure to abide by an interim protective measure), and monitor the administration of any request for review of the finding. The Title IX/EO 13160 Coordinator may delegate responsibilities under this Policy to designated administrators or external professionals, who will have appropriate training and/or experience. When used in this Policy, the Title IX/EO 13160 Coordinator may include an appropriate designee. The Acting Title IX/EO 13160 Coordinator's contact information is: Tonia Salvini, Title IX/EO 13160 Coordinator (dmckinney@haskell.edu). Her phone number is **(785) 749-8457**.

For Students Only

Dr. Daniel Burland
Dean of Students
Office 785-832-6671
9:00am – 4:00pm

Call Campus Safety on (785)760-6192, 24 hours a day,

Community Resources for Students and Employees

Students, faculty, and staff may also access resources in the local community. These organizations provide crisis intervention services, counseling, medical attention, and assistance in dealing with the criminal justice system. All individuals are encouraged to use the resources that are best suited to their needs, whether on or off campus.

Off-Campus Confidential Community Resources

Lawrence Police Department:

(785) 843-0250

4820 Bob Billings Pkwy,

Lawrence, KS 66047

lawrenceks.org

The Sexual Trauma and Abuse Care Center

708 W. 9th St. #105

Lawrence, KS 66044

785-843-8985

The Willow Domestic Violence Center

1920 Moodie Rd.

Lawrence, KS 66046

785-843-3333

Confidential Medical Resources

*Medical providers who treat a physical injury sustained from an assault, physical or sexual, are required by state law to report the assault to law enforcement.

Lawrence Memorial Hospital

325 Maine Street

Lawrence, KS 66044

785-505-5000

Haskell Indian Health Center

2415 Massachusetts St.

Lawrence, KS 66046

List of Resources for Reporting, Care, and Support

Anonymous Reporting

Any individual may make an anonymous report concerning an act of Prohibited Conduct. An individual may report the incident without disclosing their name, identifying the Respondent, or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, Haskell's ability to respond to an anonymous report may be limited. The Title IX/EO 13160 Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate, and in consultation with the Clery Team, compliance with all Clery Act obligations.

Haskell Indian Nations University Title IX/EO 13160 Policy and Procedure

Purpose: This policy informs all prospective students, current students, and all Haskell Indian Nations University (Haskell) employees of college policies and procedures regarding sex discrimination and sexual harassment to which all students, members of the faculty, and non-faculty personnel are expected to adhere during their time at Haskell. In addition, comprehensive information is provided regarding the reporting of sex discrimination and sexual harassment and avenues to seek immediate assistance.

Policy: Haskell Indian Nations University will address all incidents of sex discrimination and sexual harassment reported to the Haskell Title IX Coordinator in compliance with the Higher Education Opportunity Act, the Clery Act, and Title IX of the Education Amendments of 1972, as amended.

Scope and Definitions: Haskell must respond when sex discrimination and harassment occurs in the school's education program or activity, against a person in the United States. Education program or activity includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the discrimination or harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. Title IX/EO 13160 applies to all of a school's education programs or activities, whether such programs or activities occur on-campus or off-campus, including online instruction. Any

person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX/EO 13160 Coordinator, or by any other means that results in the Title IX/EO 13160 Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address listed on the Title IX/EO 13160 Coordinator. Individuals are responsible for immediately reporting any knowledge or information concerning sexual harassment to the Haskell Title IX/EO 13160 Coordinator identified in this policy which covers unwelcome conduct of a sexual or gender-based nature, whether committed on-campus, or off-campus where Haskell has control over the respondent or the context of the harassment. Haskell Indian Nations University encourages victims of sexual harassment to talk with a counselor. Different individuals within the scope of Haskell's resources (Haskell Health Center, Lawrence Memorial Hospital, Willow Domestic Violence Women's Shelter, Sexual Trauma and Care Center) have different abilities to maintain a victim's confidentiality.

- Haskell Health Center Counselors are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Willow Domestic Violence Center and Sexual Assault and Care Center of Lawrence, Kansas Employees may talk to a victim in confidence, and generally only report to Haskell that an incident occurred without revealing any personally identifying information. Disclosures to these employees most likely will not trigger a university investigation into an incident against the complainant's wishes.
- Haskell Employees, including Haskell Counseling Center employees are required to report all the details of an incident (including the identities of both the complainant and respondent) to the Title IX/EO 13160 Coordinator. A report to Haskell employees (called "Campus Security Authorities") constitutes a report to the Haskell Title IX/EO 13160 Coordinator and places Haskell on notice to take appropriate steps to address the situation. Compliance with this policy does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA).

For the purpose of this policy, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex discrimination or sexual

harassment offense and any sanction that is imposed against the respondent. This policy also applies to retaliation by Haskell or any person against any other person when for the purpose of interfering with Title IX/EO 13160 rights, or because the person has participated or refused to participate in any manner in a proceeding under Title IX/EO 13160 that is prohibited.

Assistance Following an Incident of Sexual Harassment

- Immediate Assistance: Persons who have complaints of sexual harassment may file their complaints with the Title IX/EO 13160 Coordinator (Tonia Salvini) located in the Navarre Hall Administration Building, Lawrence, KS, phone number 785-749-8457, or email tonia.salvini.edu. Victims of sexual violence should get to a place of safety and call Haskell Security at 785-760-6192 or 911. Students should obtain necessary medical treatment; time is a critical factor for evidence collection and preservation. An assault should be reported directly to a law enforcement officer, and college officials will aid in facilitating this process. Filing a police report will not obligate the complainant to prosecute, nor will it subject the reporting party to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a complainant of sexual violence receives the necessary medical treatment and tests, at no expense to the complainant to the extent provided for by Kansas law and provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

COMPLAINANT OR WITNESS: CALL HASKELL SECURITY (785-760-6192) FOR IMMEDIATE ASSISTANCE

- Ongoing Assistance: In order to ensure the safety and well-being of the complainant, Haskell Indian Nations University may take interim measures such as changing living arrangements, work schedules, academic schedules, addressing transportation issues, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring), leaves of absence, campus escort services, or similar measures. In addition, while an investigation is pending Haskell may initiate a "no contact order" between the parties that carries a sanction of expulsion if violated.

Haskell does offer limited internal counseling options, but law enforcement officials and college representatives are available to facilitate access to support services, which may be obtained through Haskell Health Center at 785-843-3750, Willow Domestic Violence Women's Shelter at 785-843-3333, Sexual Trauma and Abuse Care Center of Lawrence at 785-843-8985. Haskell Title IX/EO 13160 Coordinator or Haskell Counseling Center will assist any interested person in contacting these agencies.

- Additional Support Services: National Domestic Violence Hotline -1-800-799-7233 (SAFE) Rape, Abuse & Incest National Network Hotline -1-800-656-4673 (HOPE) Communication Services for the Deaf (TTY) -1-800-252-1017 (TTY) Communication Services for the Deaf (Voice) -1-866-845-7445 (Voice) Title IX/EO 13160 Coordinator and Staff.

- Title IX/EO 13160 Coordinator has primary responsibility for overseeing the process of coordinating Haskell's compliance efforts, receiving complaints, referring investigations to our contracted investigators, hearing, sanctions, appeals, and education and training associated with this policy. To file a complaint or submit questions concerning actions governed by this policy contact the Title IX/EO 13160 Coordinator (Tonia Salvini) located in the Navarre Hall, Lawrence, KS, phone number 785-749-8457, or email tonia.salvini@bie.edu.

- Title IX/EO 13160 Assistants have secondary responsibility and assist in the duties of the Title IX/EO 13160 Coordinator. Title IX/EO 13160 Assistants are located throughout campus but can be obtained by the Title IX/EO 13160 Coordinator in Navarre Hall, Lawrence, KS, phone number 785-749-8457, or email tonia.salvini@bie.edu.

- Title IX/EO 13160 Investigators are contracted by independent agencies. The primary responsibility of the investigator is to collect statements and any evidence directly related to any allegations of a Title IX/EO 13160 policy violation as directed by the Title IX/EO 13160 Coordinator. Investigators will receive appropriate Title IX/EO 13160 and trauma informed training.

- Title IX/EO 13160 Hearing Officer may include a Haskell administrator or external legal counsel. The primary responsibility of the hearing officer will be to ensure both parties receive due process in the event allegations of a Title IX/EO 13160 policy

violation are directed to a hearing by the Title IX/EO 13160 Coordinator. Hearing Officers will receive appropriate Title IX/EO 13160 and trauma informed training.

- Title IX/EO 13160 Hearing Member may include Haskell faculty or staff members. The primary responsibility of the hearing member is to listen to both sides of the complaint. Each hearing member will evaluate the information being provided by both parties to make a decision whether or not a Title IX/EO 13160 policy violation took place. Hearing members will receive appropriate Title IX/EO 13160 training.

Definitions: Haskell Indian Nations University defines sex discrimination and sexual harassment broadly to include any of three types of misconduct on the basis of sex (or gender), all of which jeopardize the equal access to education that Title IX/EO 13160 is designed to protect. Any instance of quid pro quo harassment by a school's employee; any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA). Offenses prohibited under Haskell's policy include, but are not limited to sex discrimination (including sexual orientation discrimination and gender identity or gender expression discrimination), sexual harassment, sexual violence to include non-consensual sexual contact, non-consensual sexual intercourse, sexual coercion, domestic/dating violence, stalking, and sexual exploitation.

A. Sex Discrimination: includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education, or institutional benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

B. Sexual Harassment: is unwelcome and discriminatory speech or conduct undertaken because of an individual's gender or is sexual in nature and is so severe, pervasive, or persistent, objectively and subjectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or

employment access, benefits, activities, or opportunities. Students and visitors who are subject to or who witness unwelcome conduct of a sexual nature are encouraged to report the incident(s) to the Title IX/EO 13160 Coordinator or any Haskell employee. Employees who are subject to unwelcome conduct of a sexual nature are encouraged to report the incident(s) to the Title IX/EO 13160 Coordinator or any Haskell employee. Employees who witness or receive reports of unwelcome conduct of a sexual nature are required to report the incident(s) or reports received to the Title IX/EO 13160 Coordinator.

C. Hostile Environment: Sexual Harassment includes conduct that is sufficiently severe, pervasive, or persistent, objectively and subjectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the conduct was deliberate, repeated humiliation based upon sex;
- The effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and
- Whether the speech or conduct deserves constitutional protections.

D. Quid Pro Quo Sexual Harassment exists when individuals in positions of authority over the complainant:

- Make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
- Indicate, explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or institutional activity or benefit is

conditioned upon the complainant's submission to such activity. Examples of Harassment:

- An instructor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student agrees to the request.
- A student repeatedly sends sexually oriented jokes around in an email list he or she created, even when asked to stop, causing one recipient to avoid the sender on campus and in the dorms in which they both live
- The instructor probes for explicit details, and demands that students respond to him or her, though they are clearly uncomfortable and hesitant
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to his clear discomfort.

E. Sexual Violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties.

1. **Non-Consensual Sexual Contact** is any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, buttock or breast) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator or any contact in a sexual manner even if not involving contact of or by breasts, buttocks, groin, genitals, mouth or other orifice. This definition includes sexual battery and sexual misconduct
2. **Non-Consensual Sexual Intercourse** is defined as any sexual intercourse or penetration of the anal, oral, vaginal, genital opening of the victim, including sexual intercourse or penetration by any part of a person's body or by the use of an object, however slight, by one person to another without consent or against the victim's will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.

- a) **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
3. **Sexual Coercion** is the act of using pressure (including physical pressure, verbal pressure or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone's will or with someone who has already refused. This includes rape, sexual assault, sexual exploitation and sexual misconduct.4. Dating violence is violence between individuals in the following circumstances: The party is or has been in a social relationship of a romantic or intimate nature with the victim; and the existence of such a relationship shall be determined based on a consideration of the following factors:
- Length of the relationship
 - Type of relationship
 - Frequency of interaction between the persons involved in the relationship.
- Domestic Violence under Haskell policy means violence committed by a current or former spouse of the victim
- A person with whom the victim shares a child in common;
 - A person who is cohabitating with or has cohabitated with the victim as a spouse;
 - A person similarly situated to the spouse of the victim under Kansas domestic or family violence laws;
 - Any other person against an adult or youth victim who is protected from that person's acts under Kansas domestic or family violence laws.

F. Advisor: A person who has agreed to assist a complainant or respondent during the Title IX/EO 13160 process. The advisor may be a person of the student's choosing, including but not limited to a Haskell faculty or staff member, a friend or an attorney.

G. Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

H. Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment.

I. Formal complaint: a document filed by a complainant or signed by the Title IX/EO 13160 Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment and stating the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination regarding basic elements of the formal complaint process.

J. Enrollment Status: At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed.

K. Supportive measures -individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Consent

Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes".

A. Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.

B. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.

C. Previous relationships or consent does not imply consent to future sexual acts.

D. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is an unreasonable pressure for sexual activity.

E. Legal Age: In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one should know to be, or based on the circumstances, reasonably should have known to be, mentally or physically incapacitated, is a policy violation. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent. Note: indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of the other person. Examples of when a person should know the other is incapacitated include, but are not limited to:

- The amount of alcohol, medication or drugs consumed,
- Imbalance or stumbling,
- Slurred speech,
- Lack of consciousness or inability to control bodily functions or movements, or vomiting, or
- Mental disability or incapacity.

F. Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.

Procedure

Haskell Indian Nations University seeks to create a positive educational environment on and off campus through our academic programs, services, activities, policies and procedures aimed at providing protection against sex discrimination and harassment. To that end,

Haskell condemns discrimination in its education programs and activities based on sex or gender, sexual orientation, gender identity or expression, sexual harassment, sexual violence, domestic violence, dating violence, and stalking. Notice of a sex discrimination or sexual harassment incident to the Haskell Title IX/EO 13160 Coordinator charges Haskell with actual knowledge and triggers Haskell's response obligations as described in the institutional action section.

Reporting

1. Mandatory Reporting

All Haskell employees are responsible for taking all appropriate action to prevent sex discrimination or sexual harassment, to correct it when it occurs, and must promptly report it to the Title IX/EO 13160 Coordinator. Failure to do so may result in disciplinary action up to and including termination. All Haskell employees are considered responsible employees with a duty to report any incident to the Title IX/EO 13160 Coordinator.

2. Confidential Reporting

Resources are available through Haskell Health Center to speak with any licensed counselor who wishes to report an incident and remain anonymous. All forms of sexual harassment should be reported, no matter the severity. In addition, Haskell should be made aware of possible threats to the campus community in order to issue timely warnings. These reports are made through the Title IX/EO 13160 Coordinator or the Haskell Clery Compliance Committee

3. Reporting to the Police - Haskell strongly encourages anyone to report sexual violence and any other criminal offenses to the police. This does not commit a person to prosecution but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, University disciplinary actions and/or civil actions against the respondent.

- If the incident happened on campus, it can be reported to Haskell Security at **785-760-6192**. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred. Know that the information you report can be helpful in supporting other reports and/or preventing further incidents.

- Reporting for Faculty and Staff (Non-Student) Instances: Faculty and staff shall report any instances of sexual harassment by another faculty or staff member to the Title IX/EO 13160 Coordinator. As stated above, Haskell also strongly encourages reporting any instances to the police.
- Employee Obligation to Report (Student Instances): In compliance with Title IX/EO 13160, employees who become aware of a student instance of sexual harassment shall immediately report such instance to the Title IX/EO 13160 Coordinator, including the name of the persons involved.

4. **Reporting of Student Instances**

Students shall report any instances of sex discrimination or sexual harassment to any Haskell employee and/or the Title IX/EO 13160 Coordinator. A complaint should be filed as soon as possible. If either the complainant or the respondent is a student, the incident will be addressed through the Title IX/EO 13160 process. The report can be made in person, by phone, mail, or email using the contact information listed for the Title IX/EO 13160 Coordinator or by any other means that results in the coordinator receiving the report. The report can be made any time, even during non-business hours. After receiving a report or notice of an incident, the Title IX/EO 13160 Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. A complainant's wishes with respect to whether the Haskell investigation should be respected unless the Title IX/EO 13160 Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. Haskell will promptly take necessary steps to protect the complainant and ensure safety as necessary, including taking interim steps before the final outcome of any investigation once a report or knowledge of sex discrimination or sexual harassment has occurred. Periodic updates on the status of the investigation will be provided to the complainant. If the school

determines that the sexual violence occurred, Haskell will continue to take these steps to protect the complainant and ensure his or her safety, as necessary. Haskell will provide the complainant with any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, legal assistance, and assistance in reporting a crime to local law enforcement.

Written Notice of Complaint

Upon receipt of a formal complaint, Haskell will provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice includes:

1. Notice of the grievance process, including any informal resolution process;
2. Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the conduct, if known) to allow the respondent to prepare a response;
3. A statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
4. Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
5. Notice that knowingly making false statements or providing false information in the grievance process is a violation of the code of conduct and subject to disciplinary action.

Investigation

The Title IX/EO 13160 Coordinator will make a determination to begin a formal investigation of sex discrimination or a sexual harassment incident which will lead to an institutional action. The coordinator will be available to explain to both parties the process and to notify in writing of the receipt of a complaint and the actions Haskell will take. The burden of gathering evidence and burden of proof must remain on Haskell and the investigators, not on the parties. An investigation will be conducted by an independent contractor that specializes in Title IX/EO 13160. This investigation will include:

- Meeting personally with the complainant, (unless extraordinary circumstances prevent a personal meeting),
- Meeting personally with the respondent, (unless extraordinary circumstances prevent a personal meeting),
- Presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made,
- Collecting any physical evidence,
- Meeting personally with any witnesses, (unless extraordinary circumstances prevent a personal meeting with one or more witnesses), and
- Reviewing any documentary evidence.

The investigation of complaints will be adequate, reliable and impartial. The investigation process can take up to 60 days. When investigating a complaint and throughout the complaint process, Haskell must:

1. Ensure that the burden of proof and of gathering evidence rests on Haskell and investigators rather than the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence
3. Not restrict either party's ability to discuss the allegations or gather and present evidence;
4. provide the parties with the same opportunities to have others present during interviews or related proceedings, including an advisor;
5. provide, to a party who is invited or expected to attend, written notice of the date, time, participants, purpose, and location of any investigative interview, hearing or other meetings with enough time to allow the party to prepare and participate;
6. provide both parties and their advisors an equal opportunity to review all evidence directly related to the allegations in the formal complaint (both exculpatory and inculpatory) at least 10 days prior to the completion of the final investigation; and
7. Prepare a written investigation report that fairly summarizes the relevant evidence and provide the report to both parties and their advisors for review and written response at least 10 days before a hearing or determination of responsibility. Haskell will determine if a Title IX/EO 13160 hearing is necessary.

If it is determined that Haskell will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing date.

Mandatory or Permissive Dismissal

Mandatory dismissal must occur when determined in the course of the investigation that allegation in a formal complaint:

1. Did not occur in Haskell's program or activity;
2. Did not constitute sexual harassment as defined; or
3. Did not occur against a person within the US. Both parties must receive written notice of a mandatory dismissal and reasons.

Permissive dismissal may occur at any time during the investigation or hearing when:

1. A complainant notifies the Title IX/EO 13160 Coordinator in writing that they would like to withdraw; or
2. The respondent is no longer enrolled or employed by Haskell; or
3. Specific circumstances prevent Haskell from gathering evidence sufficient to reach a determination. Both parties must receive written notice of a permissive dismissal and reasons. Haskell may still address allegations of misconduct under the Student Code of Conduct.

Haskell Officers and Designees

The designation of a Haskell official responsible for prescribed actions shall automatically include the official's designee in instances where an official is unable, unavailable or has concluded that the official may have a conflict of interest that causes the official to recuse from involvement in the matter. The official's designee shall have the same authority as the official in matters involving this policy.

Institutional Action

1. Mediation is a method of informal resolution. Informal resolutions are prohibited unless a formal complaint of sexual harassment is filed. Mediation may include conflict resolution or a restorative agreement between the parties with a trained Title IX/EO 13160 Officer presiding over the mediation. Participation in mediation is not mandatory but will only take place with the consent of both parties involved. Mediation may only be used:
 2. Prior to a Notice of hearing being issued;
 3. When a trained Title IX/EO 13160 Officer determines this is a suitable option for resolving the concern, and both the Complainant and Respondent agree to use the process;
 4. When the complaint does not involve sexual violence as defined in the Title IX/EO 13160 Policy
 5. When both parties acknowledge receipt of written notice of their rights under this policy and both parties provide written, voluntary consent.
 6. Mediation is not available when the complaint alleges a Haskell employee harassed a student. Because the outcomes of voluntary resolution conversations are mutually developed and agreed upon by parties involved, an appeal of the process and its result is not permitted. However, either the Complainant or the Respondent may terminate mediation at any time prior to the entry of a voluntary resolution and proceed with the Title IX/EO 13160 hearing. If the parties are unable to agree on a voluntary resolution, the matter will be referred by the Title IX/EO 13160 Coordinator to a Title IX/EO 13160 Hearing.
 7. No offers to resolve the conflict that were made or discussed during the informal voluntary resolution process may be introduced during the Title IX/EO 13160 Hearing.
 8. Title IX/EO 13160 Hearing

The Title IXEO 13160 Coordinator will determine if a hearing is necessary; mediation is never appropriate in sexual violence cases. If it is determined that Haskell will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing date, the alleged policy violation and issued a notice to appear at the hearing. The written notice will be hand delivered directly to the student(s) or mailed to the local address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local

address in the Registrar's Office. The hearing members shall include at least one trauma-trained individual in sex discrimination or sexual harassment adjudication to include a trained Title IX/EO 13160 Officer as the hearing officer and three members of faculty and staff as hearing members.

The Title IX/EO 13160 Coordinator will make the selection of the hearing members. Criteria for the hearing committee will include:

1. Have received all appropriate training,
2. Not a current instructor of either party involved,
3. Have no previous substantive or direct knowledge of the incident, and
4. Have no other perceived conflict of interest as determined by interview process with the Title IX/EO 13160 Coordinator. Description of the duties of the Title IX Hearing Members will include but not limited to the following:
 - Read and understand the Title IX/EO 13160 Policy and Procedures, which include the hearing process.
 - Read and understand all of the information of the Title IX/EO 13160 case provided by the coordinator prior to the hearing as part of a hearing packet.
 - Read and understand the procedures of the Title IX/EO 13160 hearing provided by the coordinator prior to the hearing as part of a hearing packet.
 - Have a clear understanding of the incident in question before going into deliberations for a decision.
 - Decide the outcome (majority vote) and sanctions if needed based on the information presented, hearing notes, and the Haskell Title IX/EO 13160 Policy.
 - Provide copies of notes, if made, to the hearing officer. The hearing officer will inform the parties of the decision at the hearing and send a letter as described in this policy.

Complainant's Rights:

- Be given a written explanation of the allegations and the hearing process;
- Have access to evidentiary material in advance of the hearing;
- Be present during the entire hearing;

- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case or make statements during the proceedings. Students must provide Haskell with the name and contact information for the student's advisor as soon as practical but at least three (3) days prior to the hearing (if the advisor is an attorney, Haskell's attorney (or designated administrator) will also be present for the hearing);
- Be given a timely hearing;
- Exclude evidence of the victim's past sexual history from discussion during the hearing. The past sexual history of the victim with persons other than the respondent shall be presumed irrelevant;
- Clarifying that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual harassment;
- Written notification of the outcome of the hearing including any sanctions; remedies/accommodations for the complainant; additional remedies for the school community;
- Written notification of any external counseling services that may be available;
- Written notification of options for changing academic, living, transportation, and work site situations if reasonable;
- Written notification of an avenue for appeal.

Respondent's Rights:

- Be given written notice of the allegations and the hearing process;
- Have access to evidentiary material in advance of the hearing;
- Be present during the entire hearing;
- Have no violation presumed until found responsible;
- Be given a timely hearing;
- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case or make statements during the proceedings. Students must provide Haskell with the name and contact information for the student's advisor as soon as practical but at least three (3) days prior to the hearing (if the advisor is an attorney, Haskell's attorney (or designated administrator) will also be present for the hearing);

- Written notification of the outcome of the hearing including any sanctions; remedies/accommodations for the complainant; additional remedies for the school community;
- Written notification of any external counseling services that may be available;
- Written notification of options for changing academic, living, transportation, and work site situations, if reasonable;
- Written notification of an avenue for appeal.

The hearing will include opening statements, each party's evidence and witnesses, and closing statements. Students are permitted to be present during the disciplinary hearing (except during deliberations of the panel). Students are permitted to make statements, present witnesses and present evidence during the hearing, which has been previously collected and approved during the investigation process. Witnesses and evidence need to be directly related to the incident. The standard of proof used in Haskell Title IX/EO 13160 Hearings is the preponderance of the evidence, which means the determination to be made, is whether it is more likely than not a violation occurred. This is significantly different than proof beyond a reasonable doubt, which is required for a criminal prosecution. In-person hearings are preferred, but video conference hearings may be conducted if the hearing officer determines that the health, safety and welfare of all participants is better served by the alternate hearing mode.

Prevention and Education

1. Education Haskell requires all employees to take the following educational-training courses on an annual basis. Employees may be required to be recertified on demand. Failure to have a certification of this required training may result in appropriate disciplinary action. Additional in-person training is also offered periodically and on request.
2. **Bystander Intervention** - If you witness a policy violation, or behaviors that may lead to a policy violation, there are a variety of things you can do as a bystander:
 - Divert the intended victim (e.g., "help me out of here; I don't feel well")
 - Distract the perpetrator (e.g., "looks like your car is being towed")

- Delegate to a person of authority (e.g., if at a nightclub let the bartender/bouncer know of the situation)
 - Direct, confront the perpetrator (e.g., "don't speak to him/her in that manner; you are going to get yourself into trouble")
3. **Risk Reduction Tips** - Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to blame victims, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you reduce your risk of experiencing a non-consensual sexual act.
- Make your limits known as early as possible.
 - Be aware of your alcohol intake. Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
 - Take care of your friends or colleagues and ask that they take care of you.

These additional strategies to reduce one's risk of sexual assault or harassment are from the Rape, Abuse, & Incest National Network, www.rainn.org.

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab, Uber, or other transportation money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more

aware of your surroundings, especially if you are walking alone.

9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from punch bowls or other large, commonly open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated by the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (911).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 1. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
 2. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 3. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

4. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.
18. **Potential Aggressor** - If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you reduce your risk of being accused of sexual misconduct:
 - Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
 - Understand and respect personal boundaries.
 - DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go; or about whether they are physically and/or mentally able to consent.
 - If there are any questions or ambiguity, then you DO NOT have consent. Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. You must respect the timeline for sexual behaviors with which they are comfortable.
 - Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
 - Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size.
 - Don't abuse that power. Understand that consent to one form of sexual behavior does not automatically imply consent to other forms of sexual behavior.
 - Silence and passivity cannot be interpreted as an indication of consent.
 - Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Training

Training on sexual misconduct: discrimination, harassment, and violence is included in Haskell's education program. EVERFI is one of Haskell's online training systems available for all students, staff and faculty members. In-person training for student groups and students will be conducted through a variety of presentations, student orientation, and other meetings. In-person training for Active Bystander Intervention skills may include On-going campus campaigns and information at a variety of events concerning the policy and appropriate behaviors, including Bystander Intervention. Informational websites and brochures devoted to educating students will be presented at prevention workshops. When in-person training is neither practical nor safe, alternative modes of training shall be utilized. Mandatory training for employees will be provided through In-person training on sexual misconduct: discrimination, harassment, and violence and mandatory reporting through new employee orientations and other periodic training opportunities and upon request. In-person training for Active Bystander Intervention skills may include ongoing campus campaigns and information at a variety of events concerning the policy and appropriate behaviors, including Bystander Intervention. Informational website and brochures devoted to educating employees. Available Resources to all of the Haskell community:

Retaliation - The Federal civil rights laws, including Title IX/EO 13160, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. This means that if an individual brings concerns about possible civil rights problems to a school's attention, including publicly opposing sexual harassment or filing asexual harassment complaint with the school or any State or Federal agency, it is unlawful for the school to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she testified, or participated in any manner, in an Office of Civil Rights (OCR) or school's investigation or proceeding.

Therefore, if a student, parent, teacher, sponsor coach, or other individual complains formally or informally about sexual harassment or participates in an OCR or school's investigation or proceedings related to sexual harassment, the school is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual's complaint or participation. Individuals who, apart from official associations with Haskell, engage in retaliatory activities will also be subject to

Haskell's policies insofar as they are applicable to third party actions. Haskell will take steps to prevent retaliation against a student who filed a complaint either on his or her own behalf or on behalf of another student, or against those who provided information as witnesses. Complaints of retaliation will follow the same process of investigation, hearing, and appeal. If it is determined under the preponderance of evidentiary standard (more likely than not to have occurred) that a student is responsible for retaliation the following sanction will be imposed.

- Emergency Suspension Level 3–If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed five years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from Haskell Indian Nations University are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the President of Haskell. Conditions to conclude a suspension and reinstatement process will be stated in the written notification.

Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct. Free Speech and Academic Freedom

Members of the Haskell community enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution. This policy is intended to protect members of the Haskell community from discrimination and is not designed to regulate protected speech. No provision of this policy shall be interpreted to prohibit conduct that is legitimately related to course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic or literary expression of students in classrooms and public forums. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

Availability of other Complaint Procedures - In addition to seeking criminal charges through local law enforcement, members of the Haskell community may also file complaints with the following entities regardless of whether they choose to file a complaint under this procedure:

Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline: (800) 421-3481
Email: OCR@ed.gov

Office of Civil Rights:
Kansas City Field Office:
OCR.KansasCity@ed.gov,
(816) 268-0550;
Washington D.C.:
OCR@ed.gov
1-800-421-3481

Sanctions and Notifications

Outcome

If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is not responsible for a Sex Discrimination or Sexual Harassment policy violation the complaint will be dismissed. If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is responsible for a Sexual Harassment policy violation the following sanctions will be considered. The listing of sanctions below is not intended to be exclusive; in addition, sanctions may be imposed singularly or in combination when a violation of this policy is found.

Sexual Discrimination (includes gender discrimination) may include the following sanctions of the student(s) found responsible.

•**Social Probation** –A limitation on a student’s privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent Haskell Indian Nations University, or denial of participation

in extracurricular activities. Haskell can also impose that further violations of regulations will subject him/her to suspension or expulsion from the University.

•**Service Project** –Community service or an education class or project beneficial to the individual and campus or community.

•**Emergency Suspension Level 1** –If applicable and warranted by the severity of the incident, student may be able to retain housing for a specific period of time. This includes sign-in times with the residential housing program and can also limit areas of the campus that will not be accessible for the student.

•**Emergency Suspension Level 2** –If applicable and warranted by the severity of the incident, separation of a student from the student housing for a specified period of time, after which the student is eligible to return. Conditions for returning may be specified. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct.

•**Emergency Suspension Level 3**–If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed three years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from Haskell Indian Nations University are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the President of Haskell. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct.

•**Expulsion** –Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct. Expulsion should be reserved and used only in cases involving the most severe instances of

misconduct. Sexual Harassment may include the following sanctions on the student(s) found responsible.

Appeals and Deadlines

An appeal is not a new hearing but is a review of the record of the original hearing. It serves as a procedural safeguard for the student. The burden of proof shifts from Haskell to the student(s) found responsible for the policy violation. The student must show one or more of the listed grounds for an appeal.

1. Appeals must be submitted in writing to the Dean of Students/Student Appellate Board within five (5) Haskell Indian Nations University working/school days of receiving the decision. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.
2. The appeal must cite at least one of the following criteria as the reason for appeal and include supporting argument(s):
 - a. The original hearing was not conducted in conformity with prescribed procedures and substantial prejudice to the complainant or the respondent resulted.
 - b. The evidence presented at the previous hearing was not "sufficient" to justify a decision against the student or group.
3. New evidence which could have substantially affected the outcome of the hearing has been discovered since the hearing. The evidence must not have been available at the time of the original hearing. Failure to present information that was available is not grounds for an appeal.
4. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with Haskell procedures or precedent. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.
5. **The Dean of Students/Appellate Board** will review the record of the original hearing, including documentary evidence. It is the Student Appellate Board's discretion to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to the original hearing committee for review/or reconsideration. If there is new evidence (unavailable at the

time of the hearing through no fault of the parties) which is believed to substantially affect the outcome, or evidence presented at the previous hearing(s) was “insufficient” to justify a decision against the student or group, or a finding that a substantial procedural error resulting in prejudice occurred, the matter may be remanded to either a rehearing of the entire matter or reconsideration of specific issues. If remanded to the original hearing committee, either or both students may appeal the committee’s decision to the Dean of Students/Student Appellate Board and the procedures set out above shall control the appeal.

6. **The final decision** will be communicated in writing by the Dean of Students/Student Appellate Board to the appealing student(s). The decision will be communicated within ten (10) working/school days of receiving the written recommendation. Both parties will be notified of the final outcome of the appeal.
7. The decision of the Student Appellate Board on appeal shall be final.

Recordkeeping Authority and Designation

Haskell Indian Nations University will document all reports and complaints of sex discrimination and provide copies of those reports to the Title IX/EO 13160 Coordinator. Haskell Title IX/EO 13160 Office will maintain a secured physical and/or electronic file system of all Title IX/EO 13160 cases, reports, and complaints by academic year. The cases will include all information related to the individual case, which includes but is not limited to the initial complaint, letters sent to all parties, response from the respondent, immediate assistance, investigation notes, mediation agreement if applicable, notice of a hearing, committee selection, hearing notes, hearing decision, written notice of the outcome, and any recordings made of the hearing or in the course of the investigation. The time period to maintain the case records will be no less than seven (7) years from the date of Haskell’s final action or decision (whether through report of the investigation, mediation, or hearing). The confidential reporting of the number of incidents and types will be sent to the Haskell Clery Compliance Committee for the preparation of the Annual Crimes Report.

Intimate Partner Violence (Dating and Domestic Violence), and Stalking Defined

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

Haskell Indian Nations University is committed to providing a learning, working, and living environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex. Haskell considers sex discrimination in all its forms to be a serious offense. Sex discrimination constitutes a violation of this policy, is unacceptable, and will not be tolerated. Sexual harassment (as defined below), whether verbal/sexual, physical/rape unwanted touching, or visual, is inconsistent with the expectations of Haskell and may constitute a form of sex discrimination prohibited by this policy. Sexual harassment also includes sexual violence/assault (as defined below). Examples of specific conduct that constitutes sexual harassment and sexual violence/assault are set forth below. (p. 50, Student Code of Conduct Handbook).

1. How to File a Disciplinary Complaint Under this Policy

Students who wish to report sex discrimination or sexual harassment should file a complaint with the Acting Title IX/EO 13160 Coordinator, Tonia Salvini, Navarre Hall, Lawrence, KS 66046, **(785) 749-8457**. The coordinator will facilitate initiating the investigation process with the Investigating Contractor.

2. Steps in the Disciplinary Process

The Title IX/EO 13160 Office will make efforts, as appropriate and with written authorization from the complainant, to achieve an informal resolution to the complaint. If not authorized or not achievable, the Office will inform the complainant in writing whether or not an investigation is warranted. The investigation may include but is not limited to: scheduled meetings with respondent(s) to discuss allegations and investigation process; provide notice to appropriate unit heads; and conduct investigation-interviews with witnesses, review documentation. The investigator will review the report with appropriate university officials. The Student Conduct Office will maintain communication with the parties advising them of the status of the investigation.

3. Anticipated Timelines

The complete timeline is available on p. 66 of the Student Code of Conduct Handbook. Every effort is made to ensure that this process is completed promptly, but accurately.

4. **Decision-Making Process**

The Student Conduct Office will make efforts, as appropriate and with written authorization from the complainant, to achieve an informal resolution to the complaint. If not authorized or not achievable, Title IX/EO 13160 Office will inform the complainant in writing whether or not an investigation is warranted. The investigation may include but is not limited to: scheduled meetings with respondent(s) to discuss allegations and investigation process; provide notice to appropriate unit heads; and conduct investigation-interviews with witnesses, review documentation. The investigator will review the report with appropriate university officials. The Student Conduct Office will maintain communication with the parties advising them of the status of the investigation.

5. **Sanctions**

If a complaint of sex discrimination or sexual harassment is found to be substantiated, Haskell will take appropriate corrective action. Students, faculty, and staff found to be in violation of this policy will be subject to discipline up to and including termination, expulsion, or other appropriate institutional sanctions; affiliates and program participants may be removed from the university programs and/or prevented from returning to campus.

1. Warning and Probation- A notice in writing to the student that the student is found to have violated specific Haskell regulations and that more severe disciplinary sanctions may be imposed if the student is found to violate Haskell regulations during the designated probationary period.
2. Notice to Vacate: A Notice to vacate means that a student must vacate their residential hall. Typically, a Notice to Vacate (NTV) is in place for one year of the issuance.
3. Loss of Privileges- Denial of specified privileges for a designated period of time.

4. Loss of Good Social Standing- Loss of Good Social Standing bars the student from being an officer in a student organization or representing Haskell. It is regained once other sanctions are completed. Fines- Previously established and published fines may be imposed.
5. Residential Hall Removal- This may be either temporary or permanent. Temporary removal is separation of the student from the residential halls for a definite period of time, after which the student is eligible to return. Conditions for return must be specified under a temporary removal. Permanent removal is a permanent separation of the student from the residential halls with no eligibility for return. Conditions for return will not be specified under permanent removal since the student is ineligible to return.
6. University Removal- This may be either temporary or permanent. Temporary University Removal is separation of the student from Haskell for a definite period of time, after which the student is eligible to return. Conditions for return must be specified under a temporary removal. Permanent removal is a permanent separation of the student from Haskell with no eligibility for return. Conditions for return will not be specified under permanent removal since the student is ineligible to return. A student that has been removed will automatically receive a notice of trespassing if the student is found to enter or loiter on Haskell premises without prior authorization from Haskell's President.
7. Revocation of Admission and/or Degree- Admission to or a degree awarded from Haskell may be revoked for fraud, misrepresentation, or violation of Haskell standards for obtaining the degree or for other specified violations committed by a student before graduation. Revocation of admission and/or degree may be coupled with temporary or permanent University banishment.
8. Withholding Degree- Haskell may withhold awarding a degree otherwise earned until the completion of the process set forth in this Code of Student Conduct, including the completion of all sanctions imposed.

9. Loss of Organizational Recognition: Student organizations that violate the Code of Student Conduct may lose their status as a student organization.
10. "No Contact Order" - A "no contact order" may be imposed to prohibit a student from being in contact with another student or Haskell employee. This includes personal, electronic, postal, or any other types of contact. The no-contact order may be temporary or permanent.
Guest Restriction: A student may be restricted from hosting guests in the residential halls if the student violates the guest policy. The guest restriction may be temporary or permanent.

6. Range of Protective Measures Available to a Victim Alleging Misconduct

Haskell is committed to protecting the Complainant from retaliation and other negative behaviors.

Pending the final outcome of an investigation, Haskell will take steps to protect the complainant from any further harassment or retaliation regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Steps may include assisting and allowing the complainant to change his or her academic, transportation, work, or living situation if options to do so are reasonably available. Haskell will make reasonable and appropriate efforts to preserve an individual's privacy and protect the confidentiality of information when investigating and resolving a complaint. However, because of laws relating to reporting and other state and federal laws, Haskell cannot guarantee confidentiality to those who make complaints. In the event a complainant requests confidentiality or asks that a complaint not be investigated, Haskell will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name not be disclosed to the alleged perpetrator, Haskell's ability to respond may be limited. Haskell reserves the right to initiate an investigation despite a complainant's request for confidentiality in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the Haskell community.

It is a violation of this policy to retaliate against any person for making a good faith complaint of sex discrimination or sexual harassment and/or cooperating in the investigation of (including testifying as a witness to) such complaint.

In addition, the University has policies and procedures in place for employees accused of dating violence, domestic violence, sexual assault, and stalking. Haskell employees also are Federal Employees, so the Bureau of Indian Education/Department of Interior has federal policies in place to deal with these allegations. To file a complaint against a Haskell employee involving dating violence, domestic violence, stalking, and sexual assault, please notify a Campus Security Authority (see pp. 12-13). That employee will immediately notify a Bureau of Indian Education – Human Resources Representative. This will initiate an investigation within 24 hours of contacting the BIE-HR. More information about this process is available at www.bia.edu.

University-Initiated Protective Measures

In addition to those protective measures previously described the Title IX/EO 13160 Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: a university order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, and multiple parties involved. Violations of the Title IX/EO 13160 Coordinator directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Haskell.

Sanctions and Protective Measures

After a final determination that a student or employee has violated Haskell's policy prohibiting Sexual Harassment, specifically by the offenses of rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking, sanctions may be imposed. For

employees, sanctions could be suspension, immediate dismissal or others as listed in the Human Relations policy. For Students, possible sanctions range from written reprimand to expulsion, as listed in the Student Code of Conduct and Title IX/EO 13160 Policy.

Resources and Support Available for Survivors

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, HINU will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations). At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the Counseling Center: Manny King, Osceola-Keokuk Hall, 2320 Barker Avenue, Lawrence, KS 66046, (785) 749-8447, or Monica Jackson, Roe Cloud Hall, 2440 West Perimeter Road, Lawrence, KS 66046, (785) 749-8485.

For victims of rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking, Haskell may also impose protective measures. These measures include issuing an

Emergency Suspension Notice (prohibiting an individual from being on Haskell property); limiting an offender's presence on campus to classes or related requirements; prohibiting an offender from entering particular buildings, including residence halls; or other measures as appropriate.

Haskell may also assist victims with changing academic, living, transportation, and working situations if so, requested by the victim and reasonably available after a final determination of such violations.

Assistance for Victims and Survivors: Rights and Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

1. the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
2. information about how the institution will protect the confidentiality of victims and other necessary parties;
3. a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
4. a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodation and protective measures; and
5. an explanation of the procedures for institutional disciplinary action

Rights of victims and Haskell's responsibilities for orders of protections, "No Contact" Orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court or by Haskell complies with Kansas law in recognizing orders of protection. Information about obtaining a protection order can be provided by the Counselors.

An individual who obtains an order of protection will meet with the Victims Advocacy Coordinator to work with the Campus Security Office on developing a Safety Action Plan.

This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.)

In addition, the University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, HINU will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement.

Victim information sheets containing information about counseling, health, mental health, victim advocacy, legal assistance and other on and off campus resources are available at Haskell Counseling Center, Dean of Students Office, Human Resources, Office of Student Conduct, and Residential Housing Program.

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

Rape, Abuse and Incest National Network - www.rainn.org

Department of Justice - www.ovw.usdoj.gov/sexassault.htm

Department of Education, Office of Civil Rights -
www2.ed.gov/about/offices/list/ocr/index.html

Confidentiality

All information will be kept securely and privately and only shared with individuals responsible for handling investigations or sanctions (e.g., Victim's Advocacy Coordinator or Office of Student Conduct.)

Victims may request that directory information on file with the University be withheld by request. To do so, please let the Counseling Center (785) 749-8445 know so that this request can be processed. Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

To the extent permissible by law, identifying information about the victim will be withheld from any public record request for documents. The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

If a victim requests his or her or their name not be revealed to the accused or that Haskell does not investigate, the University's ability to fully respond will be limited. If such a request is made, the Title IX/EO 13160 Coordinator will evaluate whether the request can be honored while still providing a safe and nondiscriminatory environment for all students. If Haskell can honor the request, it will still take reasonable steps to respond by offering support, increased security, education programs, etc.

Confidential Assistance

Most campus employees are required to report an incident of sexual assault, domestic violence, dating violence, or stalking to Haskell's Title IX /EO 13160 Coordinator so that she can investigate the incident. Some individuals are not required to report a victim's name

without their permission, only general information, and others are not required to report any information. Haskell has designated the following Victim's Advocacy Coordinator for the entire university system to coordinate its compliance with E.O. 13160 and to receive inquiries regarding E.O. 13160, including complaints of sex discrimination and sexual harassment:

Acting Title IX/EO 13160 Coordinator:

Tonia Salvini
Navarre Hall
Lawrence, KS 66046
785-749-8457

Counselor
Manny King
Osceola-Keokuk Hall
2320 Barker Avenue, Lawrence, KS 66046
(785) 749-8447

Counselor
Monica Jackson
Roe Cloud Hall
2440 West Perimeter Road, Lawrence, KS 66046
785-749-8485.

Complete Confidentiality:

Haskell Indian Health Center
2415 Massachusetts St.
Lawrence, KS 66046
(785)-843-3750

Some Confidentiality: (Not required to report a name or identifying information unless victim agrees, but may report general information, such as nature, date, time and general location)

The Sexual Trauma and Abuse Care Center, 708 W 9th St #105, Lawrence, KS 66044
Lawrence Memorial Hospital, 325 Maine Street, Lawrence, Kansas 66044 (785) 505-5000

**JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME
STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN
REAUTHORIZATION ACT OF 2013**

HINU prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, HINU issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a university official.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

1. **Domestic Violence:**

1. A Felony or misdemeanor crime of violence committed—
 1. By a current or former spouse or intimate partner of the victim;
 2. By a person with whom the victim shares a child in common;
 3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 4. By a person similarly situated to the spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
2. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
3. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 1. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the people involved in the relationship.
 2. For the purposes of this definition—
 1. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 2. Dating violence does not include acts covered under the definition of domestic violence.
 3. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
1. **Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
1. **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
2. **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

3. **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
4. **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
5. **Stalking:**
 1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 1. Fear for the person’s safety or the safety of others; or
 2. Suffer substantial emotional distress.
 3. For the purposes of this definition—
 1. *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 2. *A reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 3. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 4. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of the Clery Act reporting.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Domestic Violence: The state of Kansas defines Domestic Violence as follows:

- (i) "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. For the purposes of this definition:

(1) "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.

(2) "Family or household member" means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and persons who are presently residing together or 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 or household member also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time. [Kan. Stat. § 21-5111]

Dating Violence: Within the definition of Domestic Violence quoted above, the state of Kansas explicitly includes as a form of Domestic Violence any act or threat of violence that occurs between people involved in a "dating relationship," defined as follows:

(1) "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.

[Kan. Stat. § 21-5111(i)]

Sexual Assault: The state of Kansas does not have a definition for sexual assault as a distinct crime, but it does provide the following definition of sexual assault as a form of prohibited abuse:

(c) "Sexual assault" means:

- (1) A nonconsensual sexual act; or
- (2) an attempted sexual act against another by force, threat of force, duress or when the person is incapable of giving consent.

[Kan. Stat. § 60-31a02]

Kansas defines as distinct crimes the related acts of Rape and of Sexual Battery:

Rape: According to Kansas Statute 21-5503,

(a) Rape is:

- (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 was a legally required procedure within the scope of the offender's authority.

Sexual Battery: According to Kansas Statute 21-5505,

(a) Sexual battery is the touching of a victim who is not the spouse of the offender, 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.

(b) Aggravated 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 and 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.

Stalking: The state of Kansas defines the crime of Stalking as follows:

(a) 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 in subsection (f)(1) 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. [Kan. Stat. § 21-5427]

(f) As used in this section:

(1) "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 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) any act of communication.

[Kan. Stat. § 21-5427]

Consent: The state of Kansas does not have a positive definition of what consent is, in relation to sexual activity. Kansas law does, however, provide examples of several situations in which sex acts are defined as criminal because one person did not give consent:

(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. [Kan. Stat. § 21-5505]

This Kansas statute regarding sexual activity without consent includes the following principles:

-- consent is given willingly, not taken by force or the threat of force

-- where consent has not been given, it does not exist (as in the situation of an unconscious person in #2 above)

-- if a person does not have the option of leaving the situation, that person cannot give consent (as in #2 above, if a person is "physically powerless")

-- if a person is under the influence of alcohol or drugs, that person will eventually reach a point of intoxication where he or she is not able to give consent under Kansas law.

The Code of Conduct for Haskell Indian Nations University also affirms the importance of clear consent to healthy sexuality and defines as punishable offenses Non-consensual Sexual Contact and Non-consensual Sexual Intercourse. The description of this offense includes the following comments about sex without consent: "This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent." -- Another offense under the Haskell Code of Conduct is Sexual Coercion, defined as follows: "Sexual Coercion is the act of using pressure (including physical pressure, verbal pressure or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone's will or with someone who has already refused." [Haskell Indian Nations University Student Code of Conduct 2021-22, Sexual Violence section, p. 22]

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.

1 Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

2 Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local

authorities can be reached by calling 911 in most areas of the U.S.).

11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from punch bowls or other large, commonly open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated by the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 1. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
 2. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 3. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 4. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room?

Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking**, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and that:

1. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
2. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
3. What behavior and actions constitute consent, in reference to sexual activity, in the State of Kansas;
4. The institution's definition of consent AND the purposes for which that definition is used.
5. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating

- violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
6. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
 7. Information regarding:
 1. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
 2. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
 3. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
 4. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
 5. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document);

Primary Prevention and Awareness Programs

These programs include distribution of educational materials to new students, participating in and presenting information and materials to new student and employee orientations as well as providing programs by invitation to staff meetings or in academic courses.

Specifically, the University offered the following **primary prevention and awareness programs** for all **incoming students** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Orientation	Aug 2021	Auditorium	Alcohol

The University offered the following **primary prevention and awareness programs** for all **new employees** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Crime Reporting	Aug 2021	Osceola-Keokuk Hall	Alcohol, sexual assault and domestic violence

Ongoing Prevention and Awareness Campaigns

The University offered the following **ongoing awareness and prevention programs** for **students** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
EVERFI	August, 2021	online	Alcohol and sexual assault

The University offered the following **ongoing awareness and prevention programs** for **employees** in 2021:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
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Annual Training	July, August	Osceola-Keokuk Hall	Alcohol possession, intoxication and trafficking and Sexual assault
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Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Lawrence Memorial Hospital. In Kansas, evidence may be collected even if you chose not to make a report to law enforcement.³ It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to university adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the

³ Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in- 2009, states must certify that they do 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.”

victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the University Counselors and/or the Office of Student Rights and Conduct will assist any victim with notifying law enforcement if the victim so desires. The Lawrence Police Department may also be reached directly by calling 785-843-0250 or 785-832-7509, or in person at 4820 Bob Billings Parkway, Lawrence KS. Additional information about the Lawrence Police department may be found online at: lawrenceks.org/police/.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, -you should report the incident promptly to the Acting Title IX/EO 13160 Coordinator, (Tonia Salvini, Navarre Hall, Lawrence, KS; tonia.salvini@bie.edu; 785-749-8457 by calling, writing or coming into the office to report in person and Campus Public Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX/EO 13160 Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies

to prevent contact between a complainant⁴ and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim - chooses to report the crime to Haskell Security or local law enforcement. Students and employees should contact Manny King, mking@haskell.edu, 785-749-8447 or Monica Jackson, mljackson@haskell.edu, 785-749-8485.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), the institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess the need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 8. Institution will provide written instructions on how to apply for Protective Order

	<ol style="list-style-type: none"> 9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation
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Stalking	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate
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Dating Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department
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	<ol style="list-style-type: none"> 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate
Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. The institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

1. the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
2. information about how the institution will protect the confidentiality of victims and other necessary parties;
3. a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
4. a statement regarding the institution’s provisions about options for, available assistance in, and how to request accommodation and protective measures; and
5. an explanation of the procedures for institutional disciplinary action.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

HINU complies with Kansas law in recognizing protective orders by any person who obtains an order of protection from Kansas should provide a copy to the Clery Compliance Committee and the Office of the Title IX/EO 13160 Coordinator. A complainant may then meet with Campus Counseling to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

Type Of Order	Rights of Victims	Institution’s Responsibilities
Orders of protection	Counseling Center	Advocacy and assistance
No contact orders	Student Rights Office	Advocacy and assistance

Restraining orders	Counseling Center	Advocacy and assistance
Similar lawful orders issued by a criminal, civil, or tribal court Orders by the institution (PNG)	Dean of Students	Advocacy and assistance

The victim is required to apply directly for these services in conjunction with the Counseling Center. Protection from abuse orders may be available through the Counseling Center and Douglas County Victims Assistance Program

SAMPLE CHART DEMONSTRATING TYPES OF ORDERS AVAILABLE IN JURISDICTION

Type of Order:	Who Can File for One:	Court:	Based On:
Domestic Violence Civil Protection Order – Up to 5 years, can be renewed**	Family or household members including: <ul style="list-style-type: none"> • Spouses, former spouses • parent, child, foster parent • People who have kids together • intimate partners who lived together in the last 5 years • Same sex couples are eligible 	Domestic Relations Court –where the victim lives, Where abuser lives or has a business, or where incident(s) occurred	Causing or trying to Cause injury or placing Someone in fear of Imminent serious harm (Courts use different requirements for how recent the incident must be)
Stalking Protection Order up to 5 years, can be renewed**	Any person who is a victim of stalking. No relationship with a stalker is required.	Common Pleas Court- Where victim lives (if family or household member, can be filed as DV	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim

		Protection Order, see above)	believe the stalker will cause harm
Sexually Oriented Offense Protection Order - up to 5 years, can be renewed**	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with the offender is required. The case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives Sexual assault or unwanted sexual contact (see ORC 2950.01)	Sexual assault or unwanted sexual contact (see ORC 2950.01)
Juvenile Protection Order – until the abuser reaches age 19	Victim of abuse by a person who is under age 18, or the victim’s parent or other household member, or other parties the Court approves.	Juvenile Court – where the victim lives	Assault, stalking, sexual offenses, threats of harm or aggravated trespass

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

Accommodation and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, HINU will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact a counselor such as Manny King, mking@haskell.edu; 785-749-8447, Osceola-Keokuk Hall, or Monica Jackson, mljackson@haskell.edu; 785-749-8485.

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, HINU will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

ON CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	Hygiene supplies, grief counseling, Academic assistance for leave.	Manny King Monica Jackson	mking@haskell.edu , 785-749-8447 mljackson@haskell.edu , 785-749-8485

Health	Haskell Health Center	Dr. Slikker	785-843-3750
Mental Health	Haskell Health Center	Dawn Ready	785-843-3750
Victim Advocacy	Academic Assistance for leave, Protection from Abuse orders, No Contact Orders	Haskell Counseling Center Manny King Monica Jackson	785-749-8447 785-749-8485
Legal Assistance	Not Available		
Visa and Immigration Assistance	Not Applicable		
Student Financial Aid	Pell, Scholarship Assistance	Carlene Morris	785749-8468
Other			
OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	Haskell Health Center	Dawn Ready	785-843-3750
Health	Haskell Health Center	Dr. Slikker	785-843-3750
Mental Health	Haskell Health Center Bert Nash	Dawn Ready	785-843-3750 785-843-9192
Victim Advocacy	Douglas County Victims Assistance Program	Pam Lawrence	785-841-0211
Legal Assistance	Douglas County Victims Assistance Program	Pam Lawrence	785-841-0211
Visa and Immigration Assistance	No Applicable		
Student Financial Aid	Pell, Scholarship Assistance	Carlene Morris	785-749-8468
Other			

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> - Department of Education, Office for Civil Rights

Confidentiality

Victims may request that directory information on file with the University be withheld by request with the Haskell Registrar’s Office, ATTN: Lou Hara, registrar@haskell.edu, 785-749-8440.

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Adjudication of Violations

The university’s disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the

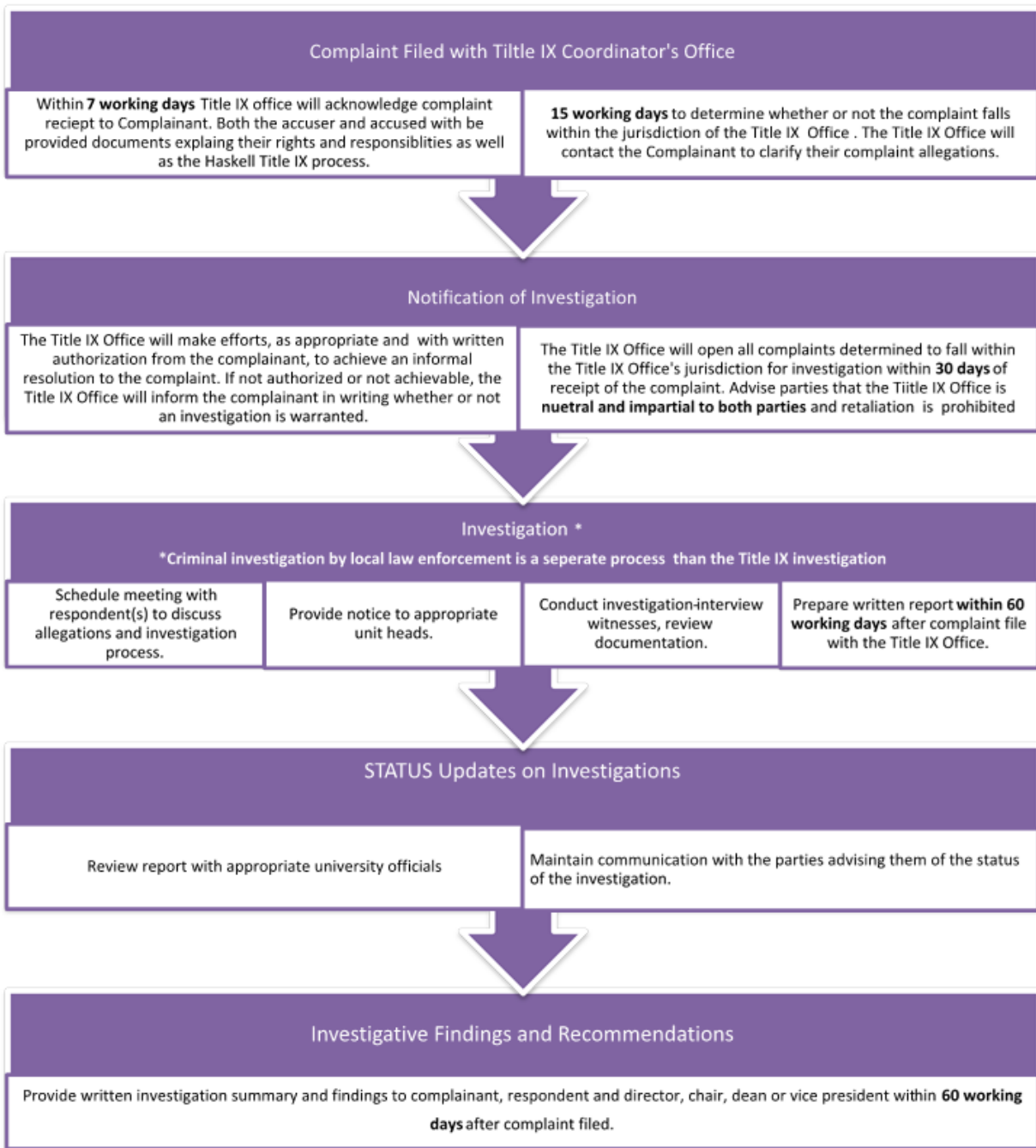
accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within the timeframe specified in each policy the institution maintains. However, each procedure allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to having permission to speak only when addressed by the person facilitating the meeting or proceeding. Any Haskell employee acting as an advisor to students in a hearing MUST have prior approval to serve in that capacity.
5. The accuser and the accused will be notified simultaneously, in writing, of any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in

writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the university or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

Complaint Procedure



Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Haskell Indian Nations University Title IX/EO 13160 and Sexual Violence Policy

1. ***How to File a Disciplinary Complaint Under this Policy***

Complainants can initiate disciplinary action through the Title IX/EO 13160 Office by completing a Complainant Form.

2. ***How the University Determines Whether This Policy will be Used***

The Title IX/EO 13160 Coordinator and Dean of Students will make a determination which policy is applicable to the complaint.

3. ***Steps in the Disciplinary Process***

Once a complaint is filed with the Title IX/EO 13160 office, the University has 7 days to acknowledge receipt of the complaint. Within 15 working days the Title IX/EO 13160 Coordinator will determine whether or not the complaint falls within the jurisdiction of the Title IX/EO 13160 Office. There will be a formal investigation, which will include status updates. The Investigative findings and recommendations will be provided within 60 days after the complaint is filed.

4. ***Anticipated Timelines***

Complaint Filed within 7 days of receipt.

Notification of Investigation will be communicated within 30 days of receipt of the complaint.

Investigative Findings and Recommendations within 60 working days after the complaint is filed.

The findings and recommendations from the complaint will be presented to the Student Conduct Office if warranted. Any appeals will be held by the Student Appellate Board.

5. ***Decision-Making Process***

If the Student Conduct Office provides disciplinary action, it will be added to the Title IX/EO 13160 file. If the Student Appellate Board reviews the case, it will be the final disposition of the case.

6. ***Standard of Evidence***

The standard of evidence that will be used in the Title IX/EO 13160/VAWA investigations will be the "Preponderance of Evidence."

7. *Possible Sanctions*

If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is responsible for a Sexual Harassment policy violation the following sanctions will be considered. The listing of sanctions below is not intended to be exclusive; in addition, sanctions may be imposed singularly or in combination when a violation of this policy is found.

Sexual Discrimination (includes gender discrimination) may include the following sanctions of the student(s) found responsible.

- Social Probation – A limitation on a student’s privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent Haskell Indian Nations University, or denial of participation in extracurricular activities. Haskell can also impose that further violations of regulations will subject him/her to suspension or expulsion from the University.
- Service Project – Community service or an education class or project beneficial to the individual and campus or community.
- Emergency Suspension Level 1 – If applicable and warranted by the severity of the incident, students may be able to retain housing for a specific period of time. This includes sign-in times with the residential housing program and can also limit areas of the campus that will not be accessible for the student.
- Emergency Suspension Level 2 – If applicable and warranted by the severity of the incident, separation of a student from the student housing for a specified period of time, after which the student is eligible to return. Conditions for returning may be specified.
- Emergency Suspension Level 3– If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed three years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from Haskell Indian Nations University are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the President of Haskell. Conditions to conclude a suspension and reinstatement

process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct.

- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Sexual Harassment may include the following sanctions on the student(s) found responsible.

- Social Probation – A limitation on a student's privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent Haskell Indian Nations University, or denial of participation in extracurricular activities. Haskell can also impose that further violations of regulations will subject him/her to suspension or expulsion from the University.
- Service Project – Community service or an education class or project beneficial to the individual and campus or community.
- Behavioral Change Requirement – Required activities including but not limited to, seeking academic counseling, substance abuse assessment, decision making class, writing a reflection paper, etc.
- Emergency Suspension Level 1 – If applicable and warranted by the severity of the incident, students may be able to retain housing for a specific period of time. This includes sign-in times with the residential housing program and can also limit areas of the campus that will not be accessible for the student.
- Emergency Suspension Level 2 – If applicable and warranted by the severity of the incident, separation of a student from the student housing for a specified period of time, after which the student is eligible to return. Conditions for returning may be specified.

- Emergency Suspension Level 3– If warranted by the severity of the incident, exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed three years and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from Haskell Indian Nations University are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the President of Haskell. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct.
- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Sexual Violence may include the following sanction on the student(s) found responsible.

- Expulsion – Termination of student status for an indefinite period. The conditions for readmission, if any, shall be stated in the hearing outcome letter. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record. Any refund of tuition or fees are not applicable per the Haskell Code of Conduct. Expulsion should be reserved and used only in cases involving the most severe instances of misconduct.

Both parties will be notified of the outcome in writing by certified mail or other agreed upon form of notice within five business days after the hearing at the same time. Both parties have the right to appeal against the decision reached through the hearing proceedings within five days after the hearing.

8. ***Range of Protective Measures Available to a Victim Alleging Misconduct***
Haskell may provide protective measures for victims and affected parties. These measures can be No Contact Orders, Remote Participation during hearings such as telephone, videoconferencing, use of a privacy screen, and others as available. Standard practice for hearings includes waiting areas during hearings, safety escort, and prohibitions against retaliations.

University-Initiated Protective Measures

In addition to those protective measures previously described the Title IX/EO 13160 Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: a university order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, and multiple parties involved. Violations of the Title IX/EO 13160 Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by HINU.

Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Sex Offender Registration

In accordance with the Campus Sex Crimes Prevention Act of 2000 (CSCPA), which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974 (FERPA), the

Student Conduct Office provides a link on its web site to the Kansas Bureau of Investigation (KBI) Registered Offender: <http://www.kbi.ks.gov/registeredoffender/>

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

The KBI Registered Offender web site may be searched by name, street address, city, zip code, or county.

Access and Security of Campus Facilities

During normal business hours the administrative and academic facilities at HINU are open and accessible to students, staff, faculty and visitors of the university. After normal business hours and during breaks, these facilities are locked and only accessible to authorized individuals. Haskell Security Office officers conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances.

Residential facilities are only accessible to building residents and their authorized guests and visitors. Residents are helpful to avoid allowing unknown individuals access to the residential buildings. Housing staff and Haskell Security Office officers monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

Security Considerations Used in the Maintenance of Campus Facilities

Haskell maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. Haskell Security Office works closely with Facilities Management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the University community are helpful when they report equipment problems to Haskell Security Office or to Facilities Management.

Monitoring and Recording of Criminal Activity by Students at Non-Campus Locations of Recognized Student Organizations

Haskell does not have officially recognized student organizations that own or control housing facilities outside of the Haskell campus. Therefore, the Lawrence Police Department

is not used to monitor and record criminal activity since there are no campus locations of student organizations.

Emergency Management

Disaster Preparedness and Response Plan

Haskell maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular units or positions.

University units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Emergency Response Exercises

Haskell conducts annual emergency management exercises to test emergency procedures. The scenarios for these exercises change every year and include several departments on campus, including Campus Safety and Facilities Management. Disaster preparation and response drills occur every semester. Haskell participates in the Douglas County Tornado drill every March and then again in August. Unannounced fire drills are held every semester to bring awareness to the importance of safe evacuation, assembly and accountability in residence halls. Documentation of the drills is maintained in the Safety Office located in Winnemucca Hall.

Annual Publication of Emergency Response and Evacuation Procedures

Haskell Indian Nations University was unable to participate in an Emergency Exercise Drill in 2020, due to the COVID-19 pandemic and the closure of the campus after August, 2021. There were only essential personnel at the time, and Haskell is still currently in the process of mastering the requirements with the guidance of Dolores Stafford and Associates for Clery Compliance.

Emergency Notifications

The Safety Officer, or other Authorized Personnel, will issue an emergency notification to the entire campus if a dangerous situation or an emergency exists. This is different than a timely warning, as the notification could be about any significant emergency or dangerous situation, not just Clery crimes. An emergency notification is immediately sent whenever there is confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, or visitors on the campus. The following are examples of significant emergencies or dangerous situations: outbreak of meningitis, approaching tornado, gas leak, bomb threat, or armed intruder.

Sending an emergency notification is the responsibility of the Safety Office. The Safety Officer will base their decision on the information they receive from the Public Relations Specialist and Haskell Security officer(s) on scene. The Safety Office staff is responsible for

responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center. The Haskell Security Office and Media Relations will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Haskell Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Haskell 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 the first responders responsible authorities (including, but not limited to: Haskell Security Office, the local police department of sheriff's office, and/or the local fire and emergency medical services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Individuals can report emergencies occurring at Haskell Indian Nations University by calling (785-760-6192). Upon verification of a legitimate ongoing dangerous situation or emergency exists, Haskell Safety Office or Authorized Personnel will approve the launch of a Haskell E2 Alert message to all users. The safety of all students and employees will be the highest priority. If an Authorized Staff is unavailable or does not give approval in a reasonable amount of time, the Haskell President's Executive staff has the authority to authorize a Haskell E2 Alert launch. All Haskell E2 Alert messages will include the following: an indication the message is a Haskell E2 Alert, time/date, brief description of emergency, where and when to receive further information. A Haskell E2 Alert message is sent via voice, text and email.

System to Use	Primary Message Creator	Backup Message Creator	Authority for approving and sending messages	Primary Message Sender/Distributor	Backup Message Sender/Distributor
Primary					
E2 Campus Alert	Safety Office	President's Office or the Vice Presidents	Vice President of University Services and/or the President	Safety Office	<i>(Process in development for 2020-21)</i>

Secondary					
Official Haskell University Facebook page.	President's Office	<i>(Process in development for 2020-21)</i>	President's Office followed by the Vice Presidents	President's Office	<i>(Process in development for 2020-21)</i>

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community and will direct them to where they can receive additional information.

Other notification will be made by using some or all of the following methods depending on the type of emergency: University Alert System (which contains email, cell phone text, voice message alert); fire alarm (where available), public address systems (where available), social media, digital signage (where available), local media, webpage and/or in person (face-to-face communication). If any of these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm). All follow-up instructions will be used through the Haskell E2 Alert system as well as any "all clear" messages to indicate that the campus is safe to return to a regular working status.

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the HINU homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

The Haskell E2 Alert system will be tested at the beginning of each semester during normal business hours. An announcement will be sent prior to the test that indicates the date and time of the test. The Safety Officer will conduct a Haskell E2 Alert monthly using a simulated announcement to a pre-designated test group; no announcement will be sent about the monthly tests.

Haskell E2 Alert is a free service and individuals are **strongly encouraged** to keep their contact information current while they are enrolled or work at Haskell. Students, employees, and parents can all sign up for Haskell E2 Alert at www.haskell.edu.

Emergency Evacuation Procedures

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Haskell Security Office does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Haskell Security Office staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Haskell evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

General Evacuation Procedures for a Fire Alarm

At the sound of a fire alarm or if you are instructed to evacuate, leave your housing, study, classroom, and work area immediately and proceed to the nearest building exit. If you are

the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify Haskell Security Office (758) 760-6192 and/or Police Emergency at 911.

In addition:

1. Remain Calm
2. Do NOT use Elevators; Use the Stairs.
3. Assist the physically impaired. If he/she/they are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform the Haskell Security Office or the responding Fire Dept. of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Whenever possible, make sure all students and employees are out of the building.
6. Do not re-enter the building.

Shelter-in-Place Procedures – What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, such as the Haskell Security Office, Housing Staff members or other University employees, the police department or sheriff's office, or other authorities utilizing the University's emergency communications tools.

How to "Shelter-in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 1. an interior room;
 2. Above ground level; and
 3. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary to shelter everyone.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to Haskell Security Office so they know where you are sheltering. If only students are present, one of the students should be called on the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

Access and Security of Campus Facilities

During normal business hours the administrative and academic facilities at HINU are open and accessible to students, staff, faculty and visitors of the university. After normal business hours and during breaks, these facilities are locked and only accessible to authorized individuals. Haskell Security Office officers conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances.

Residential facilities are only accessible to building residents and their authorized guests and visitors. Residents are helpful if they avoid allowing unknown individuals access to the residential buildings. Housing staff and Haskell Security Office officers monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

Security Considerations Used in the Maintenance of Campus Facilities

Haskell maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. Haskell Security Office works closely with Facilities Management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the University community are helpful when they report equipment problems to Haskell Security Office or to Facilities Management.

RESIDENTIAL EDUCATION AND HOUSING SERVICES

Missing Student Notification Policy

In accordance with the Higher Education Opportunity Act, HINU must develop and implement certain procedures to be followed when residential students are determined to be missing for 24 hours. Suspected missing students should be reported immediately to the [Haskell Security]. If members of the HINU community believe that a student has been missing for 24 hours, it is critical that they report that information to Haskell Security by calling [\(785-760-6192\)](tel:785-760-6192).

When a student is determined by the Haskell Security Office to be missing for 24 hours, the Vice President of University Services or designee will provide notification to the student's missing person contact within 24 hours. If the student is under the age of 18 and is not an emancipated individual, the Haskell Security Office will notify the student's parent or guardian and any other designated contact person within 24 hours.

Regardless of whether the student had identified a contact person, is above the age of 18, or is an emancipated minor, Haskell will inform the Lawrence Police Department (or the local law enforcement with jurisdiction) that the student is missing within 24 hours. Students who reside in on-campus housing have the option to annually designate an individual as a confidential contact to be notified if the student is missing for more than 24 hours. This contact will be notified when University Officials have determined that an individual is missing. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information will be accessible only to authorized campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation.

Students are advised that in the event a student is under 18 years of age and not emancipated, Haskell must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, Haskell will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

The Missing Student Policy and Procedure is found in the Haskell Student Life & Policies, Regulations and Procedure Manual. A summary is posted in the Haskell Residential Living Handbook: <http://www.haskell.edu/universityservices>.

Alcohol and Other Drugs Policy

Haskell Indian Nations University prohibits the possession, use, sale, consumption, or distribution of illicit drugs or alcohol by students, employees, or visitors on Haskell property or as part of any of its activities. Violations of this policy, applicable city ordinances, or state

law will result in disciplinary action as well as criminal prosecution. The Haskell Student Code of Conduct contains these prohibitions and establishes appropriate sanctions for violation of the Code of Conduct. The Student Handbook sets forth prohibitions in the Student Code of Conduct, beginning on p. 39. The sale, distribution, and/or possession of alcoholic beverages are prohibited on campus.

The Lawrence Police Department has primary responsibility for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws.

Annual Disclosure of Crime Statistics

Haskell Crime Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (20 USC 1092(f)) requires colleges and universities to disclose information about crime on and around their campuses in this Annual Fire Safety and Security Report. These statistics include all reports received by the Student Conduct Office and Campus Security Authorities. This also includes any data that other law enforcement sends to the Student Conduct Office.

Clery Act Crime Definitions

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

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

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

commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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

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

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

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

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

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

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

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

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

CATEGORIES OF BIAS

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity of which distinguish them as a distinct division of humankind.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and existence or nonexistence of a supreme being.

Sexual Orientation: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender.

Gender Identity: performed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity.

Ethnicity: A preformed negative opinion or attitude toward a person or group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture and or ideology that stresses common ancestry.

Tribal Affiliation: A preformed negative opinion or attitude toward a person or group of people based on their tribal affiliation and/or clans, districts, etc.

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

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

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

Manslaughter by Negligence: The killing of another person through gross negligence.

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

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

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

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

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

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

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

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

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

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Statistics found on the following pages

Haskell Campus Security Report

Criminal Offenses - On Campus

Criminal Offense	Total Occurrences on Campus		
	2019	2020	2021
Murder/Non-Manslaughter by Negligence	0	0	0
Manslaughter by Negligence	0	0	0
Rape	2	1	1
Fondling	1	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	3	2	1
Burglary	3	0	0
Motor Vehicle Theft	0	1	1
Arson	0	2	0
Stalking	0	0	1
Domestic Violence	5	2	0
Dating Violence	5	1	0

Criminal Offenses - On Campus Student Housing Facilities

	Total Occurrences on Campus
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Criminal Offense	2019	2020	2021
Murder/Non-Manslaughter by Negligence	0	0	0
Manslaughter by Negligence	0	0	0
Rape	2	1	1
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	3	2	0
Burglary	3	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Stalking	0	0	2
VAWA = Domestic Violence	5	2	0
VAWA = Dating Violence	0	1	0

Criminal Offenses - Public Property

	Total Occurrences on Public Property		
Criminal Offense	2019	2020	2021

Murder/Non-Manslaughter by Negligence	0	0	0
Manslaughter by Negligence	0	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	1	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	1	0
Stalking	0	0	0
Domestic Battery	0	0	0
Dating Violence	0	1	0

Haskell University Arrests and Referrals

ARRESTS	On Campus	On-Campus Facilities	Student Housing	Public Property
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	2019	2020	2021	2019	2020	2021	2019	2020	2021
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	2	0	0	2	0	0	0	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0
REFERRALS	On Campus			On-Campus Student Housing Facilities			Public Property		
	2019	2020	2021	2019	2020	2021	2019	2020	2021
Liquor Law Violations	47	23	17	49	6	18	0	0	2
Drug Law Violations	29	1	4	29	1	4	0	0	0
Illegal Weapons Possessions	1	0	0	1	0	0	0	0	0

Hate Crimes

Example 1: Hate Crimes

2014: One on-campus Intimidation incident characterized by religious bias.

2013: One off-campus Robbery characterized by National origin bias, and one public property Aggravated Assault characterized by Sexual Orientation bias.

2012: No Hate Crimes reported.

Example 2: Hate Crimes

There were no reported Hate Crimes for the years 2012, 2013, or 2014.

HATE CRIMES

2022: No hate crimes were reported in 2021.

2021: No hate crimes were reported in 2020.

2020: No hate crimes were reported in 2019.

***** Change in the Reported Statistics**

In November 2019, Haskell Indian Nations University conducted an independent review of the procedures, protocols and collections of crime statistics. Haskell contracted Dolores Stafford and Associates as a contractor to review the Clery Act requirements as performed by Haskell officials.

Out of the independent review came several recommendations that Haskell has been working on to become compliant to the requirements of the Jeanne Clery Act, as well as Title IX/EO 13160, VAWA and the Campus Sexual Violence Elimination (SaVE) Act.

While conducting the review, officials were given clarification on the classification of the crime definitions and discovered that some of the incidents had elements of the cases that would be classified as a violation of the law and has been corrected to reflect those changes. Another change in the numbers occurred when the classification for alcohol referrals was also clarified and thus changed to reflect the accurate count of the crimes listed. It was determined by the independent review that the numbers were not maliciously changed, only a clarification to classify was brought forth to indicate the changes.

Haskell has created a Clery Compliance Committee that has brought forth a better accountability factor to the crimes as they are reported and documented, as well as responded to in a timely manner.

For more information regarding the independent review and further areas for improvements, please contact Mr. Daniel Burland, Dean of Students.

Fire Safety Report

The Higher Education Opportunity Act requires all United States academic institutions to produce an annual fire safety report, outlining fire safety policies, procedures, and all fire related on-campus housing statistics.

2021 Haskell University Fire Statistics

Haskell Indian Nations University Residential Facilities	Total Fires in Each Building	Cause of Fires	Number of Injuries that Required Treatment	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Blalock Hall 2635 Barker Ave.	N/A	N/A	N/A	N/A	N/A
Osceola-Keokuk Hall 2320 Barker Ave.	N/A	N/A	N/A	N/A	N/A
Pocahontas Hall 2455 Creek Dr.	N/A	N/A	N/A	N/A	N/A
Powhatan Hall 355 Oneida St.	N/A	N/A	N/A	N/A	N/A
Roe Cloud Hall 2440 West Perimeter Rd.	N/A	N/A	N/A	N/A	N/A
Winona Hall 2435 Creek Dr.	N/A	N/A	N/A	N/A	N/A

2021 Fire Safety Systems in Residential Facilities

Haskell Indian Nations University Residential Facilities	Partial Sprinkler	Full Sprinkler System	Smoke Detector	Fire Extinguisher Device	Evacuation Plan/Placards	Number of Evacuation Fire Drills Each Calendar Year
Blalock Hall 2635 Barker Ave.	X	X	X	X	X	0

Osceola-Keokuk Hall 2320 Barker Ave.	X	X	X	X	X	0
Pocahontas Hall 2455 Creek Dr.	X	X	X	X	X	0
Powhatan Hall 355 Oneida St.	X	X	X	X	X	0
Roe Cloud Hall 2440 West Perimeter Rd.	X	X	X	X	X	0
Winona Hall 2435 Creek Dr.	X	X	X	X	X	0

2019 Haskell University Fire Statistics

Haskell Indian Nations University Residential Facilities	Total Fires in Each Building	Number of Fires	Date	Time	Cause of Fires	Number of Injuries that Required Treatment	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Blalock Hall 2635 Barker Ave.	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Osceola-Keokuk Hall 2320 Barker Ave.	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Pocahontas Hall 2455 Creek Dr.	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Powhatan Hall 355 Oneida St.	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Roe Cloud Hall 2440 West Perimeter Rd.	N/A	0	N/A	N/A	N/A	0	0	0

Winona Hall 2435 Creek Dr.	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
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Haskell Indian Nations University Residential Facilities	Total Fires in Each Building	Cause of Fires	Number of Injuries that Required Treatment	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Blalock Hall 2635 Barker Ave.	N/A	N/A	N/A	N/A	N/A
Osceola-Keokuk Hall 2320 Barker Ave.	N/A	N/A	N/A	N/A	N/A
Pocahontas Hall 2455 Creek Dr.	N/A	N/A	N/A	N/A	N/A
Powhatan Hall 355 Oneida St.	N/A	N/A	N/A	N/A	N/A
Roe Cloud Hall 2440 West Perimeter Rd.	N/A	N/A	N/A	N/A	N/A
Winona Hall 2435 Creek Dr.	N/A	N/A	N/A	N/A	N/A

Fire Safety Systems

At Haskell Indian Nations University, fire safety is taken seriously beginning with our College Residential Assistants, and including, housing staff, faculty, and executive staff. On-campus, federally-owned student housing facilities are provided with automatic fire sprinkler systems. The on-campus student housing facilities also are provided with smoke detectors, fire alarm systems and fire alarm annunciation and monitoring. The systems are monitored by an off-campus central station monitoring system meeting national accreditation. The alarm monitoring service provides twenty-four hour, seven days per week protection. Supervised and planned fire evacuation drills are conducted at least once each semester in residence halls. Drills are documented and forwarded to the Lawrence Fire Department.

Description of Residential Halls Fire Suppression and Fire Alarm Systems:

1. Automatic fire sprinklers are installed within the residential living units and storage areas.
2. Emergency lighting is provided in exit access areas.
3. Emergency central station answering services respond upon activation of the automatic sprinkler system.

Fire Safety Policies

The following university policies regarding fire hazards, portable electric appliances, smoking, cooking, candles, incense, and open flames have been circulated to all Haskell students in the 2022-23 Residential Life Handbook:

"Candles and cooking appliances are not allowed (i.e., coffee pots, coffee makers, toasters, electric skillets, toaster ovens, hot plates, etc.).

Fire Equipment

Your residence hall is equipped with detection and alarm systems.

Every sleeping room is equipped with smoke detectors, permitting early detection and notification of incipient fires, particularly while residents sleep. These pre-warning devices must be kept in continuous working order. Do your part by not covering your smoke detectors with plastic, hats, coats, tee shirts, etc. Also, do not drape TV cable, extension cords, Christmas lights, etc., over the detectors.

The following will not be tolerated, and in some cases can be considered sufficient cause for removal from the residence halls:

1. Deliberate activation of the fire alarms.
2. Vandalism to fire alarms, smoke detectors, automatic sprinkler systems, fire extinguishers, etc.

The cost for repair/replacement of the above equipment will be borne by the resident. In addition, prosecution of individuals tampering with and/or the malicious destruction of Government property will be enforced by the University to the fullest extent of the law.

Smoking and Open Flame Materials

1. Smoking is not permitted in any residence hall. Smoking is defined as a lighted cigar, cigarette, pipe, or any other lit product (including burning of incense).
2. Residents are not allowed to smoke on balcony areas. You must be at least fifty (50) feet away from the building to smoke.
3. Open flame and smoldering are also prohibited in all Residence Halls. This includes candles, plants, and herbs.
4. Allowances will be made for those individuals who use sage, sweet grass and cedar for religious purposes. However, staff must be notified for protection of the individuals' privacy and to set up fire watch in the Residence Hall."

Students are required to follow the Residential Life Handbook and comply with all rules.

The Haskell Indian Nations University Student Code of Conduct 2022-23 includes the following Fire Safety sections:

"A. Arson

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

B. Activating and/or Tampering with a Safety Device

Any willful attempt to block, hinder, or disable or activate a safety device, or use without just cause, such as fire alarms, smoke detectors, fire extinguisher, fire escape route, or any other safety device. Objects are not to be placed within 24-inches (2-feet) of a fire suppression device.

C. Burning of Material, Use of Tobacco, and Fireworks

Burning of any material in the residence lodge is strictly prohibited as it may endanger the health and the safety of occupants. Burning of material means either open flame or smoldering material such as candles, medicinal plants and herbs, cigarettes or pipes containing tobacco or illegal substances, except when authorized by the Director of Housing, or designee, under Haskell's Smudging policy. Please see the Residential Housing Student Handbook for more information. Smoking of tobacco products on campus is allowed only outside of each building, except within 25-feet of entrances and ventilation air

intake systems. Fireworks, of any type, are prohibited from use and/or storage on Haskell campus at all times.

D. Opening Exit Doors

Opening an exit door to admit persons or keeping an exit door propped open for any reason, other than emergency, will be in violation of this policy.

At no time will any type of furniture or other item be placed within 24-inches (2-feet) of an automatic sprinkler head used for fire suppression. Students may be held financially liable for any damage caused by the movement of furniture or other object, with or without prior authorization.

Haskell prohibits making a false fire alarm. Initiating a false alarm is a Class A misdemeanor. If convicted, a person could be sentenced for up to one year in the county jail and/or a fine of up to \$2500. Haskell students will also be adjudicated through the University's disciplinary system.

A. MAJOR VIOLATIONS

1. **Fire Protection Equipment** – Fire extinguishers, pull stations, smoke detectors, automatic sprinkler systems, and fire alarms are located throughout the campus for the protection of human life and property. Using this equipment for non-emergency purposes is prohibited. Immediate action will be taken against anyone who falsely, whether intentionally or negligently, activates or tampers with fire safety equipment, exit signs, horns, strobes, notification devices, and fire exit doors. Tampering means to intentionally disable, alter, or change the fire alarm system, fire protective device, the station or signal box. Fire doors and any door with a closing mechanism must not be propped open or disabled. In addition, initiating, causing or contributing to a false report, warning or threat of fire, explosion, or other emergency is grounds for disciplinary action.

Typical Sanctions: Emergency suspension, \$100 fine plus all costs associated with the repair or replacement of misused or damaged equipment, cleaning of the facility, possible eviction from university housing and/or possible criminal charges.

2. **Fire Hazards** – All campus facilities, including student rooms and balconies, are smoke-free. Smoking of tobacco products is permitted only in designated outdoor smoking areas (50 feet from buildings). Cigarette butts and ashes shall be considered *prima facie* evidence of smoking. Open and smoldering flames, including lit candles, incense, plants/herbs, pipes, grills, e-cigarettes and hookahs are prohibited in all campus facilities, including student rooms and balconies. A student must receive prior approval from the Director of Housing to burn material for religious purposes. No heat-producing appliances will be permitted in student rooms, unless authorized by the Haskell Safety Office. This includes hot plates, coffee pots, popcorn poppers, electric skillets, heaters, air fresheners (“Sensies”), etc. Any items confiscated WILL NOT be returned. **BLOW TORCHES (regardless of size) are STRICTLY prohibited. Any violation will result in Emergency Suspension Level 2 minimum with a minimum fine of \$100.** Typical Sanction: \$50 fine.
3. **Endangerment (Emergency Evacuation)** – When a fire alarm is sounded, residents must assume that there is a fire in the building and are expected to evacuate the building. Residents may return to the building only when instructed to do so by Residential Hall staff or Haskell Security/Safety personnel. Endangerment includes failure to follow these procedures for fire safety, as well as failure to take cover during severe weather upon notification by Residential Hall staff, Haskell officials, tornado siren, or television/radio severe weather instructions. Typical Sanction: \$50 fine.
4. **Fires (Intentional – Arson)** – Any willful or malicious burning or attempt to burn any building or government property on or around campus, any motor vehicle, and/or personal property of another is subject to expulsion from Haskell, as well as criminal charges.
Typical Sanction: Expulsion from Haskell as well as criminal charges.
5. **Fires (Unintentional)** – All other fires will be handled on a case-by-case basis, based on fire department reports. If it is determined that the fire was the result of violations listed above, sanctions will be at minimum: emergency suspension, \$50 fine plus all costs associated with the repair or replacement of the damaged area, cleaning of the facility and other damaged property, possible eviction from Haskell housing, and possible criminal charges.

Typical Sanctions: Emergency suspension, \$50 fine plus all costs associated with the repair and replacement of the damaged area and property, and cleaning of the facilities.

Possible eviction from Haskell housing and possible criminal charges may apply."

Haskell prohibits making a false fire alarm. Initiating a false alarm is a Class A misdemeanor. If convicted, a person could be sentenced for up to one year in the county jail and/or a fine of up to \$2500. Haskell students will also be adjudicated through the University's disciplinary system.

Emergency Student and Employee Evacuation

Once a building alarm system is activated, the transmitted alarm alerts the Haskell staff who initiates the emergency response. In the event of a fire, individuals are to exit the building using the stairway, call 911 if not in immediate danger. In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the Haskell Security Office. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Emergency Student Housing Evacuation

Student Housing Evacuation Procedures in Case of a Fire

1. If you hear the fire alarm, immediately evacuate the building using the nearest available exit. Do not attempt to fight a fire unless you have been trained to do so.
2. Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and a coat if necessary. Feel the doorknob and the door. If they are hot, do

not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.

3. When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
4. Residential life staff members (CRAs) who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (Example: there is an emergency in the building leave by the nearest exit) and knock-on doors as they make their way to the nearest exit and out the building.
5. When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
6. DO NOT USE ELEVATORS. Elevator shafts may fill with smoke, or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
7. Each resident should report to their assigned assembly area. Residential life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

Fire evacuation plans and staging areas are found here: <http://www.haskell.edu/facilities>. Students are to remain outside the building until they receive permission to re-enter from the Lawrence Fire Department or Haskell staff have been given an all-clear notice.

Haskell has prepared further evacuation information that may be reviewed at <http://www.haskell.edu/facilities>. This site contains information about assisting individuals with disabilities, the importance of and proper use of fire doors, and inspection, testing and location of fire extinguishers.

Fire Education and Training

Haskell's Director of Safety & Planning trains Residential Living staff annually on procedures, risk management, weather procedures, and emergency response, and fire and tornado

procedures. College Resident Assistants are trained every 3 years in proper use of fire extinguishers. Residential Living staff, including Residence Assistants, explain fire evacuation procedures, that participation in drills is mandatory, and other fire safety information to residential students at floor meetings. Students and employees are also trained to find safety resources online: <http://www.haskell.edu/facilities>. This site contains links to severe weather shelter locations, cooking safety information, building evacuation information for all and those with disabilities.

How to Get Help and Report Fires

Fires should be reported to Residential Living Staff or Haskell Security. It is important to report all crime and/or fires, suspicious activity, or persons. In fact, anything that makes a student feel uncomfortable should be reported. If students are not sure what type of help is needed, they are instructed to call the Residential Living Office, the RA on duty, or Haskell Security.

If a member of the HINU community finds evidence of a fire that has been extinguished, and the person is not sure whether Haskell Security Office has already responded, the community member should immediately notify Haskell Security Office at 785-760-6192 to investigate and document the incident for disclosure in the University's annual fire statistics.

Haskell Security: (785) 760-6192

911 Emergency off-campus responders: fire, police, or ambulance.

Plans for Improvement to Fire Safety

The university has recently conducted an assessment on the safety issues on campus. Some upgrades of the cameras and lighting have improved, and more replacements and upgrades are planned, provided we have no budget restraints to address these issues.

Fire Log

A fire log is available for review at the Haskell Safety Officer's Building, Winnemucca Hall, from 8 a.m.–5 p.m. Monday through Friday, excluding holidays. The information in the fire log includes information about fires that occur in residential facilities, including the nature, date, time, and general location.

Emergency Services Contact Information

Haskell Security

785-760-6192

Located in Roe Cloud Hall

2440 West Perimeter Road

Lawrence Police Department

4820 Bob Billings Parkway

Lawrence, KS 66047

785-832-7501 or 785-832-7509 OR 911

The Office of Student Rights and Conduct, Dr. Daniel Burland

Pushmataha Hall, 2425 Barker Avenue

785-749-8415

Title IX/EO 13160 Office, Human Resources, Dean of Students Office

Students and employees may also report criminal actions that may violate policies to the Title IX/EO 13160 Coordinator, Human Resources Department, and Dean of Students Office. (The University Sexual Misconduct and Discrimination, Harassment, and Retaliation policies provide additional details about reporting crimes.) Reports by these offices are directed to Campus Safety and an incident report is prepared. Incident reports are shared with the Clery Act Compliance Committee for the purposes of classifying reports for annual statistical disclosure and assessing the necessity for timely warning or emergency notifications.

Acting Title IX/EO 13160 Coordinator,

Tonia Salvini

Navarre Hall

785-749-4857

Dean of Students Office

Dr. Daniel Burland

Pushmataha Hall, 2425 Barker Avenue

785-832-6671

Human Resources Department,

Bennett R. Tuchawena
Human Resources Specialist (ER/LR)
U. S. Department of the Interior
Bureau of Indian Education
Albuquerque, New Mexico
Phone : (703) 517-3735
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Glenn E. Himebaugh
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(505) 563-5323
(505) 563-5329 - fax
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Lawrence Memorial Hospital

325 Maine Street
Lawrence, KS 66044
785-505-5000 or 800-749-4144

Kansas Highway Patrol

422 SW 7th Street
Topeka, KS 66603
785-296-6800

Kansas Bureau of Investigation

1620 SW Tyler Street
Topeka, KS 66612
785-296-8200

Kansas Federal Marshalls' Office

(District Headquarters

500 State Ave, Suite 380

Kansas City, KS 66101

913-551-6727