

# HASKELL INDIAN NATIONS UNIVERSITY

## 2023 Annual Security and Fire Safety Report

for the 2023-24 Academic Year,  
containing crime statistics for 2020, 2021, and 2022



(Cover Photo Courtesy of Ron McKinney)

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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](http://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](http://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:

### 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, 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 counselors 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) 830-2754, through email to the office of Student Rights and Conduct at [dburland@haskell.edu](mailto:dburland@haskell.edu), [scrawford@haskell.edu](mailto:scrawford@haskell.edu), or in person or through post mail. The Clery Compliance Committee is located at Navarre 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:

Breanna Crawford  
Robert Norton  
Michael Red Bear  
Michael Trostle  
James Yarnall  
Tristan Yarnall

**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 Timely 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

Navarre Hall, 2525 Shawnee Avenue  
785-749-8415

Members of the HINU community are encouraged to accurately and promptly report crime and emergencies to the Haskell Security Office and the appropriate police agencies, including when the victim of a crime elects to, or is unable to, make such a report.

## **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 Campus Advocacy Coordinator (for EO 13160), 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.

Online Incident Report form: <https://forms.office.com/r/wgisERhywd>

### **Acting Campus Advocacy Coordinator (for EO 13160), Ms. Kylee Fiedler**

Tommaney Hall  
Kfiedler@haskell.edu  
785-813-8808

### **Human Resources Department**

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

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  
Navarre Hall, 2525 Shawnee 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 to the Campus Advocacy Coordinator (for EO13160 issues) 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 pastoral and professional 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. In order to encourage and facilitate such reporting, the university provides reporting instructions and related contact information to all licensed pastoral and professional counselors who conduct counseling sessions with students on the Haskell campus. Multiple copies of these instructions are provided so that they can be handed directly to the students concerned.

*Pastoral Counselor*

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

*Professional Counselor*

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community, and who is functioning within the scope of his or her license or certification.

## **Responsible Employees under EO 13160**

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 officials 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 Campus Advocacy Coordinator so that Haskell can take immediate and corrective action to respond to allegations of prohibited conduct according to EO 13160.

## **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 for Student 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, the Haskell security office will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including Haskell Security officers, will notify the victim of the wide variety of resources and assistance available to him or her or them.

## **Voluntary, Confidential Reporting**

Haskell Campus Security encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. Campus Security does not have a voluntary confidential reporting process because police reports are public records under state law, thus Campus Security 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 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 Campus Advocacy 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.

Students and employees may report crimes involving sexual misconduct on a voluntary, confidential basis to the Campus Advocacy Coordinator (and for inclusion in the annual statistics) Anyone with a concern may submit an incident report online, anonymously if need be, through the Incident Report form, available at this link: <https://forms.office.com/r/wgisERhywd>. If online reporting is ever temporarily disabled at this link, reports may also be made by email, phone, or in person visit to the office of Student Rights and Conduct or to the Campus Advocacy Coordinator (contact information listed above on pages 8 and 9).

## **SAFETY, RISK REDUCTION, AND CRIME PREVENTION PROGRAMS**

### **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:

- A. 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
- B. 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 that include:

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Kansas

- D. The institution's definition of consent AND the purposes for which that definition is used.
- E. 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;
- F. 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.
- G. Information regarding:
  - a. 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)
  - b. 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);
  - c. 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
  - d. 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);
  - e. 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 Programs Statement

During Orientation, first-year students and parents are introduced to services offered by Haskell Campus Security and informed about crime on campus. The Haskell Seminar course for new students also includes information about campus safety, crime reporting, and risk reduction. The Counseling department offers information sessions to all students on the topics of alcohol and drug abuse prevention and healthy relationships, which include information about harassing behavior, dating and domestic violence, stalking, and sexual assault. 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.

Specifically, the University offered the following **primary prevention and awareness programs** for all **incoming students** in 2022:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
New Student Orientation (Spring semester)	1/14/2022	Stidham Union	DoV, DaV, SA, S
New Student Orientation (Fall Semester)	8/17/2022	Auditorium	DoV, DaV, SA, S
Housing Orientation	8/22/2022	Each dormitory	DoV, DaV, SA, S
Haskell Seminar	8/27/2022	Auditorium	DoV, DaV, SA, S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **primary prevention and awareness programs** for all **new employees** in 2022: no programs were provided to ALL new employees. All new Housing and Security employees participated in the ongoing prevention and awareness programs described in the section below.

***Ongoing Prevention and Awareness Campaigns***

The University has developed an annual educational campaign consisting of meetings for all students on specific topics, including alcohol and drug abuse prevention, risk reduction in the dorms and when going out in the community, healthy relationships (this meeting also addresses unhealthy relationship issues such as domestic violence, dating violence, stalking, and sexual assault), and recognizing and addressing the signs of mental health distress in other students. Many of these meetings are facilitated by Haskell Counselors, with the occasional participation of licensed therapists from local community health centers including Indian Health Service, the Sexual Trauma and Abuse Care Center, the Wilow Center Domestic Violence Center, and the Bert Nash Community Mental Health Center. The Haskell Counselors also give preventative mental health education presentations throughout the year to smaller groups of students during their class meetings or sports team practices: these smaller meetings have the advantage of reminding students about these issues in the context of their everyday lives, reinforcing the message from the university that students need to keep these issues in mind at all times, not



just when attending meetings devoted entirely to these topics. Reminders are posted in the residence halls about how, where and when to report crimes or other concerning incidents.

The University offered the following **ongoing awareness and prevention programs** for **students** in 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Housing Orientation	8/22/2022	Each dormitory	DoV, DaV, SA, S
Sexual Assault Prevention	9/8/2022	Pocahontas Hall	SA
Mental Health 101	9/15/2022	Pocahontas Hall	DoV, DaV, SA, S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The University offered the following **ongoing awareness and prevention programs** for **employees** in 2022:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Mental Health Training (8 hours)	8/1/2022	Stidham Union	DoV, DaV, SA, S
Campus Security Authority Training	8/9/2022	Osceola-Keokuk Hall	DoV, DaV, SA, S
Title IX/EO 13160 Training	8/9/22	Osceola-Keokuk Hall	DoV, DaV, SA, S

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

### 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](http://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 the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for 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:
  - a. **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.
  - b. **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.
  - c. **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.
  - d. **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.

### **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.<sup>1</sup> When reporting an incident of sexual assault to the Lawrence Police department, victims are not required to provide their names. 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 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.

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<sup>1</sup> 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.”

## 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 2022-2023 academic year, Haskell offered approximately 4 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 Life Handbook, which is available to students in the residence halls. The Student Code of Conduct can be found on the Haskell website as a direct link currently listed under University Services.

## **Crime Prevention Programs**

The Campus Advocacy Coordinator, 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. Crime prevention programs, including a presentation on alcohol and consent, are offered to all Haskell first-year students through the Haskell Seminar course.

Crime prevention programs on personal safety and theft prevention are issued by the Haskell Housing Program throughout the academic year. Safety tips are also be found in the Campus Security 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 University's 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 upon request from 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 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. A paper copy of the Daily Crime Log for 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. Currently, the Daily Crime Log is under an administrative review in order to update and streamline the procedure for the campus.

## 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 Security Office will determine if an incident poses a serious or continuing threat on or near campus. If so, it is the Security Officer, the Dean of Students, 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 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.

Timely Warning Notices are typically written and distributed by the Office of Student Rights, or its designee.

In the event a crime is reported, or a situation arises within Haskell's "Clery Geography" (on campus or public property), the Haskell Security 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 Security 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;
5. A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another;
6. Major Incidents of Arson; and
7. 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, and the Dean of Students. The Haskell Security 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 Navarre 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 from 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 Security Office, and will be determined in consultation with the Haskell Security officer(s) at the scene. The Security 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.

## **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), we provide here the internet address for the Kansas Bureau of Investigation (KBI) Registered Offender website: <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**

### **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 or 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 the Haskell Security Office (785-760-6192). Upon verification that a legitimate ongoing dangerous situation or emergency exists, the Haskell Security Office, 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 individual is unavailable or does not give approval in a reasonable amount of time, the Haskell President’s Executive Council members have 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 text message and email.

<b>System to Use</b>	<b>Primary Message Creator</b>	<b>Backup Message Creator</b>	<b>Authority for approving and sending messages</b>	<b>Primary Message Sender/Distributor</b>	<b>Backup Message Sender/Distributor</b>
<b>Primary</b>					
E2 Campus Alert	Safety Office	President’s Office or the Vice Presidents	Vice President of Operations and/or the President	Safety Office	President’s Office or Vice President of Operations
<b>Secondary</b>					
Official Haskell University Facebook page.	President’s Office	Members of President’s Executive Council	President’s Office followed by the Vice Presidents	President’s Office	Information Technology personnel (when authorized)

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.

Emergency 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, public address systems (where available), social media, 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. To sign up for Haskell's E2 Alert system, go to the "Quick Links" tab on the top bar of the Haskell website ([www.haskell.edu](http://www.haskell.edu)) and choose "E2 Campus Login". Instructions will be provided for connecting your cell phone number and email address to the E2 Alert system.

## 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.

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.

### **(HEOA) 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.

## **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 Office. 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).

When a student is determined by the Haskell Security Office to be missing for 24 hours, the Dean of Students 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, students are also advised that, in addition to notifying any additional contact person designated by the student. Students are advised that, 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, which is available in the residence halls.

## **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 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**

The following crimes constitute violations of federal and/or Kansas state law, and also are strictly prohibited by Haskell Indian Nations University. Definitions are provided, when possible, from both federal and Kansas laws. The local authorities, the City of Lawrence and Douglas County, do not provide their own definitions for these crimes, but rather cite the definitions provided by Kansas state statutes.

**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.

**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.

**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:** Under Kansas law, violence or threatened violence within a dating relationship is explicitly included in the definition of Domestic Violence. See the definition for Domestic Violence below.

**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:** 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, a "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]

**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.

**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.

**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.

**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.

Consent is not specifically defined by Kansas state law. For purposes of the definitions of prohibited conduct below, "consent" is defined as words or actions indicating voluntary agreement to engage in a particular sexual act. Consent can be withdrawn at any time. Consent must be freely given and may not be valid if a person is being subjected to actions or behaviors that elicit emotional or psychological pressure, intimidation, or fear. This includes implied and actual threats or acts that cause an unreasonable fear of harm in another. Consent to engage in one sexual act, or past agreement to engage in a particular sexual act, cannot be presumed to constitute consent to engage in a different sexual act or to engage again in any sexual activity. Silence or absence of resistance on the part of an individual does not constitute their consent. Consent cannot be given by someone who is incapacitated or is under the age of consent. This definition is used by the University to determine if conduct is nonconsensual and therefore violates University policy.

**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."

According to Kansas state law, "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]

**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.

According to Kansas law, Rape is defined as:

- (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. [Kan. Stat. 21-5503]

**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.

The State of Kansas describes Fondling as the crime of Sexual Battery, defined as follows:

(a) Sexual battery is the touching of a victim who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another.

(b) Aggravated sexual battery is sexual battery, as defined in subsection (a), under any of the following circumstances:

(1) When the victim is overcome by force or fear;

(2) when the victim is unconscious or physically powerless; or

(3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender. [Kan. Stat. 21-5505]

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

Kansas state law defines the crime of incest as follows:

(a) Incest is marriage to or engaging in otherwise lawful sexual intercourse or sodomy, as defined in K.S.A. 2022 Supp. 21-5501, and amendments thereto, with a person who is 18 or more years of age and who is known to the offender to be related to the offender as any of the following biological relatives: Parent, child, grandparent of any degree, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece.

(b) Aggravated incest is:

(1) Marriage to a person who is under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece; or

(2) engaging in the following acts with a person who is 16 or more years of age but under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece. [Kan. Stat. 21-5604]

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

Kansas state law includes in its definition of Rape the following related provision:

Rape is[...] (3) sexual intercourse with a child who is under 14 years of age. [Kan. Stat. 21-5503]

**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. According to Kansas state law, "Stalking" means an intentional harassment

of another person that places the other person in reasonable fear for that person's safety. [Kan. Stat. § 60-31a02]

For the purposes of this definition, "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. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**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.

**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.

## 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:** A preformed 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.

National Origin. A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability. A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

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*Statistics found on the following pages*  
**Haskell Campus Security Report**

**Criminal Offenses - On Campus**

Criminal Offense	Total Occurrences on Campus		
	2020	2021	2022
Murder/Non-Manslaughter by Negligence	0	0	0
Manslaughter by Negligence	0	0	0
Rape	1	1	4
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	2	1	3
Burglary	0	0	0
Motor Vehicle Theft	1	1	0
Arson	2	0	0



Stalking	0	1	2
Domestic Violence	2	0	0
Dating Violence	1	0	1

## Criminal Offenses - On Campus Student Housing Facilities

	Total Occurrences on Campus		
<b>Criminal Offense</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Murder/Non-Manslaughter by Negligence	0	0	0
Manslaughter by Negligence	0	0	0
Rape	1	1	4
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	2	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Stalking	0	2	2
VAWA = Domestic Violence	2	0	0

VAWA = Dating Violence	1	0	0
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## Criminal Offenses - Public Property

Criminal Offense	Total Occurrences on Public Property		
	2020	2021	2022
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	1	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	1	0	0

Stalking	0	0	0
Domestic Battery	0	0	1
Dating Violence	0	0	0

## Haskell University Arrests and Referrals

ARRESTS	On Campus			On-Campus Student Housing Facilities			Public Property		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	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		
	2020	2021	2022	2020	2021	2022	2020	2021	2022
Liquor Law Violations	23	17	25	6	18	10	0	2	0
Drug Law Violations	1	4	82	1	4	67	0	0	0
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0

## Hate Crimes

2022: No hate crimes were reported in 2022.

2021: No hate crimes were reported in 2021.

2020: No hate crimes were reported in 2020.

## Unfounded Crimes

2022: No unfounded crimes were reported in 2022.

2021: No unfounded crimes were reported in 2021.

2020: No unfounded crimes were reported in 2020.

## 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.

### 2022 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

### 2022 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	4
Pocahontas Hall 2455 Creek Dr.	X	X	X	X	X	4
Powhatan Hall 355 Oneida St.	X	X	X	X	X	0
Roe Cloud Hall 2440 West Perimeter Rd.	X	X	X	X	X	4
Winona Hall 2435 Creek Dr.	X	X	X	X	X	4

## 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
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## 2021 Fire Safety Systems in Residential Facilities

Note: Evacuation drills were not conducted in 2021 because of building closures for Covid -19.

Haskell Indian Nations University Residential Facilities	Partial Sprinkler	Full Sprinkler System	Smoke Detector	Fire Extinguisher Device	Evacuation Plan/Placards	Number of Evacuation Fire Drills
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

## 2020 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

## 2020 Fire Safety Systems in Residential Facilities

Note: Evacuation drills were not conducted in 2020 because of building closures for Covid -19.

Haskell Indian Nations University Residential Facilities	Partial Sprinkler	Full Sprinkler System	Smoke Detector	Fire Extinguisher Device	Evacuation Plan/Placards	Number of Evacuation Fire Drills
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

### 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 2023-2024 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 2023-24 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 skilleters, 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 Life 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 Life 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**

5100 Overland Drive,

Lawrence, KS 66049

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

### **The Office of Student Rights and Conduct**

Navarre Hall, 2525 Shawnee Avenue

785-749-8415

## **Campus Advocacy, Human Resources, Dean of Students Offices**

Students and employees may also report criminal actions that may violate policies to the Campus Advocacy Coordinator (for EO 13160), 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 Campus Advocacy Coordinator for EO 13160**

Kylee Fiedler  
Tommaney Hall  
785-813-8808

**Dean of Students Office**

Dr. Daniel Burland  
Navarre Hall, 2525 Shawnee Avenue  
785-832-6671

**Human Resources Department,**

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

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

**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

## Sex Discrimination and Sex-Based Harassment Policy

Haskell Indian Nations University developed a new, separate policy in 2023 to govern the University's handling of sex discrimination and sex-based harassment and/or violence, which addresses reporting, investigation and complaint processes, and the appropriate procedures for hearings and other possible resolution measures. This policy applies both to students and employees of Haskell Indian Nations University. Some aspects of employee misconduct also may be referred to the Department of Human Resources for the Bureau of Indian Education, if deemed appropriate by the university President or by the Director of the Bureau of Indian Education. The complete policy is available upon request from the Campus Advocacy Coordinator for EO 13160; some sections most pertinent to the reporting required by the Clery Act are included below.

Haskell Indian Nations University 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, the institution issues this statement of policy, contained in the following pages, 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.

This policy covers how the University will respond to instances or allegations of sex discrimination as defined by the policy, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. The policy also covers instances and allegations of sex-based harassment, a subset of discrimination, including sexual assault, dating violence, domestic violence, and stalking.

Here is a guide explaining where to find specific aspects of the policy in the following pages:

1. How to file a complaint under this policy: pages 51-52, pages 56-57.
2. How the university determines whether this policy will be used: page 50.
3. Steps in the disciplinary process: pages 57-73
4. Anticipated timelines: page 62, page 68.
5. Decision-making process: pages 69-73
6. Standard of Evidence: page 71.
7. Possible sanctions: page 72.
8. Range of Protective Measures available to a victim alleging misconduct: pages 52-56

### REPORTING

Any person may report an allegation of prohibited conduct defined by this policy. Reports may be made by the person who experienced the harm or by a third party, including, but not limited

to, a friend, family member, advisor, staff member, or professor. A person has the right to report or not report the alleged incident to the University, law enforcement, or both and may pursue some or all of these reporting options simultaneously. When initiating a report, a person does not need to know whether they wish to request any particular course of action nor how to label what happened.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Campus Advocacy Coordinator by calling, writing or coming into the office to report in person, or to Campus Security, if the Campus Advocacy Coordinator cannot be reached. The victim's permission should be requested and his or her preferences respected, before contacting authorities to make a report. Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Security will automatically be referred to the Campus Advocacy Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

Contact Information for Crime Reporting:

**Acting Campus Advocacy Coordinator (for EO 13160)**

Ms. Kylee Fiedler  
Tommaney Hall  
Kfiedler@haskell.edu  
785-813-8808

**Campus Security Office (available at all times):**

785-760-6192

**Lawrence Police Department (non-emergency):**

785-843-0250

At an individual's request, the Campus Advocacy Coordinator will assist in contacting law enforcement and cooperate within the extent permitted by law with law enforcement agencies if an individual decides to pursue the criminal process. Individuals also have the right to decline to notify law enforcement authorities.

[Instructions and specific contact information for reporting prohibited conduct under the Student Code can be found on pages 7-10 of this report.]

## ORDERS OF PROTECTION

### Campus Safety and Local Law Enforcement

At an individual's request, a University representative will assist in contacting law enforcement and cooperate within the extent permitted by law with law enforcement agencies if an individual decides to pursue the criminal process.



Immediate Help:  
Call 911

The Haskell Campus Security Department provides 24-hour safety, security, and emergency response services. Security officers can provide safety escorts upon request to locations on campus by calling the cell number listed below.

On Campus  
Haskell Campus Security  
Roe Cloud Hall  
2440 West Perimeter Road  
**785-760-6192** (cell phone: can send and receive text messages)  
Email: [haskellsecurity@haskell.edu](mailto:haskellsecurity@haskell.edu)  
Hours: 24/7

#### Local Law Enforcement

Lawrence Police Department  
4820 Bob Billings Pkwy,  
Lawrence, KS 66047  
(785) 843-0250  
[lawrenceks.org](http://lawrenceks.org)

#### Douglas County Sheriff

Judicial and Law Enforcement Center - Operations Division  
111 East 11th Street  
Lawrence, Kansas 66044  
Tel: (785) 841-0007  
Fax: (785) 841-5168

#### ***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***

Haskell Indian Nations University complies with Kansas law in recognizing orders of protection issued by any state, tribal entity, or municipality, including all emergency, temporary, and final orders of protection. Any person who obtains an order of protection (or restraining order) from Kansas or any other state should provide a copy to the Campus Security office and the office of the Campus Advocacy Coordinator. A complainant may then meet with a representative from the office of Campus Security to develop a Safety Action Plan, which is a plan for campus

Security officers and the victim to reduce 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.) In addition, the University may issue an institutional No Contact order against a member of the campus community, if deemed appropriate or at the request of the complainant or the respondent. 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 party (student, employee, etc.) and will impose sanctions if the person is found responsible for violating the No Contact order.

The University cannot itself issue or apply for a legal order of protection or restraining order for a victim, because such orders must be issued by a court of law. The University does offer assistance to victims wishing to apply for legal orders of protection. The Campus Advocacy Coordinator (785-813-8808) stands ready to assist individuals in the Haskell Campus Community who wish to apply for such an order with local law enforcement agencies. Alternatively, the Lawrence Police department can also offer information about the process to apply for such an order.

### *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. This information is available from the Campus Advocacy Coordinator. Such written information will include:

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

### *Accommodations and Protective Measures Available for Victims*

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the Campus Advocacy Coordinator 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 Campus Advocacy Coordinator and request assistance to formulate a Safety Plan. The Campus Advocacy Coordinator, in turn, can request assistance from other university or local law enforcement officials as needed.

**Acting Campus Advocacy Coordinator (for EO 13160)**

Ms. Kylee Fiedler  
 Tommaney Hall  
 Kfiedler@haskell.edu  
 785-813-8808

*On and Off Campus Services for Victims*

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the Campus Advocacy Coordinator 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:

<b>ON CAMPUS</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
Counseling	Guidance Counseling and referrals	Campus counselors Manny King and Monica Jackson	785-749-8447, 785749-8485
Health	Licensed Counseling , Health Care, and Medications	Haskell Health Center, Indian Health Service, (Adjacent to Campus)	785-843-3750

Mental Health	No licensed counselors, except at the Haskell Health Center		
Victim Advocacy	Client Intake, Victim Advocacy, EO 13160	Campus Advocacy Coordinator	785-813-8808
Legal Assistance	None		
Visa and Immigration Assistance	Not applicable (All students are members of Federally-Recognized Tribes, and therefore U.S. Citizens as well)		
Student Financial Aid	Financial Aid	Carlene Morris	785-749-8407
Other			

<b>OFF CAMPUS</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
Counseling			
Health	Medical care, Licensed Counseling, Medications, Referrals	Haskell Health Center	785-843-3750
Mental Health	Licensed Counselors, Medications, Referrals	Bert Nash Community Mental Health Center	785-843-9192
Victim Advocacy	Client Intake and Victim Advocacy	Sexual Trauma and Abuse Care Center	785-843-8985
Legal Assistance	Victim Advocacy	Sexual Trauma and Abuse Care Center	785-843-8985
Visa and Immigration Assistance	Not applicable		
Student Financial Aid	None		
Other			

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

**<http://stacarecenter.org/> -- the Sexual Abuse Trauma and Care Center  
330 Maine Street, Lawrence KS (across from Lawrence Memorial Hospital)**

24/7 crisis line: 785-843-8985

<https://www.willowdvcenter.org/> -- The Willow Domestic Violence Center

1920 Moodie Road, Lawrence KS

24/7 crisis line: 785-843-3333

<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. Contact the office of the Registrar, Navarre Hall 111E for assistance with information withholding requests.

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.

Reports of prohibited conduct under this policy may also constitute violations of state and local law. University officials are required to document certain reports of interpersonal violence for Clery Act reporting purposes. No personally identifiable information about the complainant will be shared in that report. If the University is required to notify the community of the incident, including recording the offense in the Daily Crime Log or through the issuance of a Timely Warning Notice, no identifying information will be included to the extent permissible by law.

### *Confidential Options*

An individual who is not prepared to make a report, or who may be unsure how to label what happened but still seeks information and support, may contact a confidential option.

Licensed counselors in the Haskell Health Center are available to speak to any person who wishes to report an incident and remain anonymous. Counseling Services can offer confidential assistance, including (1) explaining reporting options including the option of law enforcement; (2) providing accompaniment and assistance in seeking medical care or law enforcement; (3) creating a safety plan, and (4) providing contact information for any agency the victim wishes to have involved. Counseling staff will continue to follow up with care and support to the extent requested and needed by the victim.

The University may also elect to confer confidential status to other employees consistent with applicable laws and regulations. If you are not certain whether an employee is required to report sexual misconduct to the University, please inquire with the Campus Advocacy Coordinator.

The following on-campus offices are confidential at Haskell:

Haskell Health Center  
Indian Health Services  
Indian Avenue and Massachusetts Street  
785-843-3750

Online and Anonymous Option:

Anonymous complaints of sexual misconduct or other unethical or unlawful behavior can be made through the online Incident Report form accessible at:

<https://forms.office.com/r/wgisERhywd>

The report will be forwarded to the Campus Advocacy Coordinator for EO 13160, who will determine next steps.

The online report is not a 911 or emergency service. If your situation involves any immediate threat, call 911 or Campus Security. Further, while the University will take appropriate steps to address threats to safety or other ongoing problems identified by anonymous disclosures, its ability to respond, impose discipline, and/or accommodate the complainant normally will be significantly limited. Members of the community are therefore strongly encouraged to consider the other options for reporting listed on pages 7-10 of this report..

## FILING A FEDERAL COMPLAINT

Pursuant to Executive Order 13160, any person or any class of persons who believes that he/she has been discriminated against on the basis of sex, sexual orientation, and/or status as a parent in an education or training program conducted by the Department of the Interior may file a complaint with the Office of Civil Rights,,U.S. Department of the Interior, at the following address:

Director, Office of Civil Rights  
U.S. Department of the Interior  
Washington, DC 20240

## UNIVERSITY RESPONSE TO A REPORT

Upon receiving a report alleging prohibited conduct, the Campus Advocacy Coordinator for EO 13160 will promptly contact the complainant to discuss the availability of supportive measures, the right to report to law enforcement, and the procedure for filing a formal complaint. For allegations of sexual assault, dating violence, domestic violence, or stalking, the Campus Advocacy Coordinator will also provide a written explanation of rights and options if it has not already been provided.

The Campus Advocacy Coordinator will take appropriate, prompt, and effective steps to ensure that sex discrimination does not continue or recur within the University's education program or activity. This may include utilizing the University's informal or formal resolution process.

If a report is submitted to the Campus Advocacy Coordinator that does not identify or describe prohibited conduct, the Campus Advocacy Coordinator will inform the reporting party that the matter is not within the jurisdiction of this policy and will forward the matter to the appropriate University department, if needed.

### Supportive Measures

Upon receipt of a report alleging prohibited conduct, the University will provide reasonable and appropriate supportive measures. Supportive measures mean individualized services offered as appropriate, as reasonably available, without unreasonably burdening a party, and without fee or charge. Such measures are designed to restore or preserve equal access to the University's educational program or activity, to protect the safety of all parties or the University's educational environment, to deter future harassment or discrimination, and to provide support during any resolution process.

Supportive measures will be offered upon receipt of a report, whether or not the resolution processes are utilized. Supportive measures may be modified or terminated as needed.

Supportive measures may include:

- Counseling services and assistance in arranging an initial appointment
- Extensions of deadlines, rescheduling of exams, and other course-related adjustments
- Change in class schedule, including transferring course sections or course withdrawal
- Change in work schedule or job assignment
- Campus escort services
- Changes to academic, living, dining, and transportation when applicable
- Increased security and monitoring of certain areas
- Leave of absence
- Imposition of a "no contact order" and/or honoring a court-issued order of protection
- Any other remedy that can be used to achieve the goals of this policy

The University will maintain as confidential any supportive measures provided to the complainant or respondent to the extent that maintaining such confidentiality would not impair

the ability of the recipient to provide the supportive measures. Supportive measures are non-disciplinary and non-punitive and should not disproportionately impact the complainant. Supportive measures that burden a respondent may be imposed only during the pendency of resolution processes under this policy and will terminate at the conclusion of the resolution process. These measures will be no more restrictive of the respondent than is necessary to restore or preserve the complainant's access to the education program or activity. A respondent may appeal a supportive measure that the respondent considers unreasonably burdensome using the appeals process outlined in this policy.

Requests for supportive measures may be made by or on behalf of the complainant or respondent to the Campus Advocacy Coordinator.

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 complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make available such accommodations or protective measures, if the victim requests them and if they are reasonable, regardless of whether the victim chooses to report the crime to the Campus Security Office or local law enforcement. Students and employees should contact the Campus Advocacy Coordinator to request accommodations of this kind:

**Acting Campus Advocacy Coordinator (for EO 13160)**

Ms. Kylee Fiedler  
 Tommaney Hall  
 Kfiedler@haskell.edu  
 785-813-8808

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	1. Depending on when reported (immediate vs delayed report), 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



	<p>contact information for local police department</p> <ol style="list-style-type: none"> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>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</li> <li>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</li> <li>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</li> </ol>
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<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
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<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if</li> </ol>
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	<p>complainant requests AND provide the complainant with contact information for local police department</p> <ol style="list-style-type: none"> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>
<p><b>Domestic Violence</b></p>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>

**Privacy and Confidentiality**

Privacy and confidentiality issues play important roles in this policy and may affect individuals differently. Privacy and confidentiality are related but distinct terms. “Confidentiality” refers to the circumstances under which information will or will not be disclosed to others. “Privacy” refers to the discretion that the University will exercise in the course of any investigation or resolution processes under this policy.

Individuals involved in the resolution process under this policy are encouraged to exercise discretion in sharing information to safeguard the integrity of the process and avoid the appearance of retaliation. While discretion regarding the process is important, complainants and respondents are not restricted from discussing and sharing information with others who may support or assist them in participating in the process.

The University will take reasonable steps to protect the privacy of the parties and witnesses during the pendency of a resolution process, provided that the steps do not restrict the ability of the parties to obtain and present evidence, or otherwise defend their interests.

In some circumstances, the reporting responsibilities of University employees, or the University's responsibility to investigate, may conflict with the preferences of the complainant and/or respondent with regard to privacy and confidentiality. Therefore, all individuals are encouraged to familiarize themselves with their options and responsibilities. In all such proceedings, the University will take into consideration the privacy of the parties to the extent possible, balancing the need to protect individuals and the campus as a whole.

In cases involving students, the Campus Advocacy Coordinator may notify other University employees of the existence of the complaint for the purpose of overseeing compliance with this policy and addressing any concerns related to educational and University-sponsored events. While not bound by confidentiality, these individuals will be discreet and respect the privacy of those involved in the process. Any additional disclosure of information related to the complaint or report may be made if consistent with the University's privacy policy, the Family Educational Rights and Privacy Act (FERPA), or EO 13160 requirements.

#### Interim Action

The student conduct administrator may impose an interim suspension, an interim removal from housing, an interim "loss of recognition," and/or other necessary restrictions on a student before resolution. Such action may be taken when, in the professional judgment of the student conduct administrator, a threat of imminent harm to persons or property exists. Interim administrative action is not a sanction. Instead, it is taken to protect the safety and well-being of the individuals and property. Interim administrative action is preliminary in nature; it is in effect only until there is a resolution of the student conduct matter.

In connection with this policy, in circumstances seriously affecting the well-being of any person, where physical safety is threatened, or where the ability of the University to carry out its essential operations is significantly threatened or impaired, the University may impose an interim suspension, an interim removal from housing, an interim "loss of recognition," and/or other necessary restrictions prior to a final determination. Prior to taking action with a student, the University will undertake an individualized safety and risk analysis and provide written notice to the party.

A student who has received an interim action has the right to request a hearing to be held within five business days from the date the action was imposed. The request must be in writing and submitted within two days of being notified of the interim action. The interim action is in effect during this period.

#### Complainant-Initiated Formal Complaint

Any complainant may file a formal complaint that initiates the formal resolution process. The University utilizes different formal resolution processes based on the alleged behaviors and the

status of the parties to fairly evaluate the allegations and assess the credibility of the parties and witnesses. A formal complaint must be filed to initiate the University's formal resolution process. A complaint means a request made by a complainant or a Campus Advocacy Coordinator to initiate the formal resolution process. A formal complaint may be completed in person or submitted by email, mail, or phone to the Campus Advocacy Coordinator.

### University-Initiated Formal Complaint

In limited cases, the Campus Advocacy Coordinator may initiate a complaint without a request by the complainant. The Campus Advocacy Coordinator has the discretion to initiate the formal complaint when it is necessary to address conduct that may constitute sex discrimination.

If the complainant requests that their identity or other information be kept private or that no formal action be pursued, the University will give careful consideration to that request. However, there may be instances in which such requests cannot be honored, as they would impair the University's ability to ensure a safe and non-discriminatory environment for all students. Factors considered include, but are not limited to:

- Multiple assault complaints have been made against the same person
- Multiple assaults occurring at the same location or involving the same group
- The use of physical violence and/or weapons
- The involvement of multiple alleged respondents
- Allegations of threats or retaliation by the respondent against the complainant or others
- The complainant's age

If the University determines it can honor a request to keep information private, it will take steps consistent with that request to ensure the safety of the complainant and others. However, complainants should understand that honoring a request for privacy may impair the University's ability to investigate and normally will prevent any disciplinary action from being taken against the respondent. If someone who initially requested privacy later requests an investigation, the University will honor that request if the Campus Advocacy Coordinator did not previously sign a complaint. However, delays may impair the University's ability to conduct a thorough investigation or take appropriate remedial action.

If the University determines it cannot honor a request for privacy, it will inform the complainant before any disclosure is made. The University will take whatever steps it deems necessary to protect the complainant and ensure that information is available only to those with a legitimate need to know. The University will make it clear to the respondent and others receiving information that any act of retaliation against the complainant will not be tolerated. A complainant retains standing as a complainant even in cases where the Campus Advocacy Coordinator initiates the formal complaint.

### INFORMAL RESOLUTION

#### A. Acceptance of Responsibility

A respondent is presumed not responsible until a determination of whether sex-based harassment occurred is made at the conclusion of the resolution process. However, a

respondent may accept responsibility for some or all of the allegations against them at any point prior to the process' conclusion. A respondent wishing to accept responsibility should communicate that fact to the Campus Advocacy Coordinator in writing. The Campus Advocacy Coordinator will inform all parties of the acceptance of responsibility and will issue a proposed set of sanctions and/or remedies. If all parties agree in writing and accept the proposed sanctions and/or remedies, the matter will be concluded and not subject to appeal. If all parties do not agree, the matter will proceed under a different resolution process.

#### B. Alternative Dispute Resolution

Alternative dispute resolution (ADR) are processes where the parties and the University mutually agree to forgo the formal resolution process and engage in an alternative dispute resolution (ADR). When appropriate and allowed, the University will attempt to utilize ADR processes to allow resolution of the alleged violation without recourse to punitive action. Such resolutions may include a mutual agreement on responsibility and sanctions, mediation, or other conflict resolution methods offered by the University.

The Campus Advocacy Coordinator will determine, based on the totality of the circumstances, whether an alternative dispute resolution process is appropriate given the facts and participants. For example, alternative dispute resolution (ADR) is not appropriate for allegations of an employee sexually harassing a student. The Campus Advocacy Coordinator will also determine what type of processes will be utilized which may include mediation, conciliation and/or appropriate customs and practices of the Indian Tribes or Alaska Native Villages to the extent that these practices are readily identifiable.

ADR is strictly voluntary. No party will be compelled to participate, and the Campus Advocacy Coordinator will obtain voluntary consent from all parties prior to proceeding.

The Campus Advocacy Coordinator will assign a person as the facilitator who would not be the investigator or decision-maker in the assigned case. The facilitator of any ADR process will be properly trained per federal law and for the ADR process utilized.

At the conclusion of the alternative dispute resolution process, the parties will agree in writing to the terms of the resolution. The terms will include any sanction or remedies identified by the University, including permanent supportive measures.

ADR may be offered based on a report or at any time after the filing of a formal complaint, prior to the determination of responsibility. Any party may withdraw from the ADR process prior to agreeing to the resolution, and for formal complaints, the case will resume the formal resolution process. Once the parties agree to the resolution agreement, the resolution is final and cannot be appealed.

Documents or materials obtained or created by the University during the ADR process are considered education records. They will be maintained in accordance with FERPA, the

University's record retention policy, and this policy, if applicable. This includes but is not limited to records documenting the process, any actions taken by the University, and the outcome. Information shared as part of the ADR process will not be considered as evidence if a party withdraws from the process and the formal resolution process restarts.

### UNIVERSITY'S RESPONSE TO A FORMAL COMPLAINT

Haskell Indian Nations University is committed to providing a prompt, fair, and impartial process from the initial investigation to the final result. Proceedings are conducted in a manner that is consistent with University policies, transparent to the parties, and where appropriate or possible, will afford involved students consideration of and rights equal to the student's traditional Native customs and practices.

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. This training includes annual classes on the requirements of Executive Order 13160 and Campus Security Authority Training. 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 meeting 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 providing personal support to the accuser or accused; the advisor is not authorized to speak spontaneously or to answer questions as the representative for the accuser or accused, although he or she may read a prepared statement if requested to do so by the accuser or the accused.
5. The accuser and the accused will be notified simultaneously, in writing, of the 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.

For formal complaints of sex-based harassment involving students, all of the below notifications and reports must be in writing and provided simultaneously to the parties when appropriate.

When a sex discrimination complaint alleges that a University policy or practice discriminates on the basis of sex, the University is not considered a respondent.

#### A. Campus Advocacy Coordinator Assessment and Dismissal

Within five business days of receipt of a formal complaint, the Campus Advocacy Coordinator will make an initial assessment to determine whether to investigate or dismiss a formal complaint of sex discrimination. If at any time the Campus Advocacy Coordinator determines that the alleged conduct, even if proven, would not constitute sex discrimination or harassment as defined in this policy, the Campus Advocacy Coordinator may dismiss the complaint or refer the complaint to another office for review. A complaint may also be dismissed if the University is unable to identify the respondent after taking reasonable steps to do so or if the respondent is not a student, employee, or otherwise participating in the University's educational programs or activities.

If, at any time during any resolution process, a complainant notifies the Campus Advocacy Coordinator in writing that the complainant would like to withdraw the complaint, the University may dismiss the complaint and end the resolution process. The decision as to whether to dismiss the complaint will be determined by the Campus Advocacy Coordinator based on the stated goals of this policy to address conduct that may constitute sex discrimination.

Upon a dismissal for any of the reasons listed above, the University will promptly notify the complainant of the dismissal, including the basis for the dismissal. If the respondent has already been notified of the allegations, the University will also promptly notify the respondent of the dismissal. A party may appeal any dismissal using the appeal process outlined in this policy. The University will continue to offer supportive measures as appropriate.

#### B. Notice to Parties

Prior to the start of the investigation, the Campus Advocacy Coordinator will provide notice to the parties of the allegations of prohibited conduct, including sufficient details known at the time. The notice will include the resolution procedures that will be utilized and a statement that retaliation is prohibited.

For allegations of sex-based harassment involving students, or any complaint in which suspension or expulsion is a possible sanction, all notifications and outcomes will be in writing and include the following:

- a copy of the school policy alleged to have been violated;
- facts and statements the University has received related to the allegation;
- information about any parts of a student's record that will be considered as part of the disciplinary decision;
- a presumption of "not responsible";
- notification of a right to an advisor;
- a prohibition on knowingly submitting false information; and
- notification of the right to inspect relevant evidence collected as part of the investigation.

The parties will receive simultaneous notification of additional allegations or changes to the allegations as appropriate.

Throughout the resolution process, the Campus Advocacy Coordinator will provide to a party whose participation is invited or expected, notice of the date, time, location, participants, and purpose of any meetings or proceedings. Either party may request that the parties not be in the same room for any meetings or proceedings which both may attend. The University will determine the appropriate use of technology to satisfy the request.

#### C. Consolidations

The Campus Advocacy Coordinator has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others. If a case involves alleged violations of other University policies, the Campus Advocacy Coordinator, in consultation with other school officials, will determine which resolution process to use or if different resolution processes for each alleged violation would be more appropriate.

#### D. Participation

Exclusive of the complainant and respondent, the University expects all University community members to cooperate fully with any resolution processes. It is understood that there may be circumstances in which a complainant or respondent wishes to limit their participation. The complainant and respondent retain this right and will not be subject to adverse University actions, although the University may be obligated to conduct an investigation. If a party chooses not to participate in an investigation for any reason, the University process will continue with respect to the alleged conduct.

#### E. Use of Alcohol and Other Drugs

The University recognizes that individuals with information about sex-based discrimination and harassment may hesitate to come forward out of fear that their actions violate the University's policies related to the use of alcohol and other drugs. While the University does not condone violations of its policies, it considers reporting incidents of sexual misconduct paramount.



The University will not pursue conduct action against complainants, respondents or witnesses for disclosure of illegal personal consumption of drugs or alcohol where such disclosures are made in connection with a good faith report or investigation of sexual misconduct. Amnesty for other alleged policy violations will be made on a case-by-case basis, considering factors such as egregiousness and risk of harm to others.

## INVESTIGATIONS

### A. Assignment to an Investigator

For resolution processes requiring an investigation, the Campus Advocacy Coordinator will assign one or more investigators to the case. The Campus Advocacy Coordinator may serve as an investigator. A party will be given an opportunity to request the removal and replacement of an investigator based on bias or conflict of interest. Any request for a change in an investigator must be accompanied by supporting information.

### B. Investigation

During the investigation, the parties will have an equal opportunity to be heard, to identify witnesses, and to submit information, including inculpatory and exculpatory evidence. The investigator will gather other relevant and available information, including, without limitation, photographs, written documentation, and records of communications between the parties or witnesses.

The University will not access, consider, disclose, or otherwise use the following: a) any evidence that is protected under a privilege as recognized by law unless the person holding such privilege has waived the privilege voluntarily; b) a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party unless the party provides voluntary, written consent for use in the University's resolution processes; and (iii) evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is offered to prove consent with evidence concerning specific incidents of the complainant's prior sexual conduct with the respondent.

The University will not restrict either party from discussing allegations under investigation or presenting relevant evidence. The parties may participate in person or in writing.

The investigator will seek to complete the investigation within 45 business days after the University's receipt of the formal complaint. There may be circumstances that require the extension of timeframes for good cause. The University will notify the parties in writing of any extension of the timeframes for good cause and the reason for the extension. The University will not, however, wait for the conclusion of criminal proceedings to begin its own investigation and, if needed, will take immediate steps to provide supportive measures for the complainant and the respondent.

### C. Evidence Sharing

At the conclusion of the initial investigation, the parties will receive timely and equal information about the evidence that is relevant to the allegations and not otherwise impermissible. The degree and format of the information will depend on the type of allegation, as determined by the Campus Advocacy Coordinator.

- For complaints involving sex discrimination or for sex-based harassment not involving students, the University will provide each party, at a minimum, with a description of the evidence that is relevant to the allegations of sex discrimination and will provide a reasonable opportunity to respond.

- For complaints of sex-based harassment involving students, the University will provide the parties access to all relevant evidence and a reasonable opportunity to respond. For parties with a right to an advisor, the advisor will also be granted access to the evidence. The investigator will consider any responses to the relevant evidence and then create an investigative report that includes a summary of the relevant evidence.

Unauthorized disclosure of any information or evidence obtained through the sharing of the relevant evidence or the investigative report by a party or a party's advisor may result in disciplinary action.

## FORMAL RESOLUTION

### A. Assignment to a Hearing Officer

Upon the conclusion of the investigation, the Campus Advocacy Coordinator will decide the appropriate resolution process that will be used. The complainant and respondent will receive a copy of the resolution procedures that will be used prior to the start of the resolution process. At any point prior to the final resolution, the Campus Advocacy Coordinator may recommend to the parties an informal resolution as described above.

The Campus Advocacy Coordinator will assign one or more hearing officers to the complaint. The Campus Advocacy Coordinator may serve as a hearing officer when permitted under this policy or applicable law. A party will be given an opportunity to request the removal and replacement of a hearing officer based on bias or conflict of interest. Any request for a change of hearing officer must be accompanied by supporting information.

The hearing officer is responsible for maintaining an orderly, fair, impartial, and respectful process. The resolution process is not a re-investigation of the allegations. Relevant evidence and witnesses should be provided during the investigation.

### B. Complainant Impact Statement

At any time prior to the determination of responsibility, Complainants may submit to the hearing officer a statement concerning the impact of the incident on them.

### C. Assignment to a Resolution Process

The University utilizes two different formal resolution processes to determine responsibility:

#### Administrative Conference and Administrative Hearing.

- An Administrative Conference is the default resolution process. It is utilized for all sex-discrimination cases. It is also utilized for sex-based harassment cases unless a student requests a hearing or the Campus Advocacy Coordinator determines that a hearing is necessary or required.

- An Administrative Hearing is utilized upon written request by a student or when the Campus Advocacy Coordinator determines that an administrative hearing is necessary or required. A hearing is also required for cases in which the hearing officer at the administrative conference recommends a suspension of more than 10 days or an expulsion. Should a Campus Advocacy Coordinator determine a hearing is necessary, the parties will be informed an administrative hearing will be utilized at the time notice of the allegation is provided.

A complainant, respondent, or witness may decline to participate in the resolution process. The hearing officer will not draw any adverse inference from a party's silence or stated desire not to participate. All conferences and hearings are closed to the public, and only the advisors of choice, when permitted, may accompany their respective parties.

#### D. Administrative Conference

For sex-discrimination cases and sex-based harassment cases for which a hearing is not requested or required, the determination regarding responsibility will be made by a hearing officer following an administrative conference. The hearing officer will consider relevant evidence and the investigative report, if any. The hearing officer may pose additional questions to the parties or witnesses in writing or individually in person if needed to adequately assess credibility.

#### E. Administrative Hearing

An Administrative Hearing is utilized upon written request by a student party or when the Campus Advocacy Coordinator determines that a hearing is necessary or required. While the hearing includes the right to produce and examine witnesses, formal rules of process, procedure, and/or technical rules of evidence, such as those applied in criminal or civil court, are not used in these proceedings. Neither party may be compelled to participate in the hearing.

The parties may submit a written response to the investigative report no later than two business days prior to the hearing. The parties may include in their response or at a prehearing conference a request for specific witnesses to attend the hearing. Prior to the hearing, the parties will be notified of the identity of the witnesses who will be called by the hearing officer to attend the hearing. The hearing officer may elect not to permit one or more witnesses to participate in the hearing if the information they are expected to provide is not relevant to any material issue or is deemed unnecessarily redundant of other information already in the investigative report.

The parties may also provide relevant questions to be asked at the hearing in their written response to the investigative report or at a prehearing conference. Those questions, along with

any questions requested at the hearing, are limited to those assessing credibility and relevant questions and follow-up questions that have not previously been asked and answered in the investigative report.

A hearing shall be conducted in private. Admission of any person into the hearing shall be at the discretion of the hearing officer. The hearing officer shall have the authority to discharge or remove any person whose presence is deemed unnecessary or obstructive to the proceedings. A student has the right to be accompanied to the hearing by their parents, guardians, or a designee in addition to their advisor of choice.

The hearing officer will determine the method for questioning at the hearing. Generally, questions posed by the parties will be submitted and asked exclusively by the hearing officer. For a formal complaint that alleges sex-based harassment that meets the threshold for the 2020 Title IX Regulations, the advisor is responsible for conducting the cross-examination and will ask the questions posed by the parties. In no instance will the parties be permitted to ask questions directly. Prior to a question being asked, the hearing officer will determine whether the question is relevant and explain any decision to exclude a question as not relevant.

The hearing officer has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person, including an advisor. A recording will be made by the University. All other recordings are prohibited.

## DETERMINATION OF RESPONSIBILITY

### A. Standard of Evidence

The hearing officer shall use a preponderance of the evidence standard to determine whether the alleged policy violation occurred. The preponderance of the evidence means a standard of proof in which the totality of the evidence offered in support of a fact is greater or more convincing than the evidence which is offered in opposition to it; given the totality of information the version of events that is more likely than not to have occurred. A preponderance of the evidence is understood to require more than 50 percent certainty to determine responsibility for a policy violation (51% or greater).

### B. Outcome of the Complaint

The University will notify the parties of the outcome of the complaint, including whether sex discrimination occurred, and the procedures and permissible bases for the parties to appeal. The outcome will be provided within three business days of the conclusion of the hearing. The parties will be notified if there is a delay for good cause.

For instances of sex-based harassment involving students, the complainant and respondent will simultaneously receive a written determination of whether prohibited conduct occurred. The written determination letter, from the hearing officer will include:

- a description of the alleged sex-based harassment;

- the procedure used to evaluate the allegations;
- an evaluation of the relevant evidence and determination of whether sex-based harassment occurred;
- any sanctions imposed on the respondent and/or remedies provided to the complainant;
- the right to a meeting with a university official to explain the outcome, accompanied by their advisor and/or their parents or guardians; and
- the procedures for the complainant and respondent to appeal.

The University will provide, simultaneously and in writing, any change to the result and when such results become final. For complaints in which an appeal is permitted, the determination of responsibility becomes final either on notification of the results of the appeal or the date on which an appeal would no longer be considered timely.

If the respondent is determined to be not responsible, the allegation of misconduct and related information will be expunged from the student's school record.

### C. Sanctions and Remedies

Sanctions are intended to provide educational opportunities and accountability while also reducing the likelihood of future prohibited conduct. Sanctions may include administrative, educational, and restorative components. Some conduct, however, is so egregious in nature or so damaging to the educational environment that it requires more severe sanctions, including suspension or dismissal.

Remedies are designed to restore or preserve equal access to the University's education program or activity for the complainant. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

If there is a finding of responsibility for a policy violation, the determination of sanctions and remedies will be made by the hearing officer. The following are types of sanctions that may be imposed, individually or in various combinations, on any student found in violation of the policy. For full definitions, refer to the Haskell Community Standards: The Conduct Code:

- Status Sanctions:
  - o Warning
  - o Conduct Probation
  - o Suspension
  - o Expulsion
- Additional Sanctions: The following may be given in conjunction with any of the above:
  - o Loss of Campus Housing
  - o Loss of Privileges
  - o Restitution
  - o Educational Initiatives
  - o No Contact Order

The following are types of disciplinary action may be imposed, individually or in various combinations, on any employee found in violation of the policy:

- Verbal Warning
- Probation
- Written Warning
- Paid Administrative Leave/Suspended With Pay
- Unpaid Administrative Leave/Suspended Without Pay
- Termination/Recommendation for Termination
- No Contact Order

## APPEALS

The complainant and the respondent have equal rights to a fair and impartial appeal for a complaint dismissal or a determination made through a hearing. All appeals will be referred to an appeal officer. The appeal officer will not have served as an investigator or decision-maker in the previous steps of the process for the applicable case. The deadline for filing a written appeal is three business days from the date the parties are provided the written determination. If either party files an appeal, the Campus Advocacy Coordinator will notify the other party in writing and allow both parties to submit a written statement.

A complainant or respondent may file a written appeal with the Campus Advocacy Coordinator. The appeal must be on one or more of the following grounds:

- Procedural irregularity that would change the determination.
- New evidence that was not reasonably available at the time of the determination.
- A conflict of interest or bias by the Campus Advocacy Coordinator for or against complainants or respondents generally or the individual complainant or respondent that would change the determination.

The purpose of an appeal is not to initiate a review of substantive issues. The appeal officer may decide to uphold the original determination or to return the case for additional proceedings or other action based on the process under appeal and the ground.

Both parties will be notified simultaneously in writing of the outcome of the appeal and the rationale for each result.