



McPherson College

2019 Annual Security and Fire Safety Report

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McPherson College

2019 COMBINED ANNUAL SECURITY & FIRE SAFETY REPORT

October 1, 2019

Introduction

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

Policy for Preparing the Annual Report

This report is prepared by Office of Student Affairs, in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students that provides the website link to access this report. Faculty and staff receive similar notifications. Hard copies of the report may also be obtained at no cost by contacting 620-242-0500 or contacting the Office of Student Affairs located on the main level in Miller Library.

The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

Policies Concerning the Law Enforcement Authority of Campus Security Personnel

College's Campus Security Authorities are responsible for campus safety at the College. Their jurisdiction covers all campus property. The Campus Security Authorities are not commissioned law enforcement officers and do not carry weapons or have arrest authority. The Campus Security Authorities have a working relationship with local law enforcement agencies, including the McPherson Police Department, which assists the Campus Security Authorities when necessary. Though there is not a written memoranda of agreement pursuant to which local law enforcement investigate alleged criminal offenses, the College cooperates fully with local authorities.

Other Officials to Whom Crimes May Be Reported

The College also has designated other officials to serve as additional campus security authorities. Reports of criminal activity can also be made to these officials. They in turn will ensure that they are reported to the Office for Student Affairs for collection as part of the College's annual report of crime statistics. These additional campus security authorities are:

Dean of Students	620-242-0501
Director of Student Life & Service	620-242-0508
On-Call Assistant Director of Res Life	620-504-4807
Director of Facilities	620-242-0480
Maintenance and Safety Supervisor	620-242-0472
Director of Athletics	620-242-0578
Metzler Resident Director	620-242-0504
Dotzour Resident Director	620-242-0504
Harter Resident Director	620-242-0500
Partners in Family Care Health Clinic	620-242-0404
Counseling Services	620-241-2300

Policies on Reporting a Crime or Emergency

The College encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus to the campus security authorities and appropriate police agencies even when the victim of a crime elects not to do so or is unable to make such a report. Such reports should be made as follows:

- Situations that pose imminent danger or while a crime is in progress should be reported to local law enforcement by calling **911**. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred. After making the 911 call, also make a report to one of the campus security authorities identified above.
- Students, staff, and visitors should report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of the College staff will assist a student in making the report to the police.
- Anonymous incident reports can also be made.

The College has no officially recognized student organizations with off-campus locations. However, if criminal activity occurs while students are attending school sponsored events or training off campus, the reporting procedures are the same as those stated above.

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

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

Confidential Reporting

Campus Security Authorities will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity. Moreover, the College will withhold the identity of victims in publicly available records, to the extent permitted by law.

Any victim of a crime who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. With the victim's permission, a report of the details of the incident can be filed without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

The College encourages pastoral counselors and other professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

- Annual Self-Defense Training lead by a member of the McPherson Police Department
- Security and safety procedures are discussed with new and continuing students and staff within each individual department of the school at the beginning of term. This includes encouraging students to be alert to security situations and to assist the school in preventing crimes from occurring through awareness and communication. Students are highly encouraged to develop and present their own crime prevention programs to other students and staff.
- Employees and students are informed about the prevention of crimes through written communication from school management, via campus postings, email distribution, or internet posting.

Security of and Access to Campus Facilities

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members. The residence halls are locked at all times. Residence Life Staff performs random “walk-throughs” in the residence halls from 10:00 p.m. until 1:00 a.m. each night.

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

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

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

Employees must adhere to policies regarding unauthorized access to school facilities, theft of, or damage to, school property, or other criminal activity. In particular, rendering inoperable or abusing any fire prevention or detection equipment is prohibited. Violation of these policies may lead to disciplinary action, up to and including termination and the filing of charges with law enforcement authorities.

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

McPherson College began implementing a keyless entry system to control exterior doors in its buildings in January of 2017.

Security Considerations in the Maintenance of Facilities

Security also is a consideration in maintaining campus facilities. For example, maintenance personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells. They also check to ensure door locks are functional and that landscaping does not affect pathways or otherwise create risks for those passing by to be suddenly attacked.

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Dean of Students constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community. This warning will be communicated to students and employees by using the RAVE alert system,

email, and social media when appropriate. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to either Dean of Students or Director of Facilities.

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

Emergency Response and Evacuation Procedures

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, or armed intruders. The College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response. Students, staff and visitors are encouraged to notify Dean of Students, 620-242-0501, or Director of Facilities, 620-242-0480, of any situation that poses such a threat.

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

Once the emergency is confirmed, the College community, or appropriate segments of it, will be notified. The Office of Student Affairs, in collaboration with other appropriate personnel, will determine who should be notified and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Office of Student Affairs will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

- RAVE Alert System
- Email
- Social Media
- Face to Face

- Text Messaging

In the event information needs to be shared with the larger community, notifications to specified stakeholders can be shared via RAVE alert, email, social media, or press release.

The College tests its emergency response and evacuation procedures at least once a year. Also, at various times the Emergency Management Team will meet to train and test and evaluate the College's emergency response plan. The Maintenance and Safety Supervisor maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College's emergency response and evacuation procedures.

Missing Person Procedures

If a member of the College community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Office of Student Affairs. Anyone receiving a missing person report will immediately notify the Campus Security Authorities and an investigation initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the College only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the College will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to designate a confidential contact may do so by completing a document during the check in process. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement in furtherance of the investigation.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the College will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the College will also notify that student's parent or legal guardian immediately after the College has determined that the student has been missing for 24 hours.

Policy, Procedures and Programs Related to Various Sex-Related Offenses, including Sexual Assault, and Domestic Violence, Dating Violence, and Stalking

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act ("VAWA"), the College prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, and acts of domestic violence, dating violence, sexual violence (including sexual assault) and stalking. The College also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to these laws and institutional policy. The College's Sexual Violence policy is used to address complaints of this nature. This policy and the procedures for filing, investigating and resolving complaints for

violations of that policy may be found at <http://www.mcpherson.edu/admin-policies/adm-150-sexual-violence/>.

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

Primary Prevention and Awareness Program

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming and new employees. In it they are specifically advised that the College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. In that regard, they are informed of the following definitions apply within the state of Kansas:

- ***Domestic Violence*** – Kan. Stat. Ann. § 21-5111
 - (i) “Domestic violence” means an act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member. For purpose of this definition:
 - (1) “Dating relationship” means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.
 - (2) “Family or household member” means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and person who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. Family and household member also includes a man and woman if the woman is pregnant and the man is the alleged father, regardless of whether they have been married or have lived together at any time.
- ***Domestic Battery*** (also a form of domestic violence) – Kan. Stat. Ann. § 21-5414

- (1) Knowingly or recklessly causing bodily harm by a family or household member against a family or household member; or
 - (2) Knowingly causing physical contact with a family or household member by a family or household member when done in a rude, insulting or angry manner.
- ***Dating Violence*** – Dating violence is not specifically defined in the Kansas statutes but it is captured under the definition of domestic violence above where there is an act or threatened act of violence with whom the offender is involved or has been involved in a dating relationship.
 - ***Sexual Assault*** – Sexual assault is not specifically defined in Kansas statutes and it is a broad term that can cover various types of sexual offenses. Below are the Kansas statutory definitions for Rape, Criminal Sodomy, and Sexual Battery, all of which could be classified as sexual assault.

Rape – Kan. Stat. Ann. § 21-5503

(a) Rape is

- (1) Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances:
 - (A) When the victim is overcome by force or fear; or
 - (B) When the victim is unconscious or physically powerless;
- (2) Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender;
- (3) Sexual intercourse with a child who is under 14 years of age;
- (4) Sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or
- (5) Sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure within the scope of the offender's authority.

Criminal Sodomy; Aggravated Criminal Sodomy – Kan. Stat. Ann. § 21-5504

(a) Criminal sodomy is:

- (1) Sodomy between persons who are 16 or more years of age and members of the same sex;
- (2) Sodomy between a person and an animal;
- (3) Sodomy with a child who is 14 or more years of age but less than 16 years of age; or
- (4) Causing a child 14 or more years of age but less than 16 years of age to engage in sodomy with any person or animal.

(b) Aggravated criminal sodomy is:

- (1) Sodomy with a child who is under 14 years of age;
- (2) Causing a child under 14 years of age to engage in sodomy with any person or an animal; or
- (3) Sodomy with a victim who does not consent to the sodomy or causing a victim, without the victim's consent, to engage in sodomy with any person or an animal under any of the following circumstances:
 - (A) When the victim is overcome by force or fear;
 - (B) When the victim is unconscious or physically powerless; or
 - (C) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.

Sexual Battery; Aggravated Sexual Battery – Kan. Stat. Ann. § 21-5505

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

(b) Aggravated sexual battery is the touching of a victim who is 16 or more years of age and who does not consent thereto with the intent to arouse or satisfy the sexual desires of the offender or another and under any of the following circumstances:

- (1) When the victim is overcome by force or fear;
- (2) When the victim is unconscious or physically powerless; or
- (3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.

- The College has determined, based on good-faith research, that ***Consent***, as it relates to sexual assault, is not specifically defined under Kansas law. Generally, consent refers to a person affirmatively agreeing to sexual contact pursuant to his or her own free will.

- ***Stalking*** – Kan. Stat. Ann. § 21-5427

(A) Stalking is:

- (1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear;
- (2) Engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person's safety or the safety of a member of such person's immediate family; or
- (3) After being served with, or otherwise provided notice of any protected order...that prohibits contact with a targeted person, recklessly engaging in at least one act listed in subsection (f) (1) that violates the provisions of the order

and would cause a reasonable person to fear for such person's safety, or the safety of a member of such person's immediate family and the targeted person is actually placed in such fear.

...

(f) As used in [the definition of stalking]:

(1) "Course of conduct" means two or more acts over a period of time, however short, which evidence a continuity of purpose. A course of conduct shall not include constitutionally protected activity nor conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct shall include, but not be limited to, any of the following acts or a combination thereof:

(A) Threatening the safety of the targeted person or a member of such person's immediate family;

(B) Following, approaching or confronting the targeted person or a member of such person's immediate family;

(C) Appearing in close proximity to, or entering the targeted person's residence, place of employment, school or other place where such person can be found, or the residence, place of employment or school of a member of such person's immediate family;

(D) Causing damage to the targeted person's residence or property or that of a member of such person's immediate family;

(E) Placing an object on the targeted person's property or the property of a member of such person's immediate family, either directly or through a third person;

(F) Causing injury to the targeted person's pet or a pet belonging to a member of such person's immediate family;

(G) Any act of communication;

(2) "Communication" means to impart a message by any method of transmission, including, but not limited to: Telephoning, personally delivering, sending or having delivered, any information or material by written or printed note or letter, package, mail, courier service or electronic transmission, including electronic transmissions generated or communicated via a computer

(3) "Computer" means a programmable, electronic device capable of accepting and processing data;

...

(5) "Immediate family" means father, mother, stepparent, child, stepchild, sibling, spouse or grandparent of the targeted person; any person residing in the household of the targeted person; or any person involved in an intimate relationship with the targeted person.

The PPAP also informs incoming students and new employees that the majority of sexual offenses that occur on campus communities are committed by people known by their victims. Often, these types of assaults are not reported to police or campus authorities because people do not think this unwanted sexual contact constitutes sexual assault since they know the assailant. These assailants, however, are able to continue to exploit people by manipulating that trust. Reporting these incidents will significantly decrease the likelihood that the perpetrator can subject another person to this type of victimization.

The PPAP includes instruction on how to avoid becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction. Specifically they are advised:

- If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:
 - Make your limits known before going too far.
 - You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
 - Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
 - Grab someone nearby and ask them for help.
 - Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
 - Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
 - Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

- If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:
 - Remember that you owe sexual respect to the other person.
 - Don’t make assumptions about the other person’s consent or about how far they are willing to go.
 - Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
 - If your partner expresses a withdrawal of consent, stop immediately.
 - Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
 - Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
 - Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be

afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.

- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.
- It is also important to be aware of the warning signs of an abusive person. Some examples include:
 - Past abuse
 - Threats of violence or abuse
 - Breaking objects
 - Using force during an argument
 - Jealousy
 - Controlling behavior
 - Quick involvement
 - Unrealistic expectations
 - Isolation
 - Blames others for problems
 - Hypersensitivity
 - Cruelty to animals or children
 - “Playful” use of force during sex
 - Jekyll-and-Hyde personality

PPAP instruction also includes encouraging individuals to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

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

The College’s PPAP program also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of domestic violence, dating violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in that proceeding, available resources, etc. Some of this information is set forth in the forthcoming sections of this report.

The PPAP is carried out by on-line presentations, distribution of written material, periodic e-mail blasts and articles in the College's newspaper.

Ongoing Prevention and Awareness Campaign

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is aimed at increasing the understanding of students and employees on these topics and improving their skills for addressing the offenses of domestic violence, dating violence, sexual assault, and stalking.

The OPAC is carried out through essentially the same means as the PPAP, using a range of strategies with a variety of audiences throughout the College.

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

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call 911 or the Office of Student Affairs, 620-242-0500. At the earliest opportunity, you should also contact the College's Title IX Coordinators, Vice President for Academic Affairs 620-242-0506 and/or Director of Human Resources 620-242-0454. Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported.
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. Victims will be provided information on where a forensic examination can be obtained. Therefore, victims should follow these guidelines:
 - Do not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
 - Don't bathe or wash, or otherwise clean the environment in which the assault occurred.
 - Options for pressing charges can be deferred, if you will go to the local hospital emergency room and ask for an exam and for evidence of the sexual assault to be collected and sealed.

Victims of stalking should also preserve evidence of the crime to the extent possible.

3. The victim's options regarding notification to law enforcement, which are:
 - The option to notify either on-campus or local police;
 - The option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses; and
 - The option to decline to notify such individuals.

4. Where applicable, the rights of victims and the College’s responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Restraining Orders

Any student or employee who has a restraining order, order of protection, no contact order or any other such order issued by a court against another individual (whether or not that individual is also a student or employee of the College) is highly encouraged to notify the a campus security authority of the threat and to provide a copy of the restraining order so that it is kept on file with the Office of Student Affairs and can be enforced, if necessary.

Available Victim Services

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

Counseling.....	620-241-2300
Dean of Students.....	620-242-0501
Partners in Family Care Health Clinic.....	620-242-0404
McPherson Police Department.....	620-245-1200
Sexual Assault/Domestic Violence Center.....	1-800-701-3630/620-663-2522

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If victims request these accommodations and they are reasonably available they will be provided, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. The notification will include a name and contact information for the victim to contact in order to request an accommodation. The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College’s ability to provide them. In the event it is necessary to disclose the accommodation or protective order in order to provide it, the College will inform the victim of that necessity.

Geographical Definitions

On Campus - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non Campus Building or Property - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Student Housing Facility – Any student housing facility that is owned, controlled or rented by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

Public Property - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

COMMUNITY CODE AND CAMPUS JUDICIAL PROCESS

Purposes of Community Code

McPherson College strives to allow students to grow as persons and to learn, and works to provide an environment that serves to that goal. It is thus important that all members of the College community conduct themselves responsible and in a way that is consistent with the mission of the College. When we become members of the College community we agree to comply with the College's policies and rules. When these are violated, the community is harmed. The Community Code has been established to maintain standards of conduct, and to protect the rights of everyone.

Discipline

Ideally, discipline is an educational process by which a student's behavior is responded to constructively and in a way that serves the welfare of the student, the other members of the College community, and the public at large. The seriousness of discipline for a particular violation of the Code will depend, for example, on the nature of the misconduct and the student's previous conduct. The College will suspend or dismiss a student only with great reluctance, but must reserve the right to do so when the misconduct is serious enough to warrant it. In the event that the Dean of Students (or his or her designee) judges that a student presents a serious potential threat to the safety of him or herself or others or to property, the student can be dismissed from campus immediately until such time as it is safe to re-admit the student to the campus. Discipline for Code violations may include the following: oral and/or written warning, disciplinary probation, fine, restitution, referral for counseling, physical, chemical, or mental health evaluation, alcohol assessment, suspension, dismissal, or any appropriate combination. When the discipline includes a fine or restitution, the payment due date will be given on the written notice.

1. **WARNING PROBATION** - This involves a written reprimand which indicates that further violations will result in more severe disciplinary action. It is imposed for a specific period of time and may carry any appropriate conditions. A record will be kept in the office of the Dean of Students.

2. **DISCIPLINARY PROBATION** - This is imposed in most cases upon one who is currently on Warning Probation. It may state that further violations of College rules may result in suspension. It may also provide other conditions, such as that the student shall not hold office in a campus organization or shall not represent the College in intercollegiate events. The probation is imposed for a specific period of time. A review will be held at the end of the probationary period to determine whether the student has satisfactorily completed the probation.

3. **SUSPENSION** - Suspension is used for serious and/or repeated violations of the College Community Code. The individual is separated from the College for a specified time. Conditions may be placed on the student's right to return following the suspension.

4. **DISMISSAL** - Dismissal is the most serious discipline. When a person is dismissed, he or she is separated from the College indefinitely or permanently. A record of all disciplinary actions will be placed in the student development file, which is kept in the office of the Dean of Students. A student's prior violations are considered if a student again violates the Community Code. Students suspended or dismissed because of misconduct are not entitled to any refunds.

Appeal Rights

If a party to a disciplinary case believes the procedure or the result was unfair, the decision can be appealed. The process is specified below under "Disciplinary Procedure."

Violations of the Law

Members of the College community should remember that College discipline is not a shelter from the law and that the College may cooperate with police or other authorities in the investigation of possible crimes. Students who violate the law, either on or off campus, may be prosecuted by civil authorities, whether or not the College has disciplined the offending student.

Standards of Conduct

Anti-Discrimination (Including Anti-Harassment) Policy

McPherson College is committed to maintaining respect for individuals without regard to race, color, creed, religion, sexual orientation, national or ethnic origin, or physical or mental limitations. All members of the College community should be free from harassment and unfair discrimination, which destroy opportunities for learning and for developing strong relationships, positive self-concepts, and self-confidence, deny the community an opportunity to be a living, learning, and supportive place, may violate the law, and may impose upon the College a legal duty to take action. So that McPherson College may have a healthy community that respects the value and rights of all persons, all forms of harassment or other discrimination on grounds of race, color, creed, religion, sexual orientation, sex, national origin, ethnicity, or physical or mental limitations ("prohibited grounds") are prohibited.

Policy Against Harassment

Abuse of anyone on any of the prohibited grounds (“Harassment”) subverts the mission of the College and threatens the well-being of students, faculty, and staff. It can also violate federal and state law. So that the College may provide an environment which emphasizes respect for the dignity of all persons, harassment will not be tolerated at McPherson College.

For the purposes of the policy, harassment includes, but is not limited to, the following:

1. Uttering or making any slurs against a student, College employee, or visitor to a College facility on racial, ethnic, sexual, or other prohibited grounds;
2. Using mail, electronic mail, or telephone communications to harass anyone on any prohibited grounds;
3. Threatening, or directing violence toward, anyone because of any prohibited grounds;
4. Posting words or pictures that insult any individual or group on racial, ethnic, sexual, or any other prohibited grounds;
5. Defacing signs or other property in a way that insults any individual or group on racial, ethnic, sexual, or other prohibited grounds;
6. Engaging in speech or actions on the basis of race, ethnicity, sex, or other prohibited grounds that have the purpose or effect of unreasonably interfering with anyone’s work or academic performance or of creating an intimidating, hostile, or offensive working, living, or academic environment.

Special Statement on Sexual Harassment

Sexual harassment is one kind of discrimination based on sex. In the academic setting, sexual harassment subverts the mission of the College and threatens the careers of students, faculty, and staff. In order to provide an environment which emphasizes respect for the dignity of all persons, McPherson College prohibits sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of the sexual nature constitute sexual harassment when:

1. Submission to such conduct is explicitly or implicitly made a term or condition of, or is promised or represented to be an opportunity for employment or academic advancement,
2. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance or of creating an intimidating, hostile, or offensive working, living, or academic environment.
4. Sexual harassment can occur when a faculty member or supervisor unfairly exploits power over students or subordinates, but may also occur between persons having the same College status, i.e., student-student, faculty-faculty, staff-staff. Both men and women can be sexually harassed.

Other Prohibited Campus Conduct

1. Conduct that improperly disturbs other members of the campus community is prohibited. The prohibited conduct includes (for example) the following:
 - a. Interference, obstruction, or disruption:

- i. Research, recreation, study, meetings, assemblies, convocations, public events, or disciplinary proceedings.
 - ii. Interfering with, obstructing, or disrupting the freedom of expression or movement of students or other members of the College community or their guests, including (for example) speakers invited by the College or speaking with the College's permission.
 - iii. Breach of peace or disorderly conduct.
 - iv. Lewd, indecent, or obscene words, gestures, or behavior.
 - v. Engaging in, assisting, inciting, or arming someone for a riot or public disturbance.
 - b. Interfering with, obstructing, or disrupting police or fire responses, including (for example):
 - i. Resisting arrest.
 - ii. Failing to abide by lawful orders of a duly appointed officer of the College, or public official or officer, for a crowd to disperse. (This policy will not be construed to deny any student the right of peaceful, non-disruptive assembly.)
 - iii. Tampering with, impairing, disabling, or misusing fire protection systems, such as smoke detectors, fire extinguishers, sprinklers, or alarms.
 - iv. Failing to evacuate during a fire alarm.
 - v. Committing arson or setting fires.
 - c. Failing to comply with the directions of College officials who are performing their duties.
 - d. Entering or using a College facility in any way that is unauthorized, illegal, or otherwise prohibited, or using College property for any unauthorized or illegal purpose.
2. Stealing, knowingly possessing stolen property, taking property of another without permission, even with the intent to return it, embezzling, or issuing checks with insufficient funds or drawn from closed accounts, is prohibited.
3. Providing false information to College officials or any hearing officer, panel, or board, improperly attempting to influence a judicial body, or retaliating against anyone for, or using intimidation or threats to discourage anyone from, participating in a disciplinary process, is prohibited.
4. Stalking, which is a pattern of conduct that is intended to cause, or does reasonably cause, a person to fear for his or her privacy or safety, such as following or unwanted telephone calls placed repetitively or during normal sleeping hours.
5. Hazing, this includes any action that recklessly or intentionally endangers or harms the health, safety, or welfare of an individual as a condition of initiation or admission into the College or any organization at the College. Hazing includes any abuse of a mental or physical nature, forced consumption of any food, liquor, drugs, or other substances, any forced physical activity that could harm the health or safety of the individual, or any forced activity subjecting the individual to embarrassment or humiliation. (In the preceding sentence, an activity is "forced" if it is a condition of initiation or admission as described above.) A victim's consent to hazing is no defense.
6. Failing to abide by, or to complete in a satisfactory manner, any discipline imposed on the student by the College is cause for additional discipline.

7. The College prohibits violating any housing or residence life policies, such as by:
 - a. Violating the noise policy.
 - b. Throwing items of any kind from windows, balconies, roofs, etc.
 - c. Improperly placing personal trash in hallways, bathrooms, or other common areas.
 - i. Engaging in any of the following in hallways, lounges, resident rooms, or common areas of a building (except in designated areas), in other prohibited areas, or in any campus area where non-participants could be inconvenienced or endangered: a) playing any type of game involving running, jumping, throwing, or similar physical activity (for example Frisbee, hockey, golf, darts); b) kicking or throwing balls or snowballs; c) participating in water fights; or d) bicycling, skateboarding, or in-line skating.
 - d. Engaging in any of the following in resident rooms, common areas, or areas surrounding or adjacent to the residence halls:
 - i. maintaining open flames;
 - ii. burning incense or candles;
 - iii. using barbecues or grills;
 - iv. using prohibited appliances;
 - v. possessing any of these items, even if meant for display only;
 - vi. or cooking (meal preparation).
 - e. Failing to instruct guest(s) as to College or residence hall rules and policies. Residents are accountable for the conduct of their guests and all activities in their rooms.
 - f. Knowingly allowing any alcoholic beverage, drugs or drug paraphernalia to remain in one's room at a residence hall in violation of this Code without informing the proper College authorities.

Sexual Violence Policy

This policy applies equally to all members of the McPherson College community: students, faculty, administrators, staff, contract employees, and visitors.

The college is committed to providing an institutional environment where all persons may pursue their studies, careers, duties, and activities in an atmosphere free of threat of unwelcome and unwanted sexual actions. It strongly condemns sexual offenses, will not tolerate sexual offenders, and supports those who have been victimized.

Sexual assault includes the attempt or act of rape (sexual intercourse without consent or with a child under the age of thirteen, by a stranger, an acquaintance or an intimate), forced sodomy (forced oral or anal sex), or the forced penetration by a foreign object either animate, such as a finger, or inanimate. Non-penetration sexual assault includes the act of touching an unwilling person's intimate parts such as genitalia, anus, groin, breast, or buttocks, or the clothing covering these parts, or forcing an unwilling person to touch another's intimate parts.

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of the relationship is determined by the following indicators: length of the relationship, type of relationship, and frequency of interactions with the persons involved in the relationship.

Stalking is 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. Another indicator is when the person is suffering substantial emotional distress.

Domestic violence is considered a felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim. The person with whom the victim shares a child in common, cohabitates with or has in the past with the victim, or by a person who is similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from the person's acts under the domestic or family violence laws of the jurisdiction.

The above acts constitute sexual assault when they are committed against a person's will as evidenced by refusal of consent or through the use of force, threat, manipulation, or intimidation, or against a person who, by virtue of mental incapacity or physical helplessness, is unable to give or withhold consent. This includes, but is not limited to, incapacity or helplessness caused by alcohol or other drugs. Intoxication of the assailant shall not diminish the assailant's responsibility for the sexual assault.

The college will respond promptly, fairly, and decisively to all reports of sexual assault. Additionally, members of the college community, if made aware of an alleged incident of sexual assault, shall be mandated to promptly report the alleged incident to the Title IX Coordinator for prompt investigation in a discrete and confidential manner.

Members of the college community accused of sexual assault, if the allegation is found, will be subject to the college's disciplinary policies when the alleged incident has occurred on-campus or when the incident has occurred off campus and materially affects the learning environment or operations of the college. Person(s) accused of such behavior also have the right to appeal any disciplinary process, as well as the victim. Members of the college community, who are aware of an incident of sexual assault, and fail to report the incident to any of the designated parties in this policy, shall likewise be subject to the college's disciplinary policies.

Sexual assaults are serious violations of the college's student code of conduct, faculty standards and college employee and administrative policies. They are crimes under state law and punished by fines and/or imprisonment. In addition, these actions are subject to civil suit for damages.

This college policy is compliant with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) as amended in 1998, which requires all postsecondary institutions to publish and distribute certain information regarding campus crimes, including reports of campus sexual assault, sexual assault policies and security programming to all current students, employees, and to any applicant who so requests.

McPherson College shall make 24-hour assistance available to those, who have been affected by sexual assault, through the Title IX Coordinators.

Social Media Policy

McPherson College recognizes the power and ability of social media to build community, relationships, and promote free expression. Students should also be aware of the consequences of the abuse of social media. They should always keep in mind that information posted on social networks is public, and is a direct representation of themselves, their families, teams and/or McPherson College. Uncivil behavior and harassment will not be tolerated.

Please keep in mind the following guidelines as you participate on social networking web sites.

1. Before participating in any online community, be aware that any information you post becomes public knowledge. Whether it is a photo, video and/or text, that message becomes out of your control once posted online
2. You should not post information that would cause embarrassment to yourself, family, team or McPherson College.
3. Be aware that posting specific information such as your address, birthday, phone number, etc., puts you in a situation where you could be vulnerable to predators.
4. Exercise caution with who you add as a “friend” or “follower” on social networking sites. There are people looking to take advantage of students.
5. McPherson College staff can and do monitor these web sites
6. The use of college copyrighted material is prohibited.

Students could face discipline and even dismissal for violations of stated policies.

Off-Campus Conduct

Although the College is not legally responsible or financially liable for the behavior of students off campus, it does reserve the right to take disciplinary actions against students when their off-campus behavior violates College expectations and policies or when the behavior affects the College community. This rule applies whether or not the College sponsors the off-campus activities.

Campus Judicial Council

Membership on the Campus Judicial Council includes members of the Student Government Association. The Council may also include a Resident Director and/or an appointed designee (each chosen by the Dean of Students) to serve as advisors to the Campus Judicial Council. They are expected to attend all meetings of the Council. It will be their duty as advisors to see that the rights of all are respected, that proceedings are orderly and fair, that the actions of the Council are properly recorded, that such records are properly retained and that such records are properly retained, and that copies of such records are sent to the Dean of Students.

Conduct Committee

Membership of the Conduct Committee will include the Dean of Students, 2-3 faculty/staff representatives, and a student (if appointed by the Dean of Students). It is provided, however,

that the Dean of Students, within his/her discretion, may determine that the matter involves confidential information or sensitive statements and evidence and may convene a limited Committee consisting only of faculty or college officials. Unanimous attendance of the Committee is not required to conduct the hearing and the Dean of Students shall have the discretion to determine whether the Committee's attendance is sufficient to proceed with the hearing. After statements and evidence have been presented to the Conduct Committee, they make the final decision and may impose any appropriate sanctions on the student(s). If the Conduct Committee determines that the appropriate sanction is dismissal from the institution, the Conduct Committee shall recommend to the President that the student(s) be dismissed from the institution. In such instances, the affected student shall be notified, in writing, of this recommendation and shall be allowed the opportunity to submit a written statement in response to that recommendation. In any case involving suspension or dismissal, the student may request a meeting with the President of the College. Such request must be in writing and must be delivered to the office of the President by the end of the second class day following delivery of the Disciplinary Investigator's final decision to the student (or within such extended time as the President may decide to allow if the student can show that he or she did not, under the circumstances, have a reasonable opportunity to file a request timely). When such a proper request has been made, the President shall meet with the student at the earliest reasonable opportunity. The length and conduct of the meeting shall be under the control of the President. What, if any, additional hearing shall be held or evidence considered shall be at the sole discretion of the President. The President's written decision need not contain factual findings or detailed reasons and shall be final.

Procedural Principles

Disciplinary investigations and hearings cannot and will not be conducted in the manner of civil courts, and proceedings are not governed by technical rules of evidence and procedure. It is important, however, that the basic rights of members of the campus community be protected. The following Principles of Procedure set forth to protect the rights of individuals shall guide all judicial boards on campus, subject to a) the specific procedural provisions of the Community Code and b) the reasonable discretion of all such boards.

1. The individual accused shall be timely informed of the alleged violation so that he/she will have a reasonable opportunity to prepare a response.
2. The accused will have the right to select a non-attorney to accompany her/him at any formal hearing.
3. The accused shall know who lodged the complaint.
4. The accused will be given an opportunity to offer a defense. The type and scope of the defense the student may present will depend on circumstances, for example on the seriousness of the offense charged.
5. Records of hearings should be kept, but need not be verbatim or formal.
6. Suspensions or dismissals take effect only when approved by the President of the College, or his or her designee, but such approval need not be in writing.

Campus Judicial Procedures

The office of the Student Affairs coordinates all student disciplinary proceedings. This Office shall act as the investigator in a campus incident, unless the Dean of Students is a witness or otherwise might suffer from a conflict of interest; in such event, a designee shall serve as investigator. Judicial procedure shall incur according to the following steps:

1. Any member of the Services staff has witnessed a violation of the Community Code or has received a verbal or written complaint that the Community Code has been violated. Complaints may be made by faculty, administrators, staff, students or others.
2. The violation is investigated by the Student Affairs Staff.
3. After the Student Affairs staff has interviewed witnesses and investigated the incident, a written documentation of the incident is recorded and electronically provided to the office of the Dean of Students.
4. Once the Office of Student Affairs has received the electronic documentation of a campus incident, the Dean of Students evaluates the incident. The Dean of Students shall have the right to ask any witnesses to provide additional information and/or to put an oral complaint into written form.
5. In response to the documentation received, the Dean of Students may choose to take no action, may initiate further investigation, may suggest that the aggrieved party pursue an informal solution to the problem or impose a sanction and fine. If the discipline chosen by the Dean of Students does not consist of suspension or dismissal, paragraphs 1 through 7, below, shall govern. If, however, the discipline chosen consists of suspension or dismissal, then paragraphs 8 through 13, below, shall govern.

Steps for discipline when there is no suspension or dismissal

1. The Dean of Students shall state in writing a) whether he or she finds that the alleged offender has violated the Community Code, b) if so, how it was violated, and c) the discipline, if any, to be imposed.
2. If the violation is considered a minor violation of community code, the disciplinary action will be recommended and a sanction will be determined by the Dean of Students. This statement (the "Findings") shall be delivered to the student through electronic mail as soon as possible. A copy shall be retained in the office of the Dean of Students.
3. If a student wishes to dispute any portion of the Findings, he or she must file a written statement that he or she desires to appeal the Findings. This statement must be filed, in the office of the Dean of Students, within 48 hours from when the Findings are delivered to the student. The Dean of Students may extend the time for appeal in any situation where the student convinces the Dean of Students that he or she did not under the circumstances have a reasonable opportunity to file an appeal timely. If no timely appeal is filed, the Dean of Students shall cause the findings to be final.
4. If an appeal has been properly filed, the case shall be heard by the Campus Judicial Council, which shall review the Findings and other records and documents, allow the student to present evidence and argument, and/or consider such other testimony and other evidence as it may decide is relevant and appropriate.
5. The Judicial Council shall then make its written recommendation to the Dean of Students. A majority of the members of the Campus Judicial Council who are considering the case shall be sufficient to make a recommendation. The Council may recommend that the

previously imposed discipline stand, that lesser discipline be imposed, that the case be dismissed, or that there be further investigation, and shall briefly state its reasons.

6. The Dean of Students shall consider the recommendation of the Campus Judicial Council, but shall not be bound by it, and shall take such action on the recommendation as he or she believes to be appropriate in the given case. The Dean of Students shall then issue a written decision on the Campus Judicial Council's recommendations, summarizing the relevant facts and stating the discipline, if any, to be imposed, and deliver it through electronic mail.
7. The decision of the Dean of Students shall be final.

Steps for discipline where there is suspension or dismissal.

8. If the Dean of Students has decided that the student's disciplinary actions warrants a possibility of suspension or dismissal, whenever possible the Conduct Committee will be held to determine institution action. The statement of findings shall be delivered to the student through electronic mail as soon as possible and a copy of said findings shall be mailed to the parents of said student.
9. If a student wishes to dispute any portion of the Findings, he or she must file a written statement that he or she desires to appeal the Findings. This statement must be filed, in the office of the Dean of Students, within 48 hours from when the Findings are delivered to the student. The Dean of Students may extend the time for appeal in any situation where the student convinces the Dean of Students that he or she did not under the circumstances have a reasonable opportunity to file an appeal timely. If no timely appeal is filed, the Dean of Students shall cause the findings to be final.
10. If an appeal has been properly filed, the case shall be heard by the Conduct Committee, which shall review the Findings and other records and documents, allow the student to present evidence and argument, and/or consider such other testimony and other evidence as it may decide is relevant and appropriate.
11. The Conduct Committee shall then make its written recommendation to the Dean of Students. A majority of the members of the Conduct Committee are considering the case shall be sufficient to make a recommendation. The Committee may recommend that the previously imposed discipline stand, that lesser discipline be imposed, that the case be dismissed, or that there be further investigation, and shall briefly state its reasons.
12. The Dean of Students shall consider the recommendation of the Conduct Committee, but shall not be bound by it, and shall take such action on the recommendation as he or she believes to be appropriate in the given case. The Dean of Students shall then issue a written decision on the Conduct Committee's recommendations, summarizing the relevant facts and stating the discipline, if any, to be imposed, and deliver it through electronic mail.
1. In any case involving suspension or dismissal, the student may request a meeting with the President of the College. Such request must be in writing and must be delivered to the office of the President by the end of the second class day following delivery of the Disciplinary Investigator's final decision to the student (or within such extended time as the President may decide to allow if the student can show that he or she did not, under the circumstances, have a reasonable opportunity to file a request timely). When such a proper request has been made, the President shall meet with the student at the earliest

reasonable opportunity. The length and conduct of the meeting shall be under the control of the President. What, if any, additional hearing shall be held or evidence considered shall be at the sole discretion of the President. The President's written decision need not contain factual findings or detailed reasons and shall be final.

Consequences and Fines

In the event a fine is assessed to a student who has violated the Community Code, the following shall apply:

Alcohol	1st offense fine up to \$100
	2nd offense fine up to \$200
	3rd offense min. suspension max expulsion
Alcohol and Disruptive/Destructive Acts of	1st offense an additional fine of \$150
	2nd offense min. additional fine of \$250/max suspension
	3rd offense min. suspension/max. expulsion
Drugs	Min. suspension/max expulsion
Open flame	Up to \$50
Visitation hours	1-30 minutes = \$25.00
	30 + minutes = \$50.00
Quiet hours/Noise Violations	Up to \$50
Mattress replacement	\$120
Room cleaning	\$100
Apartment cleaning	Up to \$200
Screen replacement	\$25
Removal of furniture	\$75
Removal of personal property	\$75
Improper check-out	\$100
Replacement of ID card	\$10
Unauthorized use of college furniture	\$100
Tampering with AC/fire alarm	\$50
Lock out	up to \$50
Parking violations	up to \$150
Unauthorized use of keys	Depends on infraction
Tobacco	Minimum warning/Max up to \$100 fine
Pets	Minimum warning/Max up to \$250 fine
Scaling buildings	Minimum warning/Max up to \$250 fine
Fire Extinguishers	\$500

Publicly Available Recordkeeping

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

Victims to Receive Written Notification of Rights:

When a student or employee reports to the College that he or she has been a victim of sexual misconduct – including domestic violence, dating violence, sexual assault, and stalking – and whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above, including available resources, protective measures, and a description of the College’s policies and procedures for addressing sexual misconduct.

Sex Offender Registration Program

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting The Office of Student Affairs, 620-242-0500. The Kansas Bureau of Investigation maintains a general registry of sex offender information, which may be accessed at the following link: <http://www.accesskansas.org/kbi/ro.shtml>.

Drug and Alcohol Policy

With increased emphasis from Federal and State governments about illegal use, sale, and possession of alcohol and drugs, and an increased concern from campus about abuse and misuse of alcohol, effective and consistent enforcement of the alcohol policy is a crucial part of maintaining a quality living and learning environment. The College enforces federal and state laws regarding underage drinking and drugs. In addition to enforcement, another responsibility is informing and educating students about the policy and their responsibilities with it, educating about alcohol and drugs to help reduce abuse and misuse, intervening when behaviors show misuse and abuse, and making disciplinary responses which have developmental and learning components.

The Community has a shared responsibility with other student leaders and college personnel to inform educate and support students in making responsible choices pertaining to alcohol and other drugs. Constant monitoring of behavior and promotion of responsible decision making is necessary by all of parties.

Visit <http://www.mcpherson.edu/students/resources/> for more information about policies.

Crime Statistics

The Clery Act requires institutions of higher education to disclose crime statistics covering the previous three years on various crimes and offenses. The definitions of these offenses, consistent with FBI guidelines and VAWA regulations, are as follows:

Primary Crimes

- *Murder and non-negligent manslaughter:* The willful (non-negligent) killing of one human being by another.
- *Negligent manslaughter:* The killing of another person through gross negligence.
- *Sex offenses*
 1. *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.
 2. *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.
 3. *Incest:* Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 4. *Statutory Rape:* Sexual intercourse with a person who is under the statutory age of consent.
- *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.
- *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 weapons is used which could and probably would result in serious personal injury if the crime were successfully completed.)
- *Burglary:* The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: 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.

- *Motor vehicle theft*: The theft or attempted theft of a motor vehicle. (Classify 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.)
- *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.

Hate Crimes

Hate crimes involve those crimes motivated by the following biases: race, gender, religion, sexual orientation, ethnicity, disability, national origin, and gender identity. Hate crimes include all primary crimes (except negligent manslaughter) that were motivated by one or more of these biases. They also include the following crimes and offenses:

- *Larceny-theft* (except Motor Vehicle Theft): The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- *Simple assault*: An unlawful physical attack by one person upon another where the offender neither displays a weapon nor the victim suffers obvious severe or aggravated bodily injury, such as apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- *Intimidation*: Unlawfully placing 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.
- *Destruction/damage/vandalism of property*: Willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control of it.

Arrests and Disciplinary Referrals for Violations of Laws Related to Weapons, Liquor, and Drugs

Statistics must also be disclosed related to arrests and referrals for disciplinary action for violations of law relating to weapons, drugs or liquor. For this purpose, the following definitions apply:

- *Arrest*: A person processed by arrest, citation or summons.
- *Referral for disciplinary action*: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

- *Weapons (Carrying, Possessing, Etc.) Violations:* 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.
- *Drug Abuse Violations:* The violation 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.
- *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.

VAWA Crimes

VAWA also requires the disclosure of statistics for the following crimes:

- *Domestic violence:* A felony or misdemeanor crime of violence committed (A) by a current or former spouse or intimate partner of the victim; (B) by a person with whom the victim shares a child in common; (C) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (E) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- *Dating violence:* Violence by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- *Stalking:* Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or to suffer substantial emotional distress.

Crime Statistics

The statistical summary of the above crimes and offenses for this campus over the past three calendar years follows:

Offense	Year	On-Campus	On-Campus Student Housing Facilities	Public Property
Arson	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Criminal Homicide: Manslaughter by Negligence	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Criminal Homicide: Murder and Non-negligent Manslaughter	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
<u>Sex Offenses</u>				
Sex Offenses: Forcible	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

Rape	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Fondling	2013	0	0	0
	2014	0	1	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Sex Offenses: Non-Forcible	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Incest	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Statutory Rape	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

Robbery	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Aggravated Assault	2013	1	1	1
	2014	1	1	0
	2015	0	0	0
	2016	1	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Burglary	2013	0	0	0
	2014	0	0	0
	2015	2	0	0
	2016	1	1	0
	2017	0	0	0
	2018	0	0	0
	2019	1	0	0
Motor Vehicle Theft	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	1	1	0
	2017	3	0	6
	2018	4	4	0
	2019	0	0	0
Domestic Violence	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

Dating Violence	2013	0	0	0
	2014	1	1	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Stalking	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	2	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arrests: Weapons (Carrying, Possessing, etc.)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Disciplinary Referrals: Weapons (Carrying, Possessing, etc.)	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arrests: Drug Abuse Violations	2013	2	2	2
	2014	1	1	0
	2015	2	2	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

Disciplinary Referrals: Drug Abuse Violations	2013	0	0	0
	2014	0	0	0
	2015	1	1	0
	2016	3	3	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Arrests: Liquor Law Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
Disciplinary Referrals: Liquor Law Violations	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0

The campus had no reported hate crimes for the years 2013, 2014, 2015, 2016, 2017, 2018, or 2019.

No crime reports were determined to be “unfounded” and subsequently removed from the summary of crime statistics chart above.

2019 ANNUAL FIRE SAFETY REPORT

Housing Facilities and Fire Safety Systems

The College maintains on-campus housing for its students. These facilities were built at different times and have a variety of fire safety systems installed within them. Periodically the College also conducts fire drills. The following chart lists each housing facility, the fire safety system or systems within it and the number of fire drills conducted during the previous calendar year.

Fire Safety Systems in MC Residential Facilities 2019							
Facilities	Fire Alarm Monitoring	Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans	Evacuation Placards	Number of Evacuation drills per year
Metzler Hall 1808 E. Euclid St.	Alarm Central	NO	YES	YES	YES	NO	2
Bittinger Hall 1812 E. Euclid St.	Alarm Central	NO	YES	YES	YES	NO	2
Morrison Hall 1811 E. Gordon St.	Alarm Central	NO	YES	YES	YES	NO	2
Dotzour Hall 1515 E. Gordon St.	Alarm Central	NO	YES	YES	YES	NO	2
Harter Hall 400 N. Lehmer St.	Alarm Central	NO	YES	YES	YES	NO	2
Baer Apartments	NO	NO	YES	YES	YES	NO	0

Policies on Portable Appliances, Smoking and Open Flames

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: coffee makers, microwaves, and other approved appliances. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

The Office of Student Affairs and Facilities Management reserves the right to make periodic inspections of campus housing to ensure fire safety systems are operational and that the policy on prohibited items is being complied with. Prohibited items will be confiscated and donated or discarded if found without reimbursement.

Fire Evacuation Procedures

In the event of a fire, the College expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

Fire Education and Training Programs

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the College's fire safety policies.

Information distributed includes maps of each facility’s evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is instructed to shelter in place.

Reporting Fire

McPherson College is required to disclose each year statistical data on all fires that occurred in on-campus student housing facilities. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. However, there may be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the following person: Maintenance and Safety Supervisor, 620-242-0472. When notifying one of these individuals as much information as possible about the location, date, time and cause of the fire should be provided.

Plans for Future Improvements

McPherson College has a planned replacement/upgrade program for its fire alarm monitoring systems with the most recent upgrade being completed in December of 2017 to the Hoffman Student Union. Future upgrades include, Metzler Hall and two administrative buildings. In addition, any future work done to any college building as a renovation or new construction will always include applicable improvements to fire sprinkler systems, emergency lighting, exit signs, and portable extinguishers.

Fire Statistics

The McPherson College Facilities Management department maintains a fire statistics log of any fire or fire alarm that occurred in any of the college’s buildings. The log is maintained in the Furnas Maintenance building located at 320 N. Lehmer. McPherson College has not experienced a reportable fire incident.

McPherson College Fire/Fire Alarm Log					
DATE	LOCATION	CAUSE OF FIRE	NUMBER OF DEATHS	NUMBER OF INJURIES	DAMAGED PROPERTY VALUE
04/04/13	Melhorn Science Hall	Smoke scare, odor of smoke, not steam	0	0	0
05/02/13	Metzler Hall	Central station, malicious false alarm	0	0	0
05/11/13	Bittinger Hall	Smoke detector activation, no fire-unintentional	0	0	0
05/20/13	Dotzour Hall	Smoke detector activation, no fire-unintentional	0	0	0

06/03/13	Dotzour Hall	Alarm system activation, no fire-unintentional	0	0	0
07/31/13	Brown/Friendship/Mingenback	Smoke detector activation, malfunction	0	0	0
08/13/13	Metzler Hall	Alarm system activation, no fire-unintentional	0	0	0
09/14/13	Metzler Hall	Detector activation, no fire-unintentional	0	0	0
10/04/13	Bittinger Hall	Alarm system activation, no fire-unintentional	0	0	0
10/08/13	Metzler Hall	Alarm system activation, no fire-unintentional	0	0	0
10/12/13	Morrison	Smoke detector activation, no fire-unintentional	0	0	0
03/11/14	Metzler Hall	False alarm	0	0	0
05/03/14	Brown/Friendship/Mingenback	Gas check	0	0	0
07/15/14	Hess Fine Arts Center	Smoke detector activation, no fire-unintentional	0	0	0
08/07/14	Dotzour Hall	False alarm	0	0	0
11/01/14	Metzler Hall	Alarm system activation, no fire-unintentional	0	0	0
11/02/14	Metzler Hall	Smoke detector activation, no fire-unintentional	0	0	0
03/12/15	Dotzour Hall	Burnt food, no fire - unintentional	0	0	0
06/18/15	Dotzour Hall	Smoke detector activation, no fire-unintentional	0	0	0
09/17/15	Dotzour Hall	Smoke detector activation, no fire, bugs in system	0	0	0
10/31/15	Harter Hall	Smoke detector activation, no fire, freon leak	0	0	0
12/05/15	Dotzour Hall	Smoke detector activation, no fire, unintentional			
3/5/16	Metzler Hall	Fire Alarm - burnt food in lobby kitchen.	0	0	0
3/20/16	Metzler Hall	Fire Alarm - malfunction	0	0	0
4/18/16	Harter Hall	Fire Alarm - pull station activated. Malfunction	0	0	0

4/30/16	Metzler Hall	Fire Alarm - Malfunction	0	0	0
4/30/16	Metzler Hall	Fire Alarm - malfunction	0	0	0
6/26/16	Dotzour Hall	Fire Alarm - malfunction	0	0	0
6/26/16	Dotzour Hall	Fire Alarm - malfunction	0	0	0
6/26/16	Dotzour Hall	Fire Alarm - malfunction	0	0	0
8/25/16	Harter Hall	Fire Alarm - malfunction	0	0	0
8/25/16	Harter Hall	Fire Alarm - Smoke Detector Activation. Burn food in kitchen.	0	0	0
9/15/16	Morrison	Fire Alarm - Smoke Detector Activation. Burn food in kitchen.	0	0	0
9/25/16	Dotzour Hall	Fire Alarm - malfunction	0	0	0
10/31/16	Hess Fine Arts Center	Fire Alarm - malfunction	0	0	0
11/28/16	Student Union	Gas Check - check on the report of gas odor in the area of the back door. Checked area with gas detector. Nothing found.			
12/23/16	Melhorn Science Hall	Fire Alarm - malfunction	0	0	0
1/5/2017	Melhorn Science Hall	Smoke Detector Activation - no fire	0	0	0
2/12/2017	Dotzour	Detector Activation - no fire	0	0	0
2/20/2017	Metzler Hall	Alarm System Activation - no fire	0	0	0
3/16/2017	Metzler Hall	Smoke Detector Activation - no fire	0	0	0
4/18/2017	Mohler	Smoke Detector Activation - no fire	0	0	0
5/5/2017	Mohler	Alarm System Activation - no fire	0	0	0
5/6/2017	Metzler Hall	Alarm System Activation - no fire	0	0	0
8/26/2017	Harter Hall	Alarm System Activation - no fire	0	0	0
9/5/2017	Melhorn Science Hall	Smoke Detector Activation - no fire	0	0	0
9/15/2017	220 Baer	Unauthorized Burning	0	0	0
9/20/2017	Dotzour Hall	Smoke Detector Activation - no fire	0	0	0
9/28/2017	Melhorn Science Hall	Alarm System Activation - no fire	0	0	0
10/1/2017	112 Lakeside Dr.	Smoke Detector Activation - no fire	0	0	0
10/8/2017	Harter Hall	Smoke Detector Activation - no fire	0	0	0
10/20/2017	Sports Center	Detector Activation - no fire	0	0	0
10/27/2017	Metzler Hall	Smoke Detector Activation - no fire	0	0	0
11/2/2017	Dotzour Hall	Smoke Detector Activation - no fire	0	0	0
11/18/2017	Dotzour Hall	Alarm System Activation - no fire	0	0	0
12/2/2017	Morrison Hall	Smoke Detector Activation - no fire	0	0	0
12/9/2017	Sports Center	Smoke Detector Activation - no fire	0	0	0
12/20/2017	Dotzour Hall	Smoke Detector Activation - no fire	0	0	0
12/20/2017	Brown/Friendship/Mingenback	Alarm System Activation - no fire	0	0	0
10/10/2018	Metzler Hall	Fire Alarm – greaser on burner	0	0	0
10/27/2018	Bittinger Hall	Fire Alarm – burnt food	0	0	0
11/1/2018	Templeton Hall	Small gas issue with motorcycle; no FD response	0	0	0
1/15/2019	Harter Hall	Fire Alarm – burnt food	0	0	0

1/27/2019	Templeton Hall	Fire alarm – malfunction	0	0	0
1/27/2019	Templeton Hall	Fire alarm – malfunction	0	0	0
1/30/2019	Templeton Hall	Fire alarm – malfunction	0	0	0
1/30/2019	Templeton Hall	Fire alarm – malfunction	0	0	0
1/30/2019	Templeton Hall	Fire alarm – malfunction	0	0	0
2/16/2019	Dotzour Hall	Fire alarm – malfunction	0	0	0
2/23/2019	Dotzour Hall	Fire Alarm – burnt food	0	0	0
3/1/2019	Dotzour Hall	Fire Alarm – burnt food	0	0	0
3/20/2019	Dotzour Hall	Fire Alarm – burnt food	0	0	0
5/20/2019	Dotzour Hall	Fire Alarm – burnt food	0	0	0
5/25/2019	Harter Hall	Fire Alarm – burnt food	0	0	0
6/8/2019	Harter Hall	Fire Alarm – steam from shower	0	0	0
6/29/2019	Dotzour Hall	Fire alarm – malfunction	0	0	0