



# Sterling College

## **ANNUAL SECURITY & FIRE SAFETY REPORT | 2024**

125 W COOPER | Sterling, KS, 67579

## INTRODUCTION

*In compliance with the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics of 1998 (formerly the Crime Awareness and Campus Security Act of 1990)*

### THE ANNUAL DISCLOSURE OF CRIME STATISTICS

The Annual Security Report is a guide to the policies and procedures that Sterling College implemented for the safety and security of the campus community. You will find a combined annual security report and annual fire safety report, as well as statistics for the last three years.

The Office of Student Life prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding campus. It is the College policy that by October 1<sup>st</sup> of every year, each member of the campus community is sent a copy of this annual report by electronic mail along with a brief description of its contents as follows:

*SC Community,*

*A copy of Sterling College's Annual Security & Fire Safety Report is now available: <http://sterling.edu/student-life/safety-security>*

*This report includes statistics for the previous three years concerning reported crimes that occurred on-campus, and on public property within, or immediately adjacent to and accessible from the campus. The report also includes policies concerning campus security, such as policies concerning domestic violence, dating violence, sexual assault, or stalking and other matters. The report also includes policies concerning fire safety and fire statistics.*

*If you have trouble accessing the report on the website, you can obtain a paper copy of this report by contacting the Vice President for Student Life, Jason Briar, at 620-278-4232 or [jason.briar@sterling.edu](mailto:jason.briar@sterling.edu).*

Paper copies of the report may also be obtained at the Office of Student Life or by calling 620-278-4232. All prospective students and employees may obtain a paper copy from Human Resources by calling 620-278-4246. The Annual Security Report/Annual Fire Safety Report is also posted on the Sterling College's website at <http://sterling.edu/student-life/safety-security>. Prospective students and potential employees can learn about the Annual Security Report through the Admissions and Human Resource links on the SC website.

## **SECURITY AT STERLING COLLEGE**

At Sterling College, safety is a top priority. Campus security is a team effort that involves the cooperation of all those concerned: students, faculty, and staff. The Office of Student Life and the Sterling Police Department take a lead role and are an integral part of this team. Our goal is to foster a stable environment where security is balanced with freedom of movement on an open campus. Sterling College welcomes neighbors and visitors to enjoy the campus and to attend athletic and cultural events. The academic, athletic, and administrative buildings are open to all students, faculty, and staff. Access to residence halls is limited to students and guests as prescribed by student life policies enumerated in the *Student Handbook*.

## **CAMPUS WATCH CONCEPT**

Because Sterling College is a small community, each member plays a vital role in protecting campus residents and property. All campus community members are asked to report any suspicious person, activity, or security concern directly and immediately to student life staff, residence life staff, or the Sterling Police Department. The campus safety page on the website includes a “silent witness” link that provides a direct and anonymous way for any persons on campus to send a report to the VP for Student Life in cases where the reporting party wish to remain unknown. An investigation will then take place.

## **SECURITY STAFF**

The College recognizes that laws and rules are necessary for society to function and supports law enforcement by governmental agencies and rules by officials of the College. All persons on the campus are subject to these laws and rules at all times. While the College is private property, and Constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed. Additionally, the officers are invited to patrol the campus to assist in deterring crime.

As of August 4, 2014, a Memorandum of Understanding for policing services between the City of Sterling and Sterling College was established. The agreement states that the College requests and the City are willing to provide police service and secure coverage by on-duty police officers on college-owned and controlled properties within the City of Sterling. Sterling College and the City of Sterling agreed to have the Sterling Police provide police service and security coverage for the evening hours. A police officer will secure non-residential buildings throughout the night and walk the campus to ensure all non-residential buildings are secure. The police officer is also on duty for the city during the same time. It is expressly understood that City policing personnel shall endeavor to cooperate with college officials. Still, they will be under the direct supervision and control of the Chief of Police or their designee. That assigned personnel shall be regular employees of the City, subject to all rights, privileges, and duties of the police officers employed by the City.

During daytime hours, criminal incidents are referred to the local police, who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to Student Life and the appropriate police agency. Prompt reporting will ensure timely warning notices on-campus and timely disclosure of crime statistics. Because there is a resident director on duty 24/7, the residential life staff takes on significant responsibility for security on campus. After office hours, employees and students are trained to contact the RD on Duty for any non-emergency situation. All residential life staff is trained in CPR and first aid before the beginning of the academic year.

## **WORKING TOGETHER AND SHARING INFORMATION**

All incidents reported to residence life staff are documented in an email to the VP for Student Life. Reporting of crimes on a confidential basis is permitted. In addition, the date, location, type of incident, and brief details of the incident are recorded.

The residential life staff maintains a close working relationship with the Sterling Police Department (SPD). Meetings are held between the leaders of these agencies on both a formal and informal basis. The SC staff and SPD communicate regularly on the scene of incidents in and around the campus area. The SC staff works closely with the SPD when incidents arise that require joint investigative efforts, resources, crime-related reports, and information exchanges, as deemed necessary.

## **RESIDENCE HALL SECURITY**

Approximately 400 students live on campus in six residence halls. A resident education director (also known as RED's) is responsible for each residence building, and resident assistants live on each floor. Men and women live in separate residence halls. All residence halls have keyless entry, and students' I.D.s allow them access to the hall they are contracted. Only during visitation hours are students allowed in residence halls of opposite gendered students. The exterior doors are locked 24 hours a day.

## **EDUCATION AND PREVENTION**

In the summer of 2019 security cameras were added to campus as a preventative safety measure. Additional cameras continue to be added on a per needed basis while the budget allows.

Emergency procedures are on the safety and security webpage to inform employees, students, and community members of the basic procedures for many different topics (e.g., medical emergency, building evacuation, lockdown, tornado, fire, loss of power, suspicious/dangerous person on campus, etc). A one-page flyer with the emergency procedures is placed in every classroom and the public area of each building across campus.

Sterling College's location in "tornado alley," another one-page flyer was developed with tornado-specific information and hung with the emergency procedure. The campus also participated in an all-campus tornado drill following Kansas's Severe Weather Awareness Week.

All employees and students receive Emergency Preparedness Training before school begins. Information on "Surviving an Active Shooter Event" and severe weather protocol is presented during the first weekend of the semester. Employees meet with their department head to further discuss emergency procedures and review the preparedness plan. The information was also made available online for employees and students to review. To address the most common potential emergencies for the Sterling College campus, an emergency preparedness plan is available to all employees and students.

Because Sterling College is a small college, all employees have relationships with students. Because of this, all employees (except for campus counselors, sexual assault advocate, and chaplain) are considered Campus Security Authorities (CSA) and must report any criminal activity to the Office of Student Life.

Additional resources have been added to the website and through an online education program to help educate the campus community about the Clery Act. Below are the pieces of training that have been added:

- Student Title IX Training (Shield Training)
- Employee Title IX Training (Shield Training)
- FAQs for Campus Security Authorities
- Crime Definitions Used for Clery Act Compliance
- Clery Act Crime Notification Information

Both students and employees are required to complete an online Shield Training for Student Life and Bystander Intervention. This helps us know that the campus community is aware of Title IX, sexual harassment policy, violence prevention, and the process of making a report. Shield Training is a component of the annual registration process as an additional form of encouragement to complete the training. Our Title IX coordinator tracks training completion.

Before they spend their first night in a campus residence hall, students meet with the resident directors and resident assistants to review important security information. During orientation in August, students are informed of services offered by residential staff and Sterling Police Department. Periodically during the academic year, the student life staff presents crime prevention awareness sessions on sexual assault (rape and acquaintance rape), alcohol/drug abuse, and educational sessions on personal safety. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their security and the security of others. In addition to formal programs, information is disseminated to students and employees through displays, alcohol & sexual assault posters, and educational emails/videos.

Emergency procedures are covered concerning fire and tornado and secure in place at the beginning of each school year in the residence halls and the classroom. All security procedures are reviewed. Annually, all students receive notice of the availability of the annual crime statistics as posted on the College website. These statistics are essential and are available to external community members and prospective students/families as well.

College policies concerning alcohol, drugs, sexual assault, harassment, and other student conduct, standards, and expectations are contained in the *Student Handbook*, published by The Office of Student Life. It is available to all students and others on the College website. The prompt reporting of crimes and suspicious activity to Student Life staff is encouraged. All students and employees have two brochures annually available to them via the website as well as physical copies in buildings and dorms across campus: 1) Title IX Education and Campus Resources & 2) Sterling College Alcohol & Drug Policy.

When time is of the essence, information is released to the college community through security alerts posted prominently throughout campus, through text message alerts, and mass emails.

## **ACCESS TO FACILITIES AND RESIDENCE HALLS**

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized guests. All guests of the residence halls must be escorted at all times. Except for residence halls, campus facilities are open during weekday business hours, and administrative/classroom buildings are locked periodically throughout the evening. The police department provides security for defined buildings through a walk through and lock-up procedure between the hours of 9:00 p.m. and 2:00 a.m. as specified in the following schedule:

### **9pm to 11pm Group#1**

- Maintenance
- Cooper Hall
- Thompson Hall
- Kelsey Hall

### **11pm to 1am Group#2**

- Spencer Hall
- Wilson Hall
- Smisor Stadium
- Indoor Golf Facility
- Gleason
- Baseball/Softball indoor Facility

### **1am to 2 am Group#3**

- Union/Cafeteria
- Art Center

Sterling College has no officially recognized student organizations with off-campus locations.

## **Academic building lock schedule**

Sterling College Campus Safety Committee shares the campus lock schedule with all employees on campus and local Police Department through email.

## **SPECIAL PROCEDURES FOR RESIDENCE HALL ACCESS**

All residence halls are equipped with an automated card access control system. Access to the halls is limited to the contracted residents of the hall and necessary faculty/staff via the system. Guests and other visitors may visit residence halls as long as their resident host escorts them. The exterior doors to student residence halls remain locked 24 hours a day.

## **HOLIDAYS AND BREAKS**

Students are required to vacate the campus during holidays and breaks. Live-in staff members or resident assistants supervise students who cannot make alternative housing arrangements. They may be required to consolidate into two or three floors in a hall during low occupancy periods. Security coverage continues uninterrupted during these times.

## 9 TIPS FOR STAYING SAFE

1. Always walk with a friend.
2. Walk in lighted areas only.
3. Walk quickly and with confidence.
4. Keep doors locked at all times.
5. Refuse to give access to buildings to anyone who doesn't have a key or who has access by their student I.D. Don't allow any "tailgaters" into any building.
6. Call the RD on Duty (620-278-6218) immediately if you feel threatened or see someone acting suspiciously.
7. Show your I.D. card to campus authorities when asked.
8. Do not give your phone number or address to people you do not know well.
9. Remind others of these tips.

## REPORTING CRIME ON CAMPUS

### To report a crime:

Individuals who witness or become the victim of a crime on or near campus are expected to contact the RD on Duty immediately by calling 620-278-6218 (non-emergencies) and dial 9-1-1 (emergencies only). If it is a non-emergency, an RD will respond to begin an investigation and summon the police if necessary. RDs file an email report on all crime incidents to the VP for Student Life for review and potential action. If a sexual assault or rape should occur, staff on the scene will offer the victim a wide variety of services. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings, or around the Residence Halls should be reported to the RD on Duty number. You may also submit an anonymous tip by clicking on the 'Report a Concern' tab on the safety and security website at <https://www.sterling.edu/student-life/safety-security>. In addition, you may report a crime to the following people:

Residential Life Staff	620-278-4232	Student Life Office
VP for Student Life	620-278-4232	Student Life Office
VP of Academic Affairs	620-278-4217	Kelsey Hall
Chief Financial Officer	620-278-4211	Kelsey Hall
Athletic Director	620-278-4335	Gleason Physical Education Facility

All crimes should be reported to the VP for Student Life to ensure inclusion in the annual crime statistics and to provide timely warning notices to the community when appropriate.

Sterling College employees and residential life staff do not provide law enforcement service to students living off-campus. Student Life and the Sterling Police Department maintain a close working relationship. This cooperative team approach addresses situations as they arise, as well as future concerns.

## DAILY CRIME LOG

A daily crime log is electronically maintained in the Office of Student Life. The crime log has criminal incidents and alleged criminal incidents that are reported to the Office of Student Life. Students are encouraged to report incidents/crimes to the Student Life Office. The information reported on the log is the date the crime was reported, the date and time the crime occurred, nature of the crime, general location of the crime, and disposition of the complaint if known. The VP for Student Life and the Administrative Assistant for Student Life are trained on maintaining the daily crime log. Any individual may obtain a copy by coming to the Office of Student Life or calling 620-278-4232.

## CONFIDENTIAL REPORTING PROCEDURES

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you will still want to consider making a confidential report. The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students and work with law enforcement personnel to determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. According to federal guidelines, reports filed in this manner are counted and disclosed in the annual crimes statistics.

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

- On-campus licensed professional counselors
- On-campus health service providers
- On-campus pastor working within the scope of their licensure or ordination
- Off-campus:
  - Licensed professional counselors
  - Local rape crisis counselors
  - Domestic violence resources,
  - Local or state assistance agencies,
  - Clergy/Chaplains

All of the above employees will maintain confidentiality except in extreme cases of immediate threat or danger or abuse of a minor. Campus counselors are available to help free of charge and can be seen on an emergency basis or during normal business hours. These employees will submit anonymous, aggregate statistical information for Clery Act purposes unless they believe it would be harmful to a specific client, patient, or parishioner.

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

The rulemaking committee defines counselors as:

***Pastoral Counselor***

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

***Professional Counselor***

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

**TIMELY WARNINGS: SC EMERGENCY ALERT SYSTEM**

In the event that a situation arises, either on or off campus, that, in the judgment of the VP for Student Life, member from Cabinet, and/or a member from the Campus Safety Committee, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. The warning will be issued through a text message or email to all campus community members. The text message will include the location, the problem, and what to do to stay safe. Many members of the Campus Safety Committee have access to send an emergency text message. The message will be brief and to the point. Additional information will be disseminated through additional texts and on the SC emergency website [www.sterling.edu/emergency](http://www.sterling.edu/emergency) as soon as it is available. The text messaging system will be used for EXTREME EMERGENCIES and school closings/delays, nothing else. All students and employees with cell phones are automatically registered into the emergency text program. Registration is free of charge. The provider for this instant text messaging system is e2Campus. General information about the service can be found at [www.e2campus.com](http://www.e2campus.com). If you have not been automatically registered and would like to, please contact the Office of Student Life at 620-278-4232

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Office of Marketing and Communications may post a notice on the website, providing the college community with more immediate notification. In such instances, a copy of the notice is posted in each

residence hall and at the front door of each classroom building. A website has been developed for all emergencies in order to keep the community updated. This is accessible at all times at [www.sterling.edu/emergency](http://www.sterling.edu/emergency).

## **EMERGENCY RESPONSE**

The College's Emergency Preparedness Plan includes information about the Critical Incident Response Team, incident priorities and performance expectations, secure in place and evacuation guidelines, and local contingency and continuity planning requirements. The Campus Safety Committee and Residential Life Staff have had multiple emergency scenario training sessions, some of which have included the local police department. College departments are responsible for developing contingency plans and continuity of operation plans for their staff and areas of responsibility. The College conducts fire drills in the residence halls once a semester and the campus conduct a tornado drill once a year. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

All Sterling College employees have received training in emergency procedures and responding to critical incidents on Campus. In the evening hours, when a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the residential life staff. They typically respond and work together to manage the incident and alert the Sterling Police Department. Depending on the nature of the incident, other SC departments and other local, state, and federal agencies would also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for SC is published each year as part of the institution's Clery Act compliance efforts and information is available on the Safety & Security page on the college website.

All members of the SC community are notified on an annual basis that they are required to notify the Sterling Police Department, as well as student life staff of any situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The student life staff has the responsibility of responding and summoning the necessary resources, to investigate and document any situation that may cause a significant emergency or dangerous situation.

## **NOTIFICATION TO THE SC COMMUNITY ABOUT AN IMMEDIATE THREAT**

In the event of a serious incident that poses an immediate threat to members of the SC community, the Cabinet and Campus Safety Committee may determine that it is an emergency. The Campus Safety Committee will prepare a message for the campus community. The College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the SC campus community. These methods of communication include emails and emergency text messages that can be sent to a phone or other smartphone device. The Campus Safety Committee 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 judgment of the first responders, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The content of the emergency text will include the nature of the emergency (e.g., tornado approaching campus, active shooter in a specific area, etc.), the action to be taken (e.g., go to lower most/inner most location, secure in place, etc.). When the emergency is over, a second text message will be sent to tell campus community what the next step is.

Members of the Campus Safety Committee have been trained and have permission to instantly send an emergency text/email to the campus community. Examples of this are if they see an active shooter or see a tornado approaching campus. In these situations, they do not need to seek permission to send an emergency text. If time is less critical, the Director of Communications will be the official spokesperson for the College.

An evacuation drill is coordinated by residential life each semester for all residential facilities. Thus, the emergency response and evacuation procedures are tested twice each year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. On the back of each residence hall room door is a hall chart showing where the exits are in case of emergency and stating where to go in case of a tornado.



## **EMERGENCY ACTION PROCEDURES:**

### Evacuation

1. When the alarm sounds (fire or announcement from SC employee), leave the building immediately.
2. Calmly evacuate the building using the nearest exit.
3. Assist persons with disabilities or special needs.

A. All building evacuations will occur when an alarm sounds continuous and/or upon notification by emergency personnel.

B. If necessary or if directed to do so by an emergency official, activate the building alarm.

C. Be aware of people with disabilities in your area who might require assistance in an emergency evacuation. Be prepared to render assistance if necessary.

D. **DO NOT USE ELEVATORS** during an emergency evacuation. Emergency personnel may use an elevator for evacuation after a review of the circumstances.

E. When the building evacuation alarm is sounded or when told to leave by a designated emergency official, walk quickly to the nearest marked exit and ask others to do the same.

F. **DO NOT** return to an evacuated building until advised by an emergency official.

## **PERSONS WITH DISABILITIES**

It is suggested that people with disabilities prepare for emergencies by learning the locations of exit corridors and enclosed stairwells and by informing co-workers, professors, and/or classmates of best methods of assistance during an emergency.

## **IF YOU HAVE A DISABILITY AND ARE UNABLE TO EVACUATE**

Stay calm and take steps to protect yourself. If there is a working telephone, call 911 and tell the dispatcher where you are or where you will be moving. Contact the RD on Duty at 620-278-6218.

If you must move, we recommend the following:

1. Move to an exterior enclosed stairwell.
2. Request persons exiting by way of the stairway to notify the emergency personnel of your location.
3. As soon as is practical, move onto the stairway and await emergency personnel.

### Secure in Place

1. Stay inside a building.
2. Seek inside shelter if outside.
3. Secure all doors and windows as quickly as possible.
4. Seal off openings to your room if possible if chemicals are in the air.
5. Barricade door with heavy objects if someone dangerous is outside the door.
6. Remain in place until you are told it is safe to leave.

#### A. What is Secure in Place?

Secure in place simply means to secure yourself in the room you are in. This course of action may need to be taken during an accidental release of toxic chemicals to the outside air or possibly a gunman somewhere on campus.

#### B. How would I be notified?

You will receive an emergency text message telling you to **SECURE IN PLACE**.

#### C. Additional Actions:

1. Immediately stop all activity.

2. If possible, lock yourself in the room you are in.
3. Place yourself in a position of least visibility.
4. Turn off all lights or maintain minimal lighting.
5. Turn off all radios or other devices that emit sound. Silence your cell phone.
6. Make a list of the names of students and staff in the room or classroom.
7. If gunshots are heard, quickly barricade the door with furniture or anything you can push against it (e.g., tables, filing Cabinets). Lay on the floor behind heavy objects for shelter.
8. Do not unlock door or attempt to leave until instructed to do so by the Police Department.

## CRIME STATISTICS

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON CAMPUS PROPERTY	ON CAMPUS HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLEGENT MANSLAUGHTER	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
RAPE	2021	1	1	0	0
	2022	0	0	0	0
	2023	0	0	0	0
FONDLING	2021	1	0	0	2
	2022	0	0	0	0
	2023	0	0	0	0
INCEST	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
STATUTORY RAPE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ROBBERY	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
AGGRIVATED ASSAULT	2021	1	1	0	0
	2022	0	0	0	0
	2023	0	0	0	0
BURGLARY	2021	1	1	0	0
	2022	0	0	0	0
	2023	0	0	0	0
MOTOR VEHICLE THEFT	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ARSON	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0

## VAWA OFFENSE STATISTICS

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON CAMPUS PROPERTY	ON CAMPUS HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
DATING VIOLENCE	2021	0	0	0	0
	2022	1	0	0	0
	2023	0	0	0	0
STALKING	2021	0	0	0	0
	2022	1	0	0	0
	2023	0	0	0	0

## ARRESTS AND DISCIPLINARY REFERRAL STATISTICS

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON CAMPUS PROPERTY	ON CAMPUS HOUSING FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS: WEAPONS: CARRYING, POSSESING ETC.	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESING ETC.	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2021	3	3	0	0
	2022	5	5	0	0
	2023	10	10	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2021	12	12	0	0
	2022	8	8	0	0
	2023	16	16	0	0

## HATE CRIMES

None of the crimes listed above-manifested evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, or disability as prescribed by the Hate Crime Statistics Act (28 USC 534).

## UNFOUNDED CRIMES

No unfounded crimes were reported in 2023.

## **POLICY ON ALCOHOLIC BEVERAGES**

The possession, consumption and sale of alcoholic beverages are not permitted on the campus of Sterling College nor at any SC off-campus events. SC has adopted a policy that includes the expectation that students will comply with federal, state, and local laws, including those relating to alcohol beverages, narcotics, and other drugs. Intoxicated persons (behavior characterized by belligerence/noise, staggering, slurred speech, vomiting, unconsciousness, damage to self, others, property) will be confronted. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age is illegal. Students, faculty, staff, and administration, as well as resident assistants and resident directors, may submit violations of the alcohol policy to the VP for Student Life.

## **CONSEQUENCES OF ALCOHOL VIOLATIONS**

Alcohol policy violations will be handled in a cumulative manner throughout the student's enrollment at Sterling College. Sanctions have been created to provide an educational opportunity while holding the student accountable for his/her behavior.

**First Violation:** An Incident Report will be filed with the Office of Student Life. The student will pay a \$50 fine and complete drug and alcohol training. If the student is a minor and violates the alcohol policy, the Student Life personnel reserve the right to contact his/her parents.

**Second Violation:** An Incident Report will be filed with the Office of Student Life. The student will also be placed on probation (includes minimum of 5 counseling sessions) for one semester. In addition, the student will pay up to a \$150.00 fine and have possible additional consequences or requirements. If the student is a minor and violates the alcohol policy, the Student Life personnel reserves the right to contact his/her parents

**\* If second violation occurs within the same year, student will be automatically suspended from Sterling College.**

**Third Violation:** An Incident Report will be filed with the Office of Student Life. The student will pay a \$200 fine along with more counseling and/or possible referral to treatment off-campus (which will be paid by the student). If a third violation occurs within the same year, students will be automatically suspended from Sterling College. After one semester, the student has the right to reapply to Sterling College.

**Fourth Violation:** An Incident Report will be filed with the office of Student Life. Immediate Dismissal from Sterling College

## **POLICY ON ILLEGAL DRUGS**

Illegal drugs and drug paraphernalia (this includes hookah bongs) are not permitted on the Sterling College campus. SC will cooperate with law enforcement agencies in upholding the laws pertaining to the sale, use and possession of illegal drugs. The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Student Life staff. All students, faculty, staff, and administration have a responsibility to inform law enforcement officials of illicit drug use. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment.

## **CONSEQUENCES OF ILLICIT DRUG POLICY VIOLATIONS**

Sterling College prohibits the possession, use, manufacture, or distribution of illegal substances, misuse of controlled substances or paraphernalia, by students either on its property, as part of its activities, or off campus while an enrolled student. In accordance with state and federal regulations, any student in violation of the law or College policy either on or off campus, or at college events, shall be subject to disciplinary action in accordance with policies of the State of Kansas and Sterling College.

In addition, the use, possession, or distribution of "medical marijuana" in Sterling College residence halls or on other areas of the Sterling College campus is also prohibited, even in the instance where the "medical marijuana" was legally prescribed in another state and/or country.

**First Violation:** Sterling College is committed to partner with first time-drug violation students to prevent the illegal or irresponsible use of drugs. After a first violation, a student will receive a \$100 fine for positive tests possession of drugs and/or paraphernalia, and/or an offcampus violation (must be paid within 30 days of the violation). Students will also be assigned Drug and Alcohol Training (must be completed within 2 weeks of the positive test). If these consequences are not met then students will go on probation (accountability agreement) which would include "random drug testing," for their remaining time at Sterling College.

**Second Violation:** A second violation, students will be placed on probation and jointly craft an accountability agreement with the Vice President for Student Life to put supports in place to promote student success for their remaining time at Sterling College. The accountability agreement includes and is not limited to a \$300 fine, minimum of 5 counseling sessions, possible referral to treatment off-campus (which will be paid by the student) and random testing for their remaining time at Sterling College.

**Third Violation:** A third violation will result in dismissal from Sterling College.

**Fourth Violation:** A fourth violation will result in dismissal from Sterling College.

\*\* Any student who is involved in the purchase of illegal drugs or alcohol for a minor or provides an off-campus location for a party where alcohol and/or drugs are available to a minor is subject to immediate discipline (up to suspension or dismissal) from the College.

## **SANCTIONS ACCORDING TO STATE AND FEDERAL LAW**

Penalties for violations of drug and alcohol under federal law for unlawful possession of a controlled substance in violation of 21 U.S.C. §844(a), include:

**First Conviction:** Term of imprisonment of not more than 1 year, a minimum fine of \$1,000, or both.

**Second Conviction:** At least 15 days in prison but not more than 2 years, minimum fine of \$2,500 but not more than \$250,000 for an individual, or both.

**After two convictions:** At least 90 days in prison but not more than 3 years, minimum fine of \$5,000 but not more than \$250,000 for an individual, or both.

For more information about maximum penalties for violation of the Federal Controlled Substances Act and Related Laws, see [www.fas.org/sgp/crs/misc/RL30722.pdf](http://www.fas.org/sgp/crs/misc/RL30722.pdf)

Unlawful distribution of a controlled substance to an individual without that individual's knowledge with the intent to commit a crime of violence, including rape is punishable by up to 20 years of imprisonment; a maximum fine of \$250,000. 21 U.S.C. §841(b)(7).

Unlawful distribution of a controlled substance, possession with intent to distribute, or manufacturing a controlled substance in, on or within 1000 feet of a public college or university is punishable by not less than 1 year of imprisonment and twice the maximum penalty provided by law. For second convictions, the mandatory minimum term of imprisonment is 3 years and three times the maximum punishment provided by law. 21 U.S.C. §860.

Penalties for drug traffickers and possessors also include loss of federal benefits, including student loans and federal financial assistance, and civil penalties up to \$10,000 for each violation. 21 U.S.C. §862 and 21 U.S.C. §844a(a).

## **Drugs Penalties According to State Law**

Penalties under Kansas law for the unlawful possession or distribution of drugs are based on the quantity of drug, type of

drug, and criminal history of the defendant. See K.S.A. 2012 Supp. 21-5706. Maximum penalties range from fines of \$100,000 to \$500,000 and imprisonment from 10 months to 17 years.

It is illegal under Kansas law and local ordinances for persons under 21 years of age to possess, consume, obtain, purchase, or attempt to obtain alcoholic liquor or cereal malt beverages. Maximum penalties include a fine up to \$500 dollars (a mandatory minimum fine of \$200 for persons 18 and 21 years of age); completion of 40 hours of public service; completion of a community-based alcohol and drug educational or training program with costs assessed to the offender; and mandatory suspension of driving privileges for 30 days for a first conviction; 90 days for a second conviction; and 1 year for a third or subsequent conviction.

Convictions for Driving Under the Influence (DUI) include a mandatory alcohol and drug evaluation and requirement to following any recommendation made as a result of that evaluation with costs assessed to the defendant, and additional penalties, including:

**DUI:**

(A) On a first conviction a class B, nonperson misdemeanor. The person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's discretion 100 hours of public service, and fined not less than \$750 nor more than \$1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation or suspension, reduction of sentence or parole. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2021 Supp. [21-6609](#), and amendments thereto, to serve the remainder of the sentence only after such person has served 48 consecutive hours' imprisonment;

(B) on a second conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2021 Supp. [21-6609](#), and amendments thereto, to serve the five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours;

(C) on a third conviction a class A, nonperson misdemeanor, except as provided in subsection (b)(1)(D). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2021 Supp. [21-6609](#), and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours;

(D) on a third conviction a nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2021 Supp. [21-6609](#), and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours; and

(E) on a fourth or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 72 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 72 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2021 Supp. [21-6609](#), and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 72 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours.

**Minor in consumption/possession:**

(b) Violation of this section by a person 18 or more years of age but less than 21 years of age is a class C misdemeanor for which the minimum fine is \$200.

(c) Any person less than 18 years of age who violates this section is a juvenile offender under the revised Kansas juvenile justice code. Upon adjudication thereof and as a condition of disposition, the court shall require the offender to pay a fine of not less than \$200 nor more than \$500.

(d) In addition to any other penalty provided for a violation of this section: (1) The court may order the offender to do either or both of the following:

(A) Perform 40 hours of public service; or

(B) attend and satisfactorily complete a suitable educational or training program dealing with the effects of alcohol or other chemical substances when ingested by humans.

(2) Upon a first conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 30 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 30 days whether or not that person has a driver's license.

(3) Upon a second conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for 90 days. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for 90 days whether or not that person has a driver's license.

(4) Upon a third or subsequent conviction of a violation of this section, the court shall order the division of vehicles to suspend the driving privilege of such offender for one year. Upon receipt of the court order, the division shall notify the violator and suspend the driving privileges of the violator for one year whether or not that person has a driver's license.

*It should be noted this section doesn't apply if the person is calling for help for someone under the influence. They can't be charged. This encourages safety without fear of prosecution.*

## **ALCOHOL AND SUBSTANCE ABUSE INFORMATION**

### **Health Risks**

Health risks associated with the use of illicit drugs and the abuse of alcohol vary. Possible effects and risks include coma, convulsions, respiratory failure, hallucinations, psychosis, fatigue, paranoia, and DEATH.

Individuals should be aware of the health risks associated with the use and abuse of alcohol and illicit drugs:

- Drinking and driving is a leading cause of injury and death.
- Alcohol can react dangerously with many medications (both prescription and over the counter).
- Drinking and/or using drugs during times of emotional stress only makes problems worse.
- Drinking and/or using drugs can cause problems with law enforcement.
- Unwanted sexual activity (i.e., date rape).

## **SEXUAL HARASSMENT UNDER TITLE IX SEXUAL MISCONDUCT POLICY**

### **SEXUAL HARASSMENT UNDER TITLE IX SEXUAL MISCONDUCT POLICY**

In accordance with Title IX and the principles of human dignity and intrinsic value as found in Scripture, Sterling College affirms that its students, faculty, and staff have the right to be free from harassment by any member of the College community. Sterling College does not tolerate communication or action of any kind, which is intended to denigrate, threaten or harm others because of their race, sex, religion, age, disability or national origin. All such incidents of harassment will be subject to appropriate disciplinary action.

Sterling College stands fundamentally opposed to any form of sexual harassment (which includes gender discrimination, sexual violence, sexual harassment, dating violence, and stalking) and will do all in its power to promote an environment that allows students, faculty, and staff to be free from the intimidation and coercion that accompanies such actions.

**Sexual misconduct** is an umbrella term covering sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, and stalking. This term may be used throughout when collectively referring to any of these types of conduct.

**“Sexual Harassment”** is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

**“Quid Pro Quo Sexual Harassment”** is an employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual contact.

**“Hostile Environment Sexual Harassment”** is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the College's education programs and activities.

In determining whether Hostile Environment Sexual Harassment exists, the College will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.



Hostile Environment Sexual Harassment may include, but is not limited to:

- Unwelcome efforts to develop a romantic or sexual relationship;
- Unwelcome commentary about an individual's body or sexual activities;
- Threatening to engage in the commission of an unwelcome sexual act with another person;
- Engaging in indecent exposure; voyeurism, or other invasion of personal privacy; and
- Unwelcome physical touching or closeness that does not rise to the level of Sexual Assault.

**“Sexual Assault”** consists of the following:

- The slightest penetration of the sex organ of one person by the sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. Attempts are included.
- Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender's genitalia.
- Touching 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 age or because of temporary or permanent mental or physical incapacity.
- Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by the law of the state where the sexual intercourse occurred.
- Sexual intercourse with a person who is under the statutory age of consent as defined by the law of the state intercourse occurred.

**“Domestic Violence”** is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Kansas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Kansas.

**“Dating Violence”** is violence committed by a person –

Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

Where the existence of such a relationship will be determined based on a consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between 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 their safety or the safety of others; or
- Suffer substantial emotional distress.

**“Consent”** refers to clear words or clear actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. Silence, in and of itself, does not constitute consent. A person who is Incapacitated is not capable of giving Consent. Consent must be given voluntarily. It cannot be procured through physical violence, threats, blackmail, or other unreasonable pressure for sexual activity. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous relationships or prior consent do not imply consent to future sexual acts. In order to give effective consent, a person must be of legal age.

**“Incapacitated”** refers to the state where a person does not appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition or disability, or due to a state of unconsciousness or sleep. In other words, the person is unable to understand the “who, what, when, where, why, and how” of their sexual interaction and, as a result, cannot give effective consent. Incapacitation is something beyond mere drunkenness or intoxication. No single factor is determinative of incapacitation. Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person.

**“Retaliation”** is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

**“Formal Complaint”** means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the College investigate the allegation of Sexual Harassment in accordance with this policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the College’s education programs and activities. A “document filed by a Complainant” means a document or electronic submission (such as an email) that contains the Complainant’s physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.

**“Supportive Measures”** are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the College’s Education Programs and Activities without unreasonably burdening another party, including measures designed to protect the safety of all parties implicated by a report or the College’s education environment, or to deter Sexual Harassment. Supportive measures may include: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

**“Education Programs and Activities”** refers to all the operations of the College, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life, dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the College. It also includes off-campus locations, events, or circumstances over which the College exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the College.

**Other Misconduct Offenses** (Will fall under Title IX when sex or gender-based)

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person.
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender.
3. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the college community, when related to the admission, joining, or any other group affiliation activity.
4. Bullying, defined as

- a) Repeated and/or severe
- b) Aggressive behavior
- c) Likely to intimidate or intentionally hurt, control, or diminish another person, physically or mentally.

### **SEXUAL ASSAULT VICTIMS BILL OF RIGHTS**

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present during adjudication processes.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

### **Title IX Sexual Misconduct Policy**

This policy applies to Sexual Harassment that occurs within the College's Education Programs and Activities and that is committed by an administrator, faculty member, staff, student, contractor, guest, or other member of the College community.

This policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of the College's Education Programs and Activities; such Sexual Misconduct is prohibited by the Student Handbook, Faculty Handbook, Employee Handbook, and other College policies and standards, as applicable.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the College's Education Programs and Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States is prohibited by the Student Handbook, Faculty Handbook, Employee Handbook, and other College policies and standards, as applicable.

This policy does not apply to forms of misconduct other than Sexual Harassment, as defined herein. Other forms of discrimination and harassment based on protected status are prohibited by the College's Notice of Non-Discrimination. In addition, the College has numerous other conduct expectations set forth in its handbooks, policies, and standards. The College retains full discretion to enforce the various conduct expectations set forth in those handbooks, policies, and standards, irrespective of whether reported misconduct constitutes Sexual Harassment as defined herein. Where a report made under this policy implicates potential violations of conduct expectations set forth in the College's handbooks, policies, and standards, the College has full discretion to immediately investigate potential violations of other conduct expectations and to impose discipline, as appropriate.

### **Reporting Sexual Harassment**

Any person may report Sexual Harassment to the Title IX Coordinator, who reports directly to the President of the College. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

The name and contact information for the Title IX Coordinator is:

Richard Webb, Kelsey Hall #340, 125 W. Cooper Street. Sterling, KS 67579, 620.204.0025, Titleix@sterling.edu

In addition to reporting to the Title IX Coordinator, any person may report Sexual Harassment to any College employee, including student-employees who work in Residence/Student Life, all of whom must promptly forward such report of Sexual Harassment to the Title IX Coordinator.

Notwithstanding the mandatory reporting obligation for all employees, the College recognizes that there is a need for Complainants and other interested persons to have confidential conversations that do not result in a mandatory report

being made to the Title IX Coordinator. Therefore, the College has designated certain on-campus resources as confidential options, meaning they are not required to report Sexual Harassment to the Title IX Coordinator unless explicitly required by state law (such as when they are notified a child has been abused) or in an extreme case where there is an immediate threat or danger. The confidential resources are:

- On-campus licensed professional counselors
- On-campus health service providers
- On-campus chaplain

There are various off-campus resources not affiliated with the College that can also provide confidential support to a Complainant or reporting party without a report being made to the Title IX Coordinator. Contact information for various community-based or on-campus support and advocacy groups is available from the Title IX Coordinator upon request.

### **Special Advice for Individuals Reporting Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

If you believe you are the victim of Sexual Assault, Domestic Violence, or Dating Violence, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. For those who believe that they are victims of Sexual Assault, Domestic Violence, or Dating Violence, the College recommends the following:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence of the crime—avoid bathing, using the toilet, rinsing one’s mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding where the assault occurred- preserve for law enforcement
- Preserve all forms of electronic communication that occurred before, during, or after the assault
- Contact law enforcement by calling 911.
- Get medical attention - all medical injuries are not immediately apparent. This is also necessary to collect evidence in case the individual decides to press charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member for support.
- Talk with a professional counselor or health care provider who can help explain options, give information, and provide emotional support.
- Make a report to the Title IX Coordinator.
- Explore this policy and avenues for resolution under this policy.

It is also important to take steps to preserve evidence in cases of Stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of Sexual Harassment investigations.

Once a report of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is made, the victim has several options such as, but not limited to:

- obtaining Supportive Measures
- contacting parents or a relative
- seeking legal advice
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- filing a Formal Complaint
- requesting that no further action be taken

## **Reporting Complaints To the Police**

Individuals are strongly encouraged to report all incidents to the police; however, it is the individual's decision whether to file a police report. If the individual wishes, the College will provide assistance in contacting the police and accompanying her/him to the hospital and/or police station. Individuals will have access to support and referral services on-campus regardless of whether or not she/he decides to report the incident to the police. Individuals are strongly encouraged to have both a medical exam to ensure their well-being AND a rape kit collected in order to gather forensic evidence. When relevant, victims of sexual offenses have the right to seek an order of protection, no contact order, restraining order, or similar lawful order issued by a criminal, civil, or tribal court or enforce an order already in existence.

The College will enforce any order of protection by informing staff of the protection order and holding the alleged perpetrator accountable to comply with the order. The College will assist the victim of such sexual offenses, when relevant, to seek an order of protection, no contact order, restraining order, or similar lawful order issued by a criminal, civil, or tribal court or enforce an order already in existence.

## **CONFIDENTIALITY OF INFORMATION**

Sterling College will make every effort reasonably possible to preserve the privacy of an individual who makes a report under this policy and to protect the confidentiality of the information reported, subject to the "due process" rights of an accused. The degree to which confidentiality can be protected, however, also depends upon SC's legal duty to respond to the information reported and the professional role of the person being consulted. The professional being consulted should make these limits clear before the disclosure of any facts.

As required by law, all disclosures to any SC employee (except confidential campus resources) of an on-campus act of sexual misconduct are tabulated for statistical purposes without personal identifying information.

## **IMMUNITY PROVISION FOR REPORTING**

One of the core values of the Sterling College community is integrity and truth telling. As such, all individuals participating in the student discipline process are expected to tell the full and complete truth in all disciplinary matters. In order to ensure this is possible, individuals participating in student Title IX disciplinary hearings regarding an alleged violation of the Sexual Misconduct Policy should expect the Adjudicators to exercise discernment and discretion regarding how to appropriately respond to other violations of the Community Life Statement or College policy that may arise in the hearing process. Victims of sexual assault should not let fear of "getting in trouble" because of alcohol use, or violations of other campus policies, keep them from reporting a sexual assault. A victim of sexual assault will not be subject to discipline sanctions for alcohol use where the sexual assault involves the victim's consumption of alcohol in a manner that violates College policy. However, if there is a concern about a student's safety and/or use of alcohol and other drugs, the College may recommend or require counseling or other educational resources to the affected student.

## **Presumption of Non-Responsibility**

As required by U.S. Department of Education's regulations implementing Title IX, from the time a report or Formal Complaint is made, as the case may be, the College will adopt a presumption that the Respondent is not responsible for the alleged misconduct until a determination regarding responsibility is made final.

## **PROHIBITION AGAINST RETALIATION**

All persons are absolutely prohibited from taking any action against any other member of the College community, including but not limited to, the complainant, respondent, or witnesses to an alleged incident of sexual misconduct. Any person engaging in any retaliatory action(s) will be subject to a separate complaint and appropriate sanctions for determined violations up to and including dismissal from the College.

## **SEXUAL MISCONDUCT COMPLAINT PROCEDURE**

### **Preliminary Assessment**

Upon receipt of a report made pursuant to Section IV, the Title IX Coordinator will conduct a preliminary assessment to determine:

- Whether the conduct, as reported, falls or could fall within the scope of the policy specified in Section II; and
- Whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of the policy, and/or could not constitute Sexual Harassment, even if investigated, the Title Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act (“FERPA”). The Title IX Coordinator may refer the report to other College offices, as appropriate, for resolution under other applicable policies and standards.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of the policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant as specified in Section VII.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

### **Contacting The Complainant**

If a report is not closed as a result of the preliminary assessment specified in Section VI and the Complainant’s identity is known, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures specified in Section VIII; to discuss and consider the Complainant’s wishes with respect to such Supportive Measures; to inform the Complainant of the availability of such Supportive Measures with or without filing a Formal Complaint; and to explain the process for filing and pursuing a Formal Complaint.

### **Supportive Measures**

If a report is not closed as a result of the preliminary assessment specified in Section VI, the College will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint specified in Section XIII, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and the College will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The College will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

The College will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the College’s ability to provide the Supportive Measures in question.

### **Formal Complaint**

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the College investigate and adjudicate a report of Sexual Harassment in accordance with the provisions of Sections XIV and XVI. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the College’s education programs or activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in Section IV above.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the College if doing so is not clearly unreasonable.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the College will commence an investigation as specified in Section XIV and proceed to adjudicate the matter as specified in Section XVI.

In a case where the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator will not act as a Complainant or otherwise as a party for purposes of the investigation and adjudication processes specified in Sections XIV and XVI.

### **Notice of Formal Complaint**

Within five (5) business days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of this policy or a hyperlink to this policy;
- Sufficient details known at the time so that the parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice, as specified in Section XIX.
- Notifying the Complainant and Respondent of their right to inspect and review evidence as specified in Section XIV.D.
- Notifying the Complainant and Respondent of the College's prohibitions on retaliation and false statements specified in Sections XXIX and XXX.

Should the College elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the College will provide a supplemental written notice describing the additional allegations to be investigated.

### **Dismissal Prior to Commencement of Investigation**

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of the policy specified in Section II (i.e., because the alleged conduct did not occur in the College's Education Programs and Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this Section XII, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal as specified in Section XVIII. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other College offices, as appropriate.

## **Investigation**

After the written notice of Formal Complaint is transmitted to the parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the College and not with the parties. The investigation will culminate in a written investigation report, specified in Section XIV.E, that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the College strives to complete each investigation within thirty (30) to forty-five (45) business days of the transmittal of the written notice as specified in this Section XIV.A.

During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant, as specified in Section XXI. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, inadvertence, surprise, or excusable neglect.

## **Documentation of Investigation**

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

## **Access to the Evidence**

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will provide both parties and their advisor an equal opportunity to inspect and review any, evidence obtained up to that point that is directly related to the allegations raised in the Formal Complaint, including evidence the College may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have ten (10) business days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

## **Investigation Report**

After the period for the parties to provide any written response as specified in Section XIV.D has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form.

## **The Dismissal During Investigation or Adjudication**

The College may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:



- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by the College, as the case may be; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this Section XVII the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal as specified in Section XVIII. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other College offices, as appropriate.

### **Adjudication Process Selection**

After the investigator has sent the investigation report to the parties, the Title IX Coordinator will transmit to each party a notice advising the party of the two different adjudication processes specified in Section XVI. The notice will explain that the hearing process specified in Section XVI.A is the default process for adjudicating all Formal Complaints and will be utilized unless both parties voluntarily consent to administrative adjudication as specified in Section XVI.B as a form of informal resolution. The notice will be accompanied by a written consent to administrative adjudication and will advise each party that, if both parties execute the written consent to administrative adjudication, then the administrative adjudication process will be used in lieu of the hearing process. Parties are urged to carefully review this policy (including the entirety of Section XVI), consult with their advisor, and consult with other persons as they deem appropriate (including an attorney) prior to consenting to administrative adjudication.

Each party will have three (3) business days from transmittal of the notice specified in this Section XV to return the signed written consent form to the Title IX Coordinator. If either party does not timely return the signed written consent, that party will be deemed not to have consented to administrative adjudication and the Formal Complaint will be adjudicated pursuant to the hearing process.

### **Adjudication Hearing Process**

The default process for adjudicating Formal Complaints is the hearing process specified in this Section XVI.A. The hearing process will be used to adjudicate all Formal Complaints unless both parties timely consent to administrative adjudication as specified in Section XV above.

### **Hearing Officer**

After selection of the hearing process as the form of administrative adjudication, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator as specified in Section XIV.D.

### **Hearing Notice and Response to the Investigation Report**

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the College's Hearing Procedures. Neither the pre-hearing conference, nor the hearing

itself, may be held any earlier than ten (10) business days from the date of transmittal of the written notice specified in this Section XVI.A.2.

A party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history specified in Section XXI, or for any other reason;
- A list of any witnesses that the party contends should be called to attend the hearing pursuant to an attendance notice issued by the hearing officer;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any objection that the party has to the College's Hearing Procedures;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;
- If the party does not have an advisor who will accompany the party at the hearing, a request that the College provide an advisor for purposes of conducting questioning as specified in Section XIX.

A party's written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

### **Pre-Hearing Conference**

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. By default, the pre-hearing conference will be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology. However, upon request of either party, or in the hearing officer's discretion, the pre-hearing conference may take the form of separate, sequential meetings between the hearing officer and each party, whether conducted virtually or in-person.

During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; address matters raised in the parties' written responses to the investigation report, as the hearing officer deems appropriate; discuss whether any stipulations may be made to expedite the hearing; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

### **Issuance of Notices of Attendance**

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any College employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will request the subject to appear at the hearing at the specified date and time and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The College has no authority to compel the attendance of any witness who is not an employee or a student, and a notice of attendance will not be issued to any such individual.

## **Hearing**

After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the College's Hearing Procedures. The hearing will be audio or video recorded. The recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing officer, the parties, the advisors, witnesses, and other necessary College personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the hearing may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to address the hearing officer directly and to respond to questions posed by the hearing officer;
- Opportunity for each party's advisor to ask directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;
- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;
- Opportunity for each party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the Title IX Coordinator, and other necessary College personnel. With the exception of the investigator and the parties, witnesses will be sequestered until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them pursuant to Section XIV.D.

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this Section XVI.A.5, the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this Section XVI.A.5 are met.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply.

#### Subjection To Questioning

In the event that any party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the parties' advisors, the statements of that party or witness, as the case may be, whether given during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility.

In applying this Section XVI.A.6, the hearing officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

#### **Deliberation and Determination**

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or by operation of Section XVI.A.6. The hearing officer will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the policy as alleged in the Formal Complaint.

#### **Discipline and Remedies**

In the event the hearing officer determines that the Respondent is responsible for violating this policy, the hearing officer may, prior to issuing a written decision, consult with an appropriate College official with disciplinary authority over the Respondent and such hearing officer will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

#### **Written Decision**

After reaching a determination and consulting with the appropriate College official and Title IX Coordinator as required by Section XVI.A.8, the hearing officer will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the College upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and

witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing;

- Articulate findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate College official as referenced in Section XVI.A.8 and any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the College's process and grounds for appeal, as specified in Section XVIII.

The hearing officer's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal as specified in Section XVIII.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the College strives to issue the hearing officer's written determination within fourteen (14) business days of the conclusion of the hearing.

### **Appeal**

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
- The Title IX Coordinator, investigator, hearing officer, or administrative officer, as the case may be, had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome; or
- The sanction imposed is clearly unreasonable in light of the violation found and the cumulative conduct history of the Respondent.

No other grounds for appeal are permitted.

A party must file an appeal within five (5) business days of the date they receive notice of dismissal or date of notice of determination made by the hearing officer. The appeal must be submitted in writing to the Title IX Coordinator. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the four grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the Title IX Coordinator will appoint an appeal officer who will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) business days. The appeal officer shall also promptly obtain from the

Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the College strives to issue the appeal officer's written decision within (21) business days of an appeal being filed.

### **Advisor of Choice**

From the point a Formal Complaint is made, and until an investigation, adjudication, and appeal are complete, the Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be, but is not required to be, an attorney.

Except for the questioning of witnesses during the hearing specified in Section XVI.A.5, the advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with the College about the matter without the party being included in the communication. In the event a party's advisor of choice engages in material violation of the parameters specified in this Section XIX and Section XVI.A.5, the College may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing specified in Section XVI.A.5, and requests the College to provide an advisor, the College will provide the party an advisor, without fee or charge, who will conduct questioning on behalf of the party at the hearing. The College will have sole discretion to select the advisor it provides. The advisor the College provides may be, but is not required to be, an attorney.

The College is not required to provide a party with an advisor in any circumstance except where the party does not have an advisor present at the hearing specified in Section XVI.A.5 and requests that the College provide an advisor.

### **Sanctioning for Sexual Misconduct**

Administrators, faculty members, staff, students, contractors, guests, and other members of the College community who commit Sexual Harassment are subject to the full range of College discipline including verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; fines; permanent separation from the institution (i.e., termination or dismissal); physical restriction from College property; cancellation of contracts; and any combination of the same.

After an investigation, if the appointed Adjudication Administrator (Decision Maker) determines that it is more likely than not (preponderance of the evidence standard) that the College's sexual harassment policy has been violated, the Decision Maker will determine disciplinary action. Student conduct (Non-Title IX) matters will be referred to the VP for Student Life. Employee conduct (Non-Title IX) matters will be referred to the Human Resource Director.

- Any person found responsible for violating the Sexual Assault policy (where no penetration or violence has occurred) may receive a sanction ranging from probation to dismissal, depending on the severity of the incident, and taking into account any previous disciplinary violations.\*
- Any person found responsible for violating the Sexual Assault policy (where penetration or violence has occurred) may face a recommended sanction of suspension or dismissal (student) or suspension or termination (employee).\*
- Any person found responsible for violating other Sexual Harassment policies (where no sexual penetration or violence has occurred) may receive a recommended sanction ranging from warning to dismissal or termination, depending on the severity of the incident, and taking into account any previous disciplinary violations. \*

\*The decision-making body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious aggravating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

### Student Sanctioning

- Students
  - Disciplinary Warning
  - Disciplinary Probation
  - Required Counseling
  - Residential Relocation
  - Academic Rescheduling
  - Student Suspension or Dismissal

### Employee Sanctioning

- Faculty, Staff, and Student Employees  
Any employee found responsible for violating the sexual misconduct policy may receive any of the following sanctions:
  - Letter of warning;
  - Official Reprimand;
  - Suspension from employment with pay;
  - Suspension from employment without pay;
  - Termination from employment;
  - Training on Sexual-Based Misconduct

**Suspension:** A student who is suspended from the College will have their enrollment terminated involuntarily and grades of W issued in all courses for that term. He/she will be required to leave campus within 24 hours after the suspension is communicated to the student. If the student is suspended before the last day to withdraw from the current semester, the student will be eligible to reapply for the next semester within the same academic year. If a student is suspended after the last day to withdraw for the semester, the student must wait an entire semester before he/she may reapply. The College reserves the right to require the student to leave campus immediately if it is deemed necessary. A possibility of re-admission exists at a future date.

All or a portion of funds paid toward tuition and room and board may be forfeited. If a student is suspended during the semester, charges will be prorated if he/she has been enrolled for less than or equal to 60% of the term. If a student has been enrolled for more than 60% of the term, he/she is not eligible for a reduction in tuition, fees, room, or board charges. A refund is calculated by dividing the number of days enrolled by the number of calendar days in the semester (including weekends and holidays but excluding spring break). See page 28 of the academic catalog for information on how withdrawal affects financial aid. If a student is a recipient of Federal Title IV financial aid, refunds to those programs are required by federal law to be the first priority and must be returned in the following order: Unsubsidized Federal Stafford Loan, Subsidized Federal Stafford Loan, Federal Perkins Loan, Federal PLUS Loan, Federal Pell Grant, and Federal SEOG.

A student is not eligible for a refund until all Federal Title IV programs and other scholarships are reimbursed as required and all outstanding balances with the College have been cleared. Federal law requires all student borrowers to participate

in an exit interview through the Financial Aid Office. Tuition, room, and board are the only charges available for refunds. A student who has been suspended should contact the Business Office for details on how it will impact students' account. The student is not permitted to attend any Sterling College sponsored activity or be on the SC campus. Parents may be notified after a suspension decision has been made, as allowed by FERPA. If possible, the call will take place with the student and staff together.

**Dismissal:** A student who is dismissed from the College will have their enrollment terminated involuntarily and grades of W issued in all courses for that term. He/she will be required to leave campus within 24 hours after the dismissal is communicated to the student. The College reserves the right to require the student to leave campus immediately if it is deemed necessary. The student will not be readmitted to Sterling College.

All or a portion of funds paid toward tuition and room and board may be forfeited. If a student is suspended during the semester, charges will be prorated if he/she has been enrolled for less than or equal to 60% of the term. If a student has been enrolled for more than 60% of the term, he/she is not eligible for a reduction in tuition, fees, room, or board charges. A refund is calculated by dividing the number of days enrolled by the number of calendar days in the semester (including weekends and holidays but excluding spring break). See page 28 of the academic catalog for information on how withdrawal affects financial aid. If a student is a recipient of Federal Title IV financial aid, refunds to those programs are required by federal law to be the first priority and must be returned in the following order: Unsubsidized Federal Stafford Loan, Subsidized Federal Stafford Loan, Federal Perkins Loan, Federal PLUS Loan, Federal Pell Grant, and Federal SEOG.

A student is not eligible for a refund until all Federal Title IV programs and other scholarships are reimbursed as required and all outstanding balances with the College have been cleared. Federal law requires all student borrowers to participate in an exit interview through the Financial Aid Office. Tuition, room, and board are the only charges available for refunds. A student who has been suspended/dismissed should contact the Business Office for details.

The student is not permitted to attend any Sterling College sponsored activity or be on the SC campus. Parents may be notified after a dismissal decision has been made, as allowed by FERPA. If possible, the call will take place with the student and staff together.

## EDUCATIONAL PROGRAMMING

### Prevention Terms:

- **Programs to Prevent:** The term programs to prevent refers to comprehensive educational and training programs intended to prevent violence that incorporate diverse approaches that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and consider risk and protective factors as they occur on the individual, relationship, community and societal levels.
- **Primary Prevention:** The term primary prevention refers to programming, initiatives and strategies intended to stop domestic violence, dating violence, sexual assault or stalking before it occurs to prevent initial perpetration or victimization through the promotion of positive and healthy behaviors and beliefs. Efforts to change behavior and social norms, and promote healthy relationships, healthy sexuality and egalitarian gender roles, or efforts to understand risk factors and protective factors for bystander inaction and change social norms around bystander inaction are all examples of primary prevention.
- **Awareness Programs:** The term awareness programs refer to programs, campaigns or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence and stalking and share information and resources to prevent interpersonal violence, promote safety and reduce perpetration. These efforts can include campus communitywide mobilizations as well as targeted audience-specific programming (including both students and employees). Awareness month campaigns, "Speak Outs," rallies or marches, informational poster campaigns or resource websites, and educational programming that focus on sharing resources and information about these issues are examples of awareness programs.



- **Bystander Intervention:** The term bystander intervention refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and take action.
- **Risk Reduction:** The term risk reduction refers to approaches that seek to mitigate risk factors that may increase the likelihood of perpetration, victimization or bystander inaction. Risk reduction focuses on helping individuals and communities address the institutional structures or cultural conditions that facilitate SV, DV & stalking to increase safety. Examples of risk reduction may include but are not limited to general crime prevention education, campus escort programs, programs that educate on how to create individual and community safety plans and strategies, and bystander intervention programs that educate the campus on how to recognize and interrupt situations of harm, or implementing a communications system that can notify the entire campus community of immediate threats to security.
- **Ongoing Awareness and Prevention Campaigns:** The term ongoing awareness and prevention campaigns refers to campaigns that are sustained over time focusing on increasing awareness or understanding of topics relevant to sexual assault, domestic violence, and stalking prevention. These programs will occur at different levels throughout the institution (i.e., faculty, athletics, and incoming students) and will utilize a range of strategies. Ongoing awareness and prevention campaigns may include information about what constitutes sexual assault, dating violence/intimate partner abuse and stalking, changing social norms, promoting recognition of perpetrator tactics, enhancing understanding of consent, and advancing prosocial behaviors of individuals and communities. Effective ongoing awareness and prevention campaigns will include developmentally appropriate content for the specific audience and their knowledge and awareness level and provide positive and concrete ways for individuals to get involved.

Sterling College utilizes many different formats to educate the campus community about sexual assault and sexual harassment. The primary prevention and awareness programs for all incoming students and new employees are:

**Mandatory Shield Training:**

- All new employees and new students are required to complete online Title IX / Bystander Intervention Training. It is entitled Shield Training offered through Get Inclusive as 3<sup>rd</sup> party vendor.
- Bystander Intervention Training is presented to all new students during on campus Sexual Awareness and Prevention orientation process.

Sterling College provides other forms of ongoing prevention and awareness campaign through the academic year in different ways through the Student Life.

Sterling College provides continuing prevention and awareness information each year through faculty orientation updates.

## Additional Resources

**College and Community Resources**

The following resources are available to students and other members of the Sterling College community for information and support concerning sexual assault:

**Campus Resources**

Vice President for Student Life	620-278-4232
Title IX Coordinator	620-204-0025
Campus Counselor	620-278-4232
Campus Nurse	620-278-4505
Resident Director on call	620-278-6218

## Community Resources

Sexual Assault/Domestic Violence Center, Inc. Offices:

Lyons  
117 West Ave. South  
Lyons, KS 67554  
Phone: 620-257-3272  
24-hour hotline: 1-800-701-3630

Hutchinson  
335 N. Washington, Ste. 240  
Hutchinson, KS 67501  
Phone: 620-665-3630  
24-hour hotline: 1-800-701-3630

Family Crisis Center  
2008 11th St.  
Great Bend, KS 67530  
620-793-9941 / Crisis Line: 1-866-792-1885

## STUDENT CONDUCT POLICIES

**Fines:** Fines are primarily issued for non-compliance with, or violation of, College policies. Possible fine include but are not limited to:

Alcohol violation .....	\$50 - \$200
Drug Violation.....	\$200 - \$400
Tobacco Violation.....	\$25 - \$200
Burning of incense or candles .....	\$25
Removal of public furniture to “furnish rooms” .....	\$25
Violation of visitation policy.....	\$25 - \$300
Possession of any type of firearm or weapon.....	\$200 - \$400
Found in Closed Buildings.....	\$100
Replacing Screens.....	\$100
Tampering with Exterior Electronic Doors.....	\$200 - \$400
Tampering with fire equipment .....	\$100
Failure to follow proper checkout procedures.....	\$100 - \$250
Miscellaneous.....	\$25 - \$100
Key Replacement.....	\$50
Move-In Early Charge (with approval) .....	\$100 a night

Other sanctions include community service, restitution, counseling, referrals, online training course, and evaluations. A copy of all serious disciplinary actions will be placed in the permanent file of the student. Where applicable, parents of students who have broken certain policies will be notified of disciplinary action. In the event that the VP for Student Life judges that a student presents a potential threat to the personal safety of self, others, or property, the student can be removed from campus immediately until a judicial hearing or external evaluation (at student’s expense) will be arranged to determine if they are safe to be in a community setting. The student’s parents will also be notified. Violations of civil law may be handled by civil as well as campus authorities.

## STUDENT CONDUCT APPEAL PROCESS

In the event that the responding party accepts the findings of the investigation, those findings cannot be appealed. Sanctions imposed by the Office of Student Life post-investigation can be appealed by any party according to the grounds, below. Post-hearing, any party may appeal the findings and/or sanctions only under the grounds described, below.

1. A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.)
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.

3. The sanctions-imposed fall outside the range of sanctions designated for this offense and the cumulative conduct history of the responding party.

Students have a right to appeal any decisions resulting in suspension or dismissal to the Student Appeals Board. The Student Appeals Board (WbIT – Warrior Behavioral Intervention Team) is composed of representatives from Sterling College faculty and staff and is chaired by a faculty member.

Students have the right to appeal the suspension or dismissal decision when they believe that Sterling College did not follow established procedures or that no violation occurred. If the student agrees that Sterling College followed established procedures and that the violation occurred, no appeal will be accepted. Students wishing to appeal a disciplinary decision resulting in suspension or dismissal must proceed as follows:

1. Appeals must be made in writing and filed at the Office of the Vice President for Student Life. Appeals must be made within 48 hours after the student has been informed of the disciplinary decision.
2. The written statement must specify the basis for the appeal and provide all documentation available to support that claim.
3. The Student Appeals Board will review each case, schedule a hearing, and rule on the appeal. The decision of the Student Appeals Board is final.
4. The student appealing has the right to appear at the hearing and to present their evidence (with or without legal counsel).
5. If the student appeals the disciplinary action involving, suspension or dismissal, the discipline sanctions may be stayed pending the completion of the appeal process. If the student appeals the disciplinary action, the College, in its discretion, may stay the discipline actions pending the completion of the appeal process. After the Student Appeals Board rules, or when the student has failed to follow appropriate appeal procedures, the disciplinary decision then becomes final.

## **SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION**

The federal Campus Sex Crimes Prevention Act went into effect on October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community as to where state law enforcement agency information concerning registered sex offenders may be obtained. It also requires the sex offenders, already registered in a state, provide notice to each institution of higher education in that state, as to where the person is employed, carries on a vocation, or is a student. The Kansas Bureau of Investigation (KBI) has established a website to facilitate public access to information about persons who have been convicted of certain sex, violence, and drug offenses, as set forth in the Kansas Offender Registration Act (K.S.A. 22-4901 et seq.). Effective July 1, 2005, K.S.A. 22-4909 was amended to require the website to prominently identify whether an offender is or is not a sex offender. Information regarding registered sex offenders may be obtained from the following Web site. <http://www.kansas.gov/kbi/ro.shtml>

## **MISSING STUDENT POLICY**

All commuters and residents are requested to let at least one other member of the community know where they are going and their anticipated time of return. Students are also encouraged to let parents and other family members know of their whereabouts when they will be away from college for an extended time. This is so we can know that if they do not return at or close to the time they are expected to do so. This is encouraged so we can all be responsible for and accountable to each other.

## **REPORTING A MISSING STUDENT**

Any community member who becomes aware that a person is or is suspected to be missing should make a verbal or written report to a member of the residence life staff or directly to the VP for Student Life. The 24/7 RD on Duty cell phone number is 620-278-6218.

## **EMERGENCY CONTACTS AND CONFIDENTIAL EMERGENCY CONTACTS**

Each student living in college housing as well as commuting students should keep the emergency contact information that they report to the College up to date and accurate. This will be the contact for the College to try to locate the student.

## MISSING PERSON NOTIFICATION

Once the person has been missing for 24 hours or if there is a reason to suspect foul play, a report will be made to the local police. In all cases when the missing person is less than 18 years of age the emergency contact and the parent or guardian will be notified. For students over 18 years of age, the emergency contact given by the student will be notified. The parent or guardian will be notified if the over-18-year-old student remains missing for over 24 hours or earlier if notification of the parent or guardian is in the judgment of campus officials to be helpful to locating the student.

## PROTOCOL FOLLOWING A MISSING PERSON REPORT

Once a student is reported to be missing, a campus official will be designated by the VP for Student Life as the campus official to follow-up with the report and to try to locate the person. This person will work with other community members and external sources as needed. The next steps are likely to be, but are not limited to the following:

- All persons who might have information concerning the missing person will be contacted for an interview.
- The student’s emergency contact and parents/guardians will be notified as deemed appropriate.
- All known methods of communication to the student will be used to try to contact the student.
- All methods to try to find information as to the possible whereabouts of the student will be investigated.
- If the student still cannot be found, a report will be made to the local police, either by the campus official or by the person who made the missing person report.
- Once a missing person report has been filed with the local police, the campus official will remain in touch with the local police and take direction from them until the case is resolved. The protocol may be revised by the campus official through consultation with the VP for Student Life depending on the specifics of the situation, the time of year (classes in session or not) and the facts as they emerge.

## 2023 ANNUAL FIRE SAFETY REPORT

### FIRE SAFETY SYSTEMS

Fire safety systems in each residence hall:

- Campbell Hall – Nutone system with heat detectors in stairwells, hard wired smoke detectors with battery backup in each sleeping room and lobby, pull stations set off building wide alarm, installed 1985
- Douglas Men’s – Simplex model 4010 building wide system with pull stations, heat and or smoke activated detectors, installed in 2006
- Douglas Women’s - Simplex model 4010 building wide system with pull stations, heat and or smoke activated detectors, installed in 2006
- Evans – Simplex model 4010 building wide system with pull stations, heat and or smoke activated detectors, installed in 2000
- Kilbourn – Simplex model 4010 building wide system with pull stations, heat and or smoke activated detectors, installed in 2000
- McCreery - Simplex model 4010 building wide system with pull stations, heat and or smoke activated detectors, installed in 2004

Facility	On Site Fire Alarm Monitoring	Smoke Detection	Fire Extinguishers	Evacuation Plans and Placards	Fire Evacuation Drills each Calendar Year
Campbell	X	X	X	X	2
Douglas Men’s	X	X	X	X	2

<b>Douglas Women</b>	X	X	X	X	2
<b>Evans</b>	X	X	X	X	2
<b>Kilbourn</b>	X	X	X	X	2
<b>McCreery</b>	X	X	X	X	2

## CAMPUS FIRE POLICIES AND FIRE PREVENTION POLICY

Failure to follow any of these policies will result in appropriate disciplinary action.

Students are asked to exercise every care to prevent fire, which could not only destroy valuable property and students' personal belongings but might put lives in jeopardy. A minimum of one fire drill will be held each semester in each of the residence halls. Students must exit immediately whenever the fire alarm sounds or when requested to do so by college personnel. Each residence hall is equipped with a smoke detection system that signals an alarm. In addition, each student's room is equipped with a single station smoke detector.

For the safety and well-being of the College community, the possession of and/or use of fireworks, firearms, air-soft guns, blow darts, stun guns, other weapons, or any explosive device on campus is prohibited. This includes bows and arrows, knives (other than pocketknife with a blade no longer than a driver's license), paint guns, and other items that are capable of causing physical harm to others or damage to property. Paintball guns may not be shot anywhere on campus. Violation of this policy will result in confiscation of the paintball equipment. Under no circumstances may weapons or ammunition of any kind be stored in a student's room or vehicle while parked or driven on campus.

Flammable materials, such as gasoline, kerosene, and Coleman fuel products, may not be kept in residence halls.

**Fireworks:** Under no circumstances are fireworks of any kind to be used or stored on campus.

**Candles and Incense:** For safety reasons, candles, incense, or anything else with an open flame may not be burned in the residence halls.

**Christmas Decorations:** The use of live Christmas trees and other flammable decorations are prohibited in residence hall rooms. Artificial trees and other nonflammable decorations may be used. Extreme caution should be exercised when using these items. The manufacturer's instructions for use must be followed in all situations.

**Electrical Appliances and Cooking:** The use of electrical appliances is limited because of sanitation, safety, and electrical circuit issues. The residence hall rooms were not designed for cooking. Therefore, only small appliances with completely enclosed coils are permitted, (i.e., popcorn popper, coffee pots, hot pots, crock pots). Microwave ovens are not allowed in student rooms. They are available in certain areas of each hall for the residents. Under no circumstances will any toaster ovens or frying or broiling units be permitted. The use of space heaters is prohibited.

## FIRE ALARMS AND FIRE SAFETY EQUIPMENT

In order to provide the safest possible environment for the residents, each of the residence halls is equipped with a fire alarm system. The fire alarm system is to be used only in the case of an actual emergency caused by fire or for those fire alarm drills conducted at the discretion of the Vice President for Student Life. Tampering with the fire alarm system or any of the fire safety equipment (smoke detectors, fire extinguishers, exit signs, pull stations) will result in disciplinary action by the College. In addition, such tampering is a criminal offense and students may be prosecuted.

In the event of a fire alarm, residents are required by state law to exit quickly from the residence hall according to the instructions given them by their RA or residence director. Persons evacuating the building should meet in the Designated Meeting Area for each residence hall. Residents will not be permitted back in the building until all residents are evacuated and the signal is given to reenter.

Number of fire drills held in each Residence Hall: 1 in the fall semester and 1 in the spring semester

All fire drills are timed by the resident director and given to the Maintenance Department so the results can be given to the Fire Marshall.

## **IN CASE OF FIRE**

**When the fire alarm sounds, ALL residents must vacate the building immediately, until cleared to return.**

## **FIRE SAFETY EDUCATION & TRAINING**

Training on fire and life safety is provided to all resident assistants and resident directors. All on-campus residents are briefed on fire safety issues at the beginning of each year through floor meetings. Residents are required to comply with the safety requirements outlined in the Residence Life Expectations and Standards portion of the Student Handbook, which includes information on fire safety and the appropriate action to take during a fire alarm or fire emergency.

An evacuation drill is coordinated by residential life each semester for all residential facilities. Thus, the emergency response and evacuation procedures are tested twice each year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. On the back of each residence hall room door is a hall chart showing where the exits are in case of emergency and stating where to go in case of fire or tornado.

The Sterling Fire Department has recommended the following procedures in case of fire:

Check the door of your room. If your door seems cool and there is no evidence of smoke in the hall:

- Open the door cautiously, keeping your body braced against it. Keep one hand on the knob and the other hand over the door opening to detect any in-rushing heated air.
- If the halls appear safe, proceed rapidly out of the building. Close all windows and doors behind you but leave them unlocked.
- Go to the nearest exit and leave the building. Nearest exits are posted in each room. Meet quickly at your designated area so all persons can be accounted for. Designated areas will be announced at the beginning of the year. If your door is hot, you are probably trapped. Do not open the door. Instead, follow this procedure:
  - Seal up the cracks around the door using articles of clothing. This helps seal a barrier against heat and smoke.
  - Hang a sheet out the window to signal rescuers.
  - Open the windows slightly at the top and bottom to let fresh air in and smoke out of the room.
  - Wait to be rescued.

If you must move through a smoke-filled area, move quickly in a crawling position. Heat and smoke rise.

## **IMPORTANT TELEPHONE NUMBERS**

**RD on Duty 620-278-6218**

**Emergency 9-1-1**

## **FIRE LOG**

Sterling College maintains an electronic spreadsheet fire log that records, by the date reported, any fire that occurs in an on-campus student housing facility. Reported fires include fires that were already extinguished as well as those discovered while still burning. They include emergency situations involving fires that necessitated a call to 911 for fire department assistance, as well as minor fires, such as a small trash can fire that was easily extinguished without assistance. Fires can be reported by anyone, regardless of the individual's association with Sterling College.

The fire log includes the date the fire was reported, nature of fire, date/time of fire, and the location of the fire. All fires should be reported to the following people:

- Resident Assistant of the hall where the fire occurred
- Resident Director of the hall where the fire occurred
- Student Life Administrative Assistant
- VP for Student Life

Generally, the resident director will report the fire to the Office of Student Life. The VP for Student Life or student Life administrative assistant will make an entry to the fire log within 2 days of receiving the information.

### PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

Further fire training for resident assistants and resident directors will resume in the Fall of 2024. Training will be coordinated with the Sterling Fire Department so that residential life staff are trained on how to use a fire extinguisher and how to manage a fire.

### CAMPUS FIRE LOG

NAME OF FACILITY	YEAR	GEOGRAPHIC LOCATION		
		FIRES	INJURIES	DEATH
CAMPBELL HALL	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
DOUGLAS MEN'S HALL	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
DOUGLAS WOMEN'S HALL	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
EVANS HALL	2022	0	0	0
	2023	0	0	0
	2024	0	0	0
KILBOURN HALL	2022	1	0	0
	2023	0	0	0
	2024	0	0	0
MCCREERY HALL	2022	0	0	0
	2023	0	0	0
	2024	0	0	0