

# Benedictine College



## 2018 Annual Security & Fire Safety Report

This information is provided in compliance with the Clery Act.

## **Introduction**

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

## **Policy for Preparing the Annual Report**

This report is prepared by the Vice President of Student Life in cooperation with local law enforcement authorities and includes information provided by them as well as by the College’s campus security authorities, student life staff, and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report’s availability. Hard copies of the report may also be obtained at no cost by contacting the Department of Safety and Security Office, 1020 North 2nd Street, Atchison, KS 66002; 913-360-8888.

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

## **General Safety and Security Policies**

### **Policies Concerning the Law Enforcement Authority of Campus Security Personnel**

The Benedictine College Department of Safety and Security is responsible for campus safety at the College.

The Department of Safety and Security is located inside the Operations Office next to the Student Health Center. The department is open and provides protection and services 24 hours a day, 365 days a year. Campus Security is staffed by both full-time and part-time officers. Benedictine College contracts with Allied Barton, a private security firm, to provide these security officers on campus. All of the officers are trained in general security practices, as well as standard first aid and CPR. The security department’s jurisdiction covers all of the institution’s property and the neighborhoods surrounding the main campus. All Campus Security officers are radio equipped for an efficient response to community needs and have designated patrol vehicles.

Security officers have the authority to detain anyone who comes on campus, but do not have arrest authority. Therefore, the department works closely with the Atchison Police Department and the Atchison County Sheriff’s Department in coordinating any necessary police responses or arrests on campus. The Department of Safety and Security has an excellent working relationship with local law enforcement agencies, which assures the delivery of professional police services. The College has a written Memorandum of Understanding (MOU) with local law enforcement for the investigation of crimes occurring on campus.

## **Community Services Provided by the Department of Safety and Security**

The Department of Safety and Security is responsible for security and emergency response at Benedictine College. It is also responsible for providing support services tailored to the specific needs of the community. The following are some of these services:

- Operating the escort service for student workers from dusk until dawn
- Assisting campus motorists who have vehicle lockouts or are in need of jump-starts
- Responding to all campus emergencies
- Directing traffic for campus events, emergency situations and other circumstances as needed
- Issuing parking tickets for students, faculty and staff
- Distributing crime prevention materials and information
- Providing lost and found services
- Coordinating the monitoring and testing of all fire prevention, burglary and panic alarm systems and equipment on campus (in conjunction with College Physical Plant personnel)
- Making inspections of buildings and grounds for fire, safety and security hazards (in conjunction with College Physical Plant and Student Life Office personnel)

The Department of Safety and Security encourages all students, faculty and staff to be involved in campus crime prevention and be informed about current health issues affecting the College. Information on health, safety and security are provided to students, faculty and staff members regularly through bulletins, crime alerts, posters, emails and other mediums.

## **Campus Security Authorities**

The College also has designated other officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported to the Department of Safety and Security for collection as part of the College's annual report of crime statistics.

The additional campus security authorities to whom the College would prefer that crimes be reported are as follows:

- Mr. Matthew Fassero, Director of Operations at 913-360-7421; [mfassero@benedictine.edu](mailto:mfassero@benedictine.edu)
- Mr. Sean Mulcahy, Associate Dean of Students/Title IX Deputy Coordinator at 913-360-7507; [smulcahy@benedictine.edu](mailto:smulcahy@benedictine.edu)
- Mr. Michael Rolling, Director of Student Conduct at 913-360-7500; [mrolling@benedictine.edu](mailto:mrolling@benedictine.edu).
- Ms. Charo Kelley, Director of Human Resources/Title IX Deputy Coordinator at 913-360-7326; [ckelley@benedictine.edu](mailto:ckelley@benedictine.edu)
- Dr. Kimberly Shankman, Dean of the College/Title IX Coordinator at 913-360-7413; [kshankman@benedictine.edu](mailto:kshankman@benedictine.edu)

## **Policies on Reporting a Crime or Emergency**

The College encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus, on other property owned by the College, or on nearby public

property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so. Such reports should be made as follows:

- Situations that pose imminent danger or while a crime is in progress should be reported immediately by calling 911 (9-911 if using a campus phone) to reach the Atchison County Sheriff's Department dispatch center and then contacting the Department of Safety and Security at Ext. 8888 or 913-360-8888. Keep in mind that the individual making the call from a cell phone will need to provide the address where the emergency has occurred.
  - A person making a report to the Department of Safety and Security will be asked to fill out an incident report form. These forms are available in the Department of Safety and Security Office, the Student Life Office, and the Human Resources Office.
- Students, staff, and visitors can also report criminal actions, accidents, injuries, or other emergency incidents to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to appropriate police agencies. If requested, a member of College staff will assist a student in making the report to the police.
- All college faculty and staff are required to inform the Title IX Coordinator, a Deputy Title IX Coordinator or Campus Security if they become aware of an incident of possible sexual misconduct (sexual harassment, sexual assault, domestic violence, dating violence and stalking).
- Anonymous incident reports can also be made at any time.

The College does not have off-campus student organizations that are recognized by the institution. With the exception of college owned/leased campus houses adjacent to the main campus, students living in houses off campus are treated as citizens of the Atchison community. The College does not have a policy of monitoring and recording through local police their criminal activity. However, as stated in the Student Handbook, students are held responsible for their actions both on and off-campus.

### **Response to a Report of Crime**

College officials will investigate reports of alleged crimes in a timely manner. In some cases, the College may request the assistance of local law enforcement officials in the investigation. When the alleged perpetrators of a reported crime are identified as students, the case will be adjudicated internally and the investigation will be the responsibility of the Vice President of Student Life (and/or those appointed by her).

Internal judicial or disciplinary measures by the College are not intended to replace or interfere with action in the criminal justice system. Victims of crimes retain the legal right to pursue criminal charges in addition to any internal investigation or proceedings. Regarding criminal investigation by local law enforcement officials, arrest and prosecution can occur independently before, during or after the campus judicial process or employee disciplinary actions. Likewise, the College may pursue its own internal disciplinary measures independent of whether or not criminal charges are filed and/or whether or not they are successfully prosecuted in the criminal justice system.

The Department of Safety and Security uses a Crime Report form and a Supplement Crime Report form exclusive for incidents of a criminal nature. All criminal offenses constituting criminal homicide, sex offenses, robbery, aggravated assault, burglary and motor vehicle theft, arson, and the number of arrests for the crimes on campus of liquor law violations, drug abuse violations and weapons

possessions as well as hate crimes and domestic violence, dating violence and stalking are tabulated/logged on a form consistent with the FBI’s UCR (Uniform Crime Report) system. This information is published each year. Every effort is made to coordinate with the Atchison Police Department to verify these incidents.

All of the above reports are confidential in nature to the extent permissible under applicable laws. Security officers as well as other campus security authorities will inform students of their option to file complaints with the local law enforcement. Reported crimes also may involve individuals not associated with the College.

### **Confidential Reporting**

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

Pursuant to the College’s Sexual Misconduct Policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the College disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. With the victim’s permission, a report of the details of the incident can be filed without revealing the victim’s identity. Such a confidential report complies with the victim’s wishes, but still helps the College take appropriate steps to ensure the future safety of the victim and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the College.

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

### **Timely Warning**

In the event of criminal activity occurring either on campus or off campus that in the judgment of the President of the College or his designee constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community.

This warning will be communicated to students and employees via the following method(s):

<b>Method</b>	<b>Sign-Up Instructions</b>
Raven Alert, a text messaging system	All students are automatically entered into the Raven Alert text messaging system with an opt-out option. All faculty and staff are encouraged to sign-up for Raven Alerts through a link on the college website at <a href="https://www.benedictine.edu/student-life/services/raven-alerts">https://www.benedictine.edu/student-life/services/raven-alerts</a>

E-mail notification	All students, faculty and staff are assigned a college email address for communication purposes.
Personal communications	N/A

Updates to the warnings will be provided as appropriate.

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

- The Department of Safety and Security; or
- Security Account Manager at 913-360-8888

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

**Security of and Access to Campus Facilities**

All academic buildings are secured during the evenings and weekends. Access to the buildings is only allowed for faculty/staff members and students who are accompanied by faculty/staff members. The residence halls are locked at all times. Residents are furnished a room key and/or access card and are encouraged to keep their door locked at all times for security reasons. If a student loses a room key, he/she is responsible for the cost of re-coring the lock. During short vacation periods, the outside doors remain locked throughout the vacation period and access is by key only. Students are not allowed in without special permission.

Security officers perform random “walk-throughs” in residence halls from 11:30 p.m. until 7:30 a.m. The officers also perform vehicle patrols of parking lots and surrounding areas.

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

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

Benedictine College will make reasonable efforts to protect personal property; however, the College is not liable for the loss of, theft of, or damage to personal property. Neither is Benedictine College liable for failure or interruption of utilities. Authorized personnel may enter student rooms without the residents’ permission for maintenance purposes, fire and safety inspections, damage inspection, in emergency situations and/or to enforce college policies as indicated in the student handbook.

**Security Considerations in the Maintenance of Facilities**

Security also is a consideration in maintaining campus facilities.

Maintenance personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells.

**Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

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

- Crime prevention programs are presented each semester by the Campus Safety Committee, Campus Security, and the Student Life Office. In addition, handouts on crime prevention are available at the Student Life Office and for employees at the Human Resources Office. Periodically, e-mail blasts are sent out to students and employees with crime prevention and other safety tips.
- The College provides information at the beginning of each academic term to students and employees regarding the College's security procedures and practices. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.
- Additional programming related to safety and security includes the following:
  1. Students checking into the residence halls receive handouts concerning proper fire alarm and tornado procedures including exiting procedures.
  2. Emergency Procedures pamphlets are present in employee offices, which includes fire, severe weather, utility failure, violent behavior/suspicious activity, and medical emergency.
  3. Employees and students receive Title IX training at the beginning of each academic year.
  4. Employees are required to have Active Shooter Training, provided by the Department of Homeland Security.
  5. Resident Assistants receive training in crisis management, dealing with critical incidents, and monitoring facilities.
  6. Residence Life staff make routine checks of buildings and security concerns are reported to the appropriate people.
  7. Alcohol Education programs are sponsored regularly by the Alcohol and Drug Task Force and Residence Life Department.
  8. Safety and security issues are addressed by residence life and counseling staff during new student orientation and the first month of the academic year regarding, including such topics as the use of alcohol and illegal drugs, and managing physical and emotional stress, and being aware of potential problems in the surrounding environment.
  9. Campus Security has also received A.L.I.C.E. (Alert/Lockdown/Inform/Counter/Evacuate) training and plans to use this training to teach students and employees how to survive if they were to be confronted by a violent person with a weapon in a group setting.
  10. Employees and students are informed about the campus security procedures through briefings by campus security personnel, written communication from college officials, via campus postings, e-mail distribution, or internet posting.

Benedictine College firmly believes the foundation for a successful safety and security program requires the constant cooperation and input from the entire College community. The entire College community is best served if each member employs preventative attention to any hazards in our daily work, consistently uses safe practices, and immediately reports any unsafe or hazardous conditions.

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

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

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

## **Drug and Alcohol Policies**

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the College's activities, unless it is done in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

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

## **Drug and Alcohol Abuse Prevention Program**

In compliance with the Drug Free Schools and Communities Act (DFSCA), the College has a drug and alcohol abuse and prevention program. Information is distributed annually to students and employees regarding the College's prohibition of unlawful drug and alcohol use and sanctions for violating the College's drug and alcohol policies, legal penalties under various laws for violating their prohibitions on drug and alcohol use, the health effects from abusing these substances, a description of the educational programs aimed at preventing abuse and the resources available to individuals with a substance abuse problem. Further the College conducts a biennial review of its drug and alcohol abuse prevention program to determine its effectiveness and ensure that sanctions are being consistently enforced. More information about the program, including the College's drug and alcohol policies for students, can be located at <https://www.benedictine.edu/student-life/health/alcohol-drug/index> or by contacting the Student Health Center. In addition, employee policies related to alcohol and drugs can be found in the Employee Handbook.

Also, note that the Benedictine College Counseling Center located in the Student Health Center Counseling Center utilizes the prevention model, assists students by anticipating and intervening in situations where substance abuse may negatively influence student performance in the community and environment. Individual counseling, alcohol and other drug use assessment, referral for further evaluation and treatment, and educational programming are important components of this service. Contact: the Counseling Center: <http://www.benedictine.edu/student-life/heath-wellness> or 913-360-7621.



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

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act (“VAWA”), the College prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, and acts of domestic violence, dating violence, sexual violence (including sexual assault) and stalking. The College also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to these laws and institutional policy. The College’s Sexual Misconduct Policy and Procedures (Title IX) is used to address complaints of this nature. This policy and the procedures for filing, investigating and resolving complaints for violations of this policy may be found at: Sexual Misconduct Policy and Procedures (Title IX) (<https://www.benedictine.edu/student-life/health/title-ix/index>).

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

**Primary Prevention and Awareness Program:**

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

Crime Type (Kansas Statutes Annotated)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Kansas law does not define the term dating violence.
Domestic Violence (Kan. Stat. Ann. § 21-5111)	<p>“Domestic violence” means an act or threatened act of violence against a person with whom the offender is involved or has been involved in a dating relationship, or an act or threatened act of violence against a family or household member by a family or household member. Domestic violence also includes any other crime committed against a person or against property, or any municipal ordinance violation against a person or against property, when directed against a person with whom the offender is involved or has been involved in a dating relationship or when directed against a family or household member by a family or household member.</p> <p>For purpose of this definition:</p> <ul style="list-style-type: none"> <li>• “Dating relationship” means a social relationship of a romantic nature. In addition to any other factors the court deems relevant, the trier of fact may consider the following when making a determination of whether a relationship exists or existed: Nature of the relationship, length of time the relationship existed, frequency of interaction between the parties and time since termination of the relationship, if applicable.</li> <li>• “Family or household member” means persons 18 years of age or older who are spouses, former spouses, parents or stepparents and children or stepchildren, and</li> </ul>

Crime Type (Kansas Statutes Annotated)	Definitions
	<p>person who are presently residing together or have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. Family and household member also includes a man and woman if the woman is pregnant and the man is the alleged father, regardless of whether they have been married or have lived together at any time.</p>
<p>Stalking (Kan. Stat. Ann. § 21-5427)</p>	<ul style="list-style-type: none"> <li>• Stalking is: (1) Recklessly engaging in a course of conduct targeted at a specific person which would cause a reasonable person in the circumstances of the targeted person to fear for such person’s safety, or the safety of a member of such person’s immediate family and the targeted person is actually placed in such fear; (2) Engaging in a course of conduct targeted at a specific person with knowledge that the course of conduct will place the targeted person in fear for such person’s safety or the safety of a member of such person’s immediate family; or (3) After being served with, or otherwise provided notice of any protected order...that prohibits contact with a targeted person, recklessly engaging in at least one act listed [below] that violates the provisions of the order and would cause a reasonable person to fear for such person’s safety, or the safety of a member of such person’s immediate family and the targeted person is actually placed in such fear.</li> <li>• “Course of conduct” means two or more acts over a period of time, however short, which evidence a continuity of purpose. A course of conduct shall not include constitutionally protected activity nor conduct that was necessary to accomplish a legitimate purpose independent of making contact with the targeted person. A course of conduct shall include, but not be limited to, any of the following acts or a combination thereof: (A) Threatening the safety of the targeted person or a member of such person’s immediate family; (B) Following, approaching or confronting the targeted person or a member of such person’s immediate family; (C) Appearing in close proximity to, or entering the targeted person’s residence, place of employment, school or other place where such person can be found, or the residence, place of employment or school of a member of such person’s immediate family; (D) Causing damage to the targeted person’s residence or property or that of a member of such person’s immediate family; (E) Placing an object on the targeted person’s property or the property of a member of such person’s immediate family, either directly or through a third person; (F) Causing injury to the targeted person’s pet or a pet belonging to a member of such person’s immediate family; (G) Any act of communication.</li> </ul>
<p>Sexual Assault</p>	<p>The institution has determined, based on good-faith research, that Kansas law does not define the term sexual assault.</p>
<p>Rape, Fondling, Incest, Statutory Rape</p>	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Kansas law are as follows:</p> <ul style="list-style-type: none"> <li>▪ Rape (Kan. Stat. Ann. § 21-5503): (1) Knowingly engaging in sexual intercourse with a victim who does not consent to the sexual intercourse under any of the following circumstances: (A) When the victim is overcome by force or fear; or (B) when the victim is unconscious or physically powerless; (2) Knowingly engaging in sexual intercourse with a victim when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by the offender or was reasonably apparent to the offender; (3) sexual</li> </ul>

<b>Crime Type</b> <b>(Kansas Statutes</b> <b>Annotated)</b>	<b>Definitions</b>
	<p>intercourse with a child who is under 14 years of age; (4) sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a medically or therapeutically necessary procedure; or (5) sexual intercourse with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sexual intercourse was a legally required procedure within the scope of the offender's authority.</p> <ul style="list-style-type: none"> <li>▪ Fondling: The institution has determined, based on good-faith research, that Kansas law does not define the term fondling.</li> <li>▪ Incest (Kan. Stat. Ann. § 21-5604(a)): Incest is marriage to or engaging in otherwise lawful sexual intercourse or sodomy, as defined in K.S.A. 21-5501, and amendments thereto, with a person who is 18 or more years of age and who is known to the offender to be related to the offender as any of the following biological relatives: Parent, child, grandparent of any degree, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece.</li> <li>▪ Aggravated Incest (Kan. Stat. Ann. § 21-5604(b)): Aggravated incest is (1) Marriage to a person who is under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece; or (2) engaging in the following acts with a person who is 16 or more years of age but under 18 years of age and who is known to the offender to be related to the offender as any of the following biological, step or adoptive relatives: Child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece: (A) Otherwise lawful sexual intercourse or sodomy as defined by K.S.A. 21-5501, and amendments thereto; or (B) any lewd fondling, as described in subsection (a)(1) of K.S.A. 21-5506, and amendments thereto.</li> <li>▪ Statutory Rape: The institution has determined, based on good-faith research, that Kansas law does not define the term statutory rape.</li> </ul>
Other "sexual assault" crimes	<p>Other crimes under Kansas law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> <li>• Criminal Sodomy (Kan. Stat. Ann. § 21-5504(a)): Criminal sodomy is: (1) Sodomy between persons who are 16 or more years of age and members of the same sex; (2) sodomy between a person and an animal; (3) sodomy with a child who is 14 or more years of age but less than 16 years of age; or (4) causing a child 14 or more years of age but less than 16 years of age to engage in sodomy with any person or animal.</li> <li>• Aggravated Criminal Sodomy (Kan. Stat. Ann. § 21-5504(b)): Aggravated criminal sodomy is: (1) Sodomy with a child who is under 14 years of age; (2) causing a child under 14 years of age to engage in sodomy with any person or an animal; or (3) sodomy with a victim who does not consent to the sodomy or causing a victim, without the victim's consent, to engage in sodomy with any person or an animal under any of the following circumstances: (A) When the victim is overcome by force or fear; (B) when the victim is unconscious or physically powerless; or (C) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable</li> </ul>

<b>Crime Type (Kansas Statutes Annotated)</b>	<b>Definitions</b>
	<p>of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.</p> <ul style="list-style-type: none"> <li>• Sexual Battery (Kan. Stat. Ann. § 21-5505(a)): Sexual battery is the touching of a victim who is not the spouse of the offender, who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another.</li> <li>• Aggravated Sexual Battery (Kan. Stat. Ann. § 21-5505(b)): Aggravated sexual battery is the touching of a victim who is 16 or more years of age and who does not consent thereto with the intent to arouse or satisfy the sexual desires of the offender or another and under any of the following circumstances: (1) When the victim is overcome by force or fear; (2) when the victim is unconscious or physically powerless; or (3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.</li> <li>• Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(a)): Indecent liberties with a child is engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age: (1) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (2) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another.</li> <li>• Aggravated Indecent Liberties with a Child (Kan. Stat. Ann. § 21-5506(b)): Aggravated indecent liberties with a child is: (1) Sexual intercourse with a child who is 14 or more years of age but less than 16 years of age; (2) engaging in any of the following acts with a child who is 14 or more years of age but less than 16 years of age and who does not consent thereto: (A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) causing the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another; or (3) engaging in any of the following acts with a child who is under 14 years of age: (A) Any lewd fondling or touching of the person of either the child or the offender, done or submitted to with the intent to arouse or to satisfy the sexual desires of either the child or the offender, or both; or (B) soliciting the child to engage in any lewd fondling or touching of the person of another with the intent to arouse or satisfy the sexual desires of the child, the offender or another.</li> </ul>
Consent (as it relates to sexual activity)	The institution has determined, based on good-faith research, that Kansas law does not define the term consent (as it relates to sexual activity).

**The College’s Definition of Consent**

Though Kansas law does not specifically define consent (as it relates to sexual activity), the College uses the following definition of consent in its Sexual Misconduct Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred.

Lack of consent is a critical factor in determining whether sexual violence/assault has occurred. Consent is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. Consent is not passive.

- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
  - Warning signs of when a person may be incapacitated due to drug and/or alcohol use include: slurred speech, falling down, passing out, and vomiting.
- If a person is mentally or physically incapacitated or impaired by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
- If a person is asleep or unconscious, there is no consent.
- If a person is below the minimum age of consent in the applicable jurisdiction, there cannot be consent.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent.
- Being in a romantic relationship with someone does not imply consent to any form of sexual activity.
- Effective consent may not exist when there is a disparity of power between the parties (e.g., faculty/student, supervisor/employee).

### Risk Reduction

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

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

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

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

It is also important to be aware of the warning signs of an abusive person. Some examples include:

- Past abuse
- Threats of violence or abuse
- Breaking objects
- Using force during an argument
- Jealousy
- Controlling behavior
- Quick involvement
- Unrealistic expectations
- Isolation
- Blames others for problems
- Hypersensitivity
- Cruelty to animals or children
- "Playful" use of force during sex
- Jekyll-and-Hyde personality

#### Bystander Intervention

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

- Look out for those around you.

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

#### Other Information Covered by the PPAP

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

#### **Ongoing Prevention and Awareness Program:**

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

#### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: online presentations, distribution of written materials, periodic email blasts, and guest speakers. The program is carried out by collaborating efforts of the Vice President of Student Life and staff members, Ravens CARE Sponsor, Director of Human Resources, Campus Security, and the Title IX Coordinator.

Past programming and currently planned programming includes the following:

- Presenting an interactive Title IX/VAWA educational training video, including healthy relationships information to all new students. Video available to all students on Blackboard.
- Providing Title IX/VAWA training for all faculty, staff, and employees
- Distributing a Title IX/VAWA informational brochure to all students
- Updating and maintaining a Title IX/VAWA webpage on the College website that includes information about the Sexual Misconduct Policy, available resource, etc.
- Sponsoring an Ali Kemp Self-Defense workshop annually
- Providing a Health Fair on campus
- Conducting various bystander intervention and healthy relationships workshops
- Hosting Alcohol Education programs and healthy relationships speakers on campus as well an Awareness Campaign via posters across campus

- Presentation of Discovery Day research to campus community on the multidimensional effects of sexual assault
- Promoting campus activities of student lead Alcohol and Drug Task Force and Ravens C.A.R.E. (Countering Assault Risk and Education) peer groups
- Providing training for Title IX/VAWA Investigators, Student Life staff and Student Conduct Board members regarding expectations/challenges

In summary, because the College recognizes that the prevention of sex discrimination, sexual harassment, sexual violence/assault, domestic violence, dating violence, and stalking is important, it offers educational programming to a variety of groups such as: campus personnel; incoming students and new employees participating in orientation; and members of student organizations. Among other elements, such training will cover relevant definitions, procedures, and sanctions; will provide safe and positive options for bystander intervention; and will provide risk reduction information, including recognizing warning signs of abusive behavior and how to avoid potential attacks.

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

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call 911 or a Deputy Title IX Coordinator. The Deputy Title IX Coordinator for Students is Sean Mulcahy, Associate Dean of Students. Mr. Mulcahy can be reached at 913-360-7500, [smulcahy@benedictine.edu](mailto:smulcahy@benedictine.edu). The Title IX Deputy Coordinator for Employees is Charo Kelley, Director of Human Resources. Ms. Kelley can be reached at 913-360-7326, [ckelley@benedictine.edu](mailto:ckelley@benedictine.edu). You may also contact the College's Title IX Coordinator Dr. Kimberly Shankman at 913-360-7413, [kshankman@benedictine.edu](mailto:kshankman@benedictine.edu). Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported.
  - Contact the Title IX Coordinator or refer to the other resources listed in this report
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. To that end, keep in mind the following:
  - You should not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
  - Don't bathe or wash, or otherwise clean the environment in which the assault occurred.
  - You can obtain a forensic examination at Atchison Hospital, 800 Raven Hill Road, Atchison, KS 66002; 913-367-2131.
  - Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.
  - Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.).
  - Victims of stalking should also preserve evidence of the crime to the extent possible.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security



authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.

- Notify the Department of Safety and Security at 215 M Street Atchison, KS 66002; 913-360-8888.
  - Notify the Atchison Police Department at 515 Kansas Avenue, Atchison, KS 66002; 911 (9-911 from campus phone) or 913-367-4323 for non-emergency.
  - To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- In Kansas, victims may obtain a Protection from Abuse Order, which provides protective relief for victims of dating violence, domestic violence, or sexual assault. A victim of stalking may also obtain a Protection from Stalking Order. Information about these protection orders and required forms can be found at: <http://kscourts.org/programs/domestic-violence/default.asp>. There are three main types of protection orders in Kansas:
    1. Emergency (only applies to Protection from Abuse Orders) – expires at 5:00 p.m. on the first day when the court resumes business.
    2. Temporary – remains in effect until a final order is served or until it is terminated by order of the court.
    3. Final – will expire after one year or on the date stated in the order unless an extension or modification is requested and granted from the court before the order expires.
  - A Petition for Order of Protection should be filed for in the Atchison District Court, located in the Atchison Courthouse. The address is: 423 North 5th Street, Atchison, Kansas 66002. The phone number for the Clerk of District Court is 913-804-6060.
  - Information about obtaining an Order of Protection in Atchison Kansas can be found by contacting the Clerk of the District Court or the Atchison Police Department.
  - The circuit court clerk's office can provide the necessary forms and may assist in completing the forms. A victim should be prepared to present documentation and/or other forms of evidence when filing for an order of protection
  - Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order.
    - The Atchison Police Department encourages victims of domestic violence to work with advocates through DoVes (Domestic Violence Emergency Services). DoVes, which provides a domestic violence/sexual assault program is located in Atchison, Kansas, P.O. Box 262. The DoVes phone number is 913-367-0365 (w) or 913-367-0363 (crisis). DoVes Hotline: 1-800-367-7075

- When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.
- The institution will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.
  - The institution does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

### **Available Victim Services:**

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

- Benedictine College Counseling Center: 913-360-7621
- Benedictine College Student Health Center: 913-360-7117
- Benedictine College Ministry Department: 913-360-7735
- Benedictine College Department of Safety and Security: 913-360-8888
- Benedictine College Financial Aid Office: 913-360-7484
- Benedictine College Center for International Education: 913-360-7538
- Benedictine College Resident Director (RD) On-Call number: 913-360-7070
- DoVes Sexual Assault & Dating/Domestic Violence Hotline: 1-800-367-7075
- Atchison Hospital, 800 Raven Hill Drive, Atchison, KS 66002: 913-367-2131
- Atchison Police Department, 515 Kansas Avenue, Atchison, KS 66002: 911 (9-911 on campus phone) or 913-367-4323 for Non-Emergency
- Atchison County Attorney Office, 423 North 5th Street, Atchison, KS 66002: 913-360-8200
- Kansas Coalition Against Domestic and Sexual Violence: <http://www.kcsdv.org/find-help/in-kansas/dv-sa-services.html>
- Kansas Crisis Hotline: 1-888-363-2287
- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673

- Kansas Legal Services: 1-800-723-6953 (<https://www.kansaslegalservices.org/>)
- Immigration Advocates Network:  
<http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=KS>
- U.S. Citizenship and Immigration Services: <http://www.uscis.gov/about-us/find-uscis-office/field-offices/kansas>

In particular, students and employees may receive professional, confidential, no-cost crisis counseling services through the College Counseling Center, located in the Student Health Building. Counseling is available even if a violation hasn't been reported. The phone number is 913-360-7621. The local DoVes shelter provides 24 Hour support for victims of sexual assault and dating or domestic violence and these services can be reached by calling 1-800-367-7075. Victims seeking support can also share information in confidence to official clergy on campus. Appointments can be scheduled with Fr. Simon Baker, O.S.B., Campus Chaplain, by calling 913-360-7735.

### **Accommodation and Protective Measures:**

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. Requests of this nature should be made to the Title IX Coordinator, Dr. Kimberly Shankman at 913-360-7413, [kshankman@benedictine.edu](mailto:kshankman@benedictine.edu) or a Title IX Deputy Coordinator (Sean Mulcahy for students at 913-360-7500, [smulcahy@benedictine.edu](mailto:smulcahy@benedictine.edu) or Charo Kelley for employees at 913-360-7326, [ckelley@benedictine.edu](mailto:ckelley@benedictine.edu)). The Title IX Coordinator or Deputy Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented. When determining the reasonableness of such a request, the Title IX Coordinator or Deputy Coordinator may consider, among other factors, the following:

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

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

## **Procedures for Disciplinary Action:**

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the institution's Sexual Misconduct Policy and the related complaint resolution procedures. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

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

### **Dr. Kimberly Shankman**

Dean of the College and Title IX Coordinator

Ferrell Academic Center, Room 418

1020 North 2<sup>nd</sup> Street

Atchison, KS 66002

(913) 360-7413; kshankman@benedictine.edu

The College has designated the following Deputy Title IX Student Coordinator to assist the Title IX Coordinator in coordinating Title IX Compliance with respect to students:

### **Sean Mulcahy**

Director of Residence Life

Room 204, St. John Paul II Student Center

Benedictine College 1020 North 2<sup>nd</sup> Street

Atchison, KS 66002

(913) 360-7500; smulcahy@benedictine.edu

The College has designated the following Deputy Title IX Employee Coordinator to assist the Title IX Coordinator in coordinating Title IX Compliance with respect to employees:

### **Charo Kelley**

Director of Human Resources

Room 326, St. Benedict Hall

Benedictine College 1020 North 2<sup>nd</sup> Street

Atchison, KS 66002

(913) 360-7326; ckelley@benedictine.edu

Once a complaint is made, the Title IX Coordinator or designee(s) will commence the investigatory process as soon as practicable, but not later than seven (7) days after the complaint is made. The Title IX Coordinator and/or designee(s) will analyze the complaint and notify the respondent that a complaint has been filed.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Upon completion of the investigation, the investigator(s) make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. The investigator(s) will then prepare an investigation report outlining the findings and include, if necessary, sanctions or other remedial measures to impose. The parties will be notified of this determination in writing within three (3) days of it being made. The institution strives to complete investigations of this nature within sixty (60) calendar days.

Both parties have an equal opportunity to appeal the determination by filing a written appeal. Students must file an appeal with the Vice President of Student Life within three (3) days of being notified of the outcome of the investigation. The Vice President of Student Life will resolve the appeal within (5) days of receiving it and may take any and all actions that he/she determines to be in the best interest of a fair and just decision. Decisions of the Vice President of Student Life are final, except that in cases involving suspension or expulsion a final appeal may be made to the President of the College.

Third parties and non-faculty employees must file appeals with the Chief Financial Officer within ten (10) days of being notified of the outcome of the investigation. The Chief Financial Officer will resolve the appeal within fifteen (15) days of receiving it, and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

Further review requested by a faculty member will be governed by the procedures specified in the Serious Discipline / Termination Policy and Procedures section of the *Faculty Handbook*.

### **Informal Resolution**

Informal means of resolution, such as mediation, may be used in lieu of the formal investigation and determination procedure. The following standards apply to any informal resolution method that is utilized:

- The informal process can only be used with both parties' voluntary cooperation and appropriate involvement by the institution (e.g., the Title IX Coordinator)
- The complainant will not be required to "work out" the problem directly with the respondent
- Either party may terminate the informal process at any time and elevate the complaint to the formal investigation procedures described below
- Informal resolution in the form of mediation, even on a voluntary basis, will not be used to resolve complaints alleging sexual assault

### **Special Procedures**

If the complaint is against the College President, the College's Board of Directors will designate the investigator. Based on the information gathered by the investigation, the Board of Directors will prepare and issue the written report determining the complaint. If the complaint is against the Title IX Coordinator or any administrator ranked higher than the Title IX Coordinator, the College President will designate the investigating officer. Based on the information gathered by the investigation, the College President will prepare and issue the written report determining the complaint. In both of these situations, the written report determining the complaint is final and not subject to appeal.

### **Rights of the Parties in an Institutional Proceeding:**

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

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.



determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Vice President of Student Life (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the College can make available to the victim a range of protective measures. They include: forbidding the accused from entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

### **Publicly Available Recordkeeping:**

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

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the College that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting Danny Fairley, Security Account Manager at 913-360-8888. State registry of sex offender information may be accessed at the following link: <http://www.kansas.gov/kbi/ro.shtml>.

## **Emergency Response and Evacuation Procedures**

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.

- Students, staff and visitors are encouraged to notify the Department of Safety and Security or Security Account Manager at 913-360-8888 of any situation that poses such a threat.

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

Once the emergency is confirmed and based on its nature, the Emergency Operations Management Team Leader, currently the Director of Operations, will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified.

The Emergency Operations Management Team Leader and the Director of Marketing & Communications along with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

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

The President, Emergency Operations Management Team Leader or Director of Marketing & Communications will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

<b>Method</b>	<b>Sign-Up Instructions</b>
Raven Alert, a text messaging system	All students are automatically entered into the Raven Alert text messaging system with an opt-out option. All faculty and staff are encouraged to sign-up for Raven Alerts through a link on the college website at <a href="https://www.benedictine.edu/student-life/services/raven-alerts">https://www.benedictine.edu/student-life/services/raven-alerts</a>
E-mail notification	All students, faculty and staff are assigned a college email address for communication purposes.
Personal communications	N/A

At the direction of the Emergency Operations Management Team, the Director of Marketing & Communications will contact local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

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

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



## **Missing Person Procedures**

This policy establishes procedures to be followed at Benedictine College in the event that a residential student is reported missing and of the option to provide confidential contact information for a person to be notified in the event the student is officially reported as missing as required by the Higher Education Opportunity Act of 2008.

- Anyone believing a student residing in campus housing may be missing should report that to the following: Vice President of Student Life (913-360-7520), Campus Security (913-360-8888), Director of Residence Life (913-360-7500), or any other College official. Anyone receiving a missing student report must immediately refer it to Campus Security.
- When a student is officially reported missing, the Vice President of Student Life will initiate an investigation into the welfare of the student if the student has been absent from campus for more than 24 hours without a known reason. This investigation will include a good-faith effort to make contact with the student or an emergency contact using any information the student has provided to Benedictine College for this purpose. The Vice President of Student Life will gather all essential information about the student from the reporting person and from the student's acquaintances. The Vice President of Student Life will then contact the Dean of Students and Campus Security. Appropriate campus staff will be notified to aid in the search for the student. If the actions are unsuccessful in locating the student or it is apparent immediately that the student is missing, the Vice President of Student Life or appropriate designate will contact the Atchison Police Department to report the student as a missing person and they will take charge of the investigation.
- Within 24 hours of a determination that the student is missing, the Vice President for Student Life will make a good-faith effort to contact the student's emergency or confidential contact identified by the student. If a reported missing student is under the age of 18 and is not emancipated, the Vice President for Student Life also will immediately make a good-faith effort to contact the custodial parent or legal guardian of the student. Regardless of the age of the student, the College will also notify local law enforcement within 24 hours of the determination that the student is missing (unless the local law enforcement agency made the determination that the student is missing).
- In addition to registering any general emergency contact, students residing in on-campus housing will be informed and given the opportunity during each semester registration process to register confidential contact information to be used by the Vice President of Student Life in the event that student is determined to have been missing for more than 24 hours. To register this information, students can complete the online screen during the registration process or go to emergency contact information registration on the BC website and follow the directions indicated. This information will remain in effect until changed or revoked by the student, will be kept confidential, will be accessible only to authorized campus officials, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

For purposes of this policy, a student may also be considered to be a "*missing person*" at any time prior to the expiration of 24 hours the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

## Crime Statistics

The statistical summary crimes for Benedictine College over the past three calendar years follows:

Crime	On Campus			On Campus Housing			Non Campus			Public Property		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	4	0	0	4	0	0	0	0	0	0	0	0
Fondling	2	1	0	1	1	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	1	0	0	0	0	0	0	0	0	0
Burglary	1	0	2	0	0	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	1	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	164	117	136	160	115	130	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	7	5	14	7	5	12	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0

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

**Hate crimes:**

**2017:** No hate crimes reported.

**2016:** No hate crimes reported.

**2015:** No hate crimes reported.

**Unfounded crimes:**

**2017:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**2016:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**2015:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**Data from Local Law Enforcement:**

- The data above reflects statistics provided from local law enforcement on crimes that occurred in the College's Clery Geography where the College was able to determine the exact Clery Geography category the crime occurred on.

## Annual Fire Safety Report

### Housing Facilities and Fire Safety Systems

The College maintains on-campus housing for its students. These facilities were built at different times and have a variety of fire safety systems installed within them. Periodically the College also conducts fire drills. The following chart lists each housing facility, the fire safety system or systems within it and the number of fire drills conducted during the previous calendar year. The facilities listed below are all located at 1020 North 2<sup>nd</sup> Street, Atchison, Kansas 66002.

Facility	Fire Alarm Monitoring Done on Site (by Campus Security)	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of evacuation (fire) drills
Turner	X	--	X	X	X	X	1
Newman	X	--	X	X	X	X	1
St. Joseph	X	--	X	X	X	X	1
Legacy	X	--	X	X	X	X	1
Elizabeth (formerly named Ferrell)	X	--	X	X	X	X	1
McDonald	X	--		X	X	X	1
Memorial	X	--	X	X	X	X	1
St. Scholastica	X	--	X	X	X	X	1
Cray Seaberg	X	--	X	X	X	X	1
Row Houses	X	--	X	X	X	X	1
St. Michael	X	--	X	X	X	X	1
Our Lady of Guadalupe	X	--	X	X	X	X	1

Note: Fire alarm monitoring of the above listed on-campus housing facilities also is done off campus by Keller Fire & Safety.

## **Policies on Portable Appliances, Smoking and Open Flames**

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: popcorn poppers, microwaves, and coffee pots. Appliances that are NOT permitted in dorm rooms include: hot plates, grills, skillets, toaster ovens, refrigerators larger than 4 cubic feet, and gas appliances. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.

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

## **Fire Evacuation Procedures**

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

## **Fire Education and Training Programs**

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the College's fire safety policies. Information distributed includes maps of each facility's evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a "buddy" assigned to assist him or her.

## **Reporting Fires**

The College is required to disclose each year statistical data on all fires that occurred in on-campus student housing facilities. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. However, there may be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the following: Danny Fairley, Chief of Security/Security Account Manager at 913-360-8888; [dfairley@benedictine.edu](mailto:dfairley@benedictine.edu). When notifying this individual of a fire, as much information as possible about the location, date, time and cause of the fire should be provided.

## **Plans for Future Improvements**

The College periodically reviews its fire safety protections and procedures. At this time, it has no plans for future improvements.

## **Fire Statistics**

### **2017**

No fires were logged in 2017.

### **2016**

No fires were logged in 2016.

### **2015**

No fires were logged in 2015.